

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2247

Wednesday, August 2, 2000 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Carnes	Beach	Boulden, Legal
Collins		Dunlap	Counsel
Harmon		Huntsinger	
Hill		Matthews	
Horner		Stump	
Jackson			
Ledford			
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, July 28, 2000 at 2:15 p.m., posted in the Office of the City Clerk at 2:08 p.m., as well as in the office of the County Clerk at 2:01 p.m.

After declaring a quorum present, Chair Westervelt called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of July 5, 2000 Meeting No. 2244

On **MOTION** of **BOYLE** the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the minutes of the meeting of July 5, 2000 Meeting No. 2244.

Minutes:

Approval of the minutes of July 19, 2000 Meeting No. 2245

On **MOTION** of **HARMON** the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the minutes of the meeting of July 19, 2000 Meeting No. 2245.

Minutes:

Approval of the minutes of July 26, 2000 Meeting No. 2246

On **MOTION** of **HARMON** the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the minutes of the meeting of July 26, 2000 Meeting No. 2246.

CONTINUED ITEMS:

L-19076 – Stephen K. Mendenhall (2993)

(PD-6) (CD-9)

4545 South Lewis

TMAPC Comments:

Mr. Westervelt stated that the applicant has requested a continuance.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget, "absent") to **CONTINUE** the lot-split for waiver of subdivision regulations for L-19076 to August 16, 2000 at 1:30 p.m.

The Meadows Second (2992)

(PD-9) (County)

East of South 61st West Avenue and West 42nd Place South

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Westervelt stated that this preliminary plat has been withdrawn by the applicant and is stricken from today's agenda.

APPLICATION NO.: CZ-269

AG TO IM

Applicant: Charles E. Norman

(PD-15) (County)

Location: North side of East 66th Street North, east of Cherokee Expressway

TMAPC Comments:

Mr. Westervelt stated that there is a request for a continuance.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget, "absent") to **CONTINUE** CZ-269 to August 16, 2000 at 1:30 p.m.

TMAPC Comments:

Mr. Westervelt stated that he would be taking item no. 14 out of order due to a scheduling conflict for the applicant.

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford reported that the Comprehensive Plan Committee held a worksession on July 26th for an update on the Special Neighborhood Implementation Plan for the Brookside area. He indicated that Steve Carr of Urban Development presented the update. He stated that the presentation was quite lengthy and educational.

Director's Report:

Mr. Stump reported that the one-stop permit center, which is located at the Hartford Building, would be open next Monday. He indicated that INCOG would be providing one staff person to answer zoning questions and to take zoning and Board of Adjustment applications and lot-split applications.

Mr. Stump stated that there are three major amendments to PUDs on the City Council agenda for August 3rd and the amendments to the Zoning Code relating regulating of restaurants and bars.

Mr. Stump reported that the Council would be voting on directing the Planning Commission to hold public hearings on the rezoning of the tract of land located at 6th and 145th East Avenue, which was involved in a lawsuit.

APPLICATION NO.: Z-6779

Applicant: Stephen A. Schuller

Location: West side of Elgin, South of Archer Street

**IL TO CBD
(PD-1) (CD-4)**

Staff Recommendation:

RELEVANT ZONING HISTORY:

Z-6763 - June 2000: All concurred in approval of a request to rezone a lot located on the northeast corner of East Archer Street and North Detroit Avenue and to the north of the subject property, from IL to CBD.

Z-6695 - June 1999: All concurred in approval of a request to rezone a lot located on the southwest corner of East 1st Street and South Detroit Avenue from IL to CBD.

BOA-18379 - April 1999: The Board of Adjustment approved a special exception to allow a mechanical plant and a parking garage on the northeast and southeast corners of East 1st Street and South Cincinnati and located in an area zoned IL and CBD.

BOA-18013 - April 1998: The Board of Adjustment approved a request for a special exception to allow a light manufacturing company building computer components on property located on the northeast corner of East Brady Street and North Detroit, north of the subject tract and zoned CBD.

Z-6598 - December 1997: All concurred in approval of a request to rezone 14 acres in the downtown area with property located between North Boulder Avenue and North Boston Avenue, south of East Brady Street to the Burlington Northern Railroad and property located on the northeast corner of East Archer and North Elgin Avenue as well as two tracts located on the northwest corner and the northeast corner of the Burlington Northern Railroad and North Greenwood Avenue from IL to CBD.

Z-6570 - December 1996: All concurred in approval of a request to rezone the Salvation Army and Community Day Center facility and various other vacant residential properties from IM, IL, RS-3 and RM-2 to CBD and PUD-532 for a Community Center and Criminal Justice facility in the vicinity of 2nd/3rd Streets/Brady/Denver.

BOA-16820 - October 1994: The Board of Adjustment denied a request to allow an outdoor advertising sign on property located on the southeast corner of East Brady and North Cincinnati Avenue, zoned CBD and outside a freeway sign corridor.

Z-5422 - December 1993: All concurred in approval of a request to rezone a lot located on the northeast corner of East Archer Street and South Main Street from IL to CBD for multifamily use.

Z-5977 - September 1984: All concurred in approval of a request to rezone a block located on the southwest corner of East Archer Street and South Cincinnati Avenue from CH to CBD.

Z-5756 - November 1982: All concurred in approval to rezone a tract of land located at the southeast corner of East Archer Street and South Boston Avenue from IL to CH.

Z-5586 - August 1981: All concurred in approval to rezone a tract of land located south of Brady Avenue at Greenwood Avenue from IL to CH.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.11 acres in size and is located on the west side of Elgin Avenue and south of Archer Street. The property is flat, non-wooded, contains commercial and industrial buildings, and is zoned IL.

STREETS:

Existing Access	MSHP Design.	Exist. No. Lanes	Surface	Curbs
North Elgin Avenue	80'	4 lanes	Paved	Yes
East Archer Street	80'	4 lanes	Paved	Yes

The Major Street Plan designates North Elgin Avenue and East Archer Street as commercial/CBD/industrial collector streets.

UTILITIES: Water and sewer are available to the subject property.

SURROUNDING AREA: The subject tract is abutted on the north by a service station, offices and a vacant lot, zoned IL; to the east by a warehouse and parking lot, zoned IL; to the west by a tire store, zoned IL; to the south by the Atchison, Topeka, and Santa Fe railroad right-of way and beyond that is a trucking company and farther south is LaPetite Children's Academy and nursery, zoned CBD.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 1 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as being in the Greenwood District of the "Old Towne" Identity Area. Plan policies call for the area to remain one of mixed uses, generally including suburban-density office, commercial and service uses. Uses are to be compatible with the University and near north residential and retail uses. Plan policies also envision all or much of the downtown area being rezoned CBD.

According to the Zoning Matrix the requested CBD is in accordance with the Plan Map.

STAFF RECOMMENDATION:

Based on existing development, trends in the area and the adopted District One Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, staff can support the requested CBD designation and therefore recommends **APPROVAL** of CBD zoning for Z-6779.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to recommend **APPROVAL** of CBD zoning for Z-6779 as recommended by staff.

Legal Description for Z-6779:

Lots 1, 2, 3, and the East 125' of Lot 4, and the East 125' of the South 50' of Lot 5, and the vacated alley between the South 50' of Lots 2 and 5, and between Lots 3 and 4, all in Block 56, Original Town, now City of Tulsa, Tulsa County, State of Oklahoma, according to the official Plat thereof, **From IL (Industrial Light District) To CBD (Central Business District).**

SUBDIVISIONS

FINAL PLAT:

Claremont Park – (1793)

(PD-6) (CD-8)

East of Lewis Avenue on the south side of 21st Street South

Staff Recommendation:

Mr. Beach stated that everything is in order and staff has received all release letters. Staff recommends **APPROVAL** of the final plat for Claremont Park.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the final plat for Claremont Park as recommended by staff.

Lewis 53 Office Park (PUD-613) (3293)

(PD-18) (CD-9)

Southeast corner of East 53rd Street and South Lewis Avenue
(Formerly Three Oaks)

Mr. Ledford announced that he would be abstaining from this item.

Staff Recommendation:

Mr. Beach stated that everything is in order and staff has received all release letters. Staff recommends **APPROVAL** of the final plat for Lewis 53 Office Park.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-1** (Boyle, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the final plat for Lewis 53 Office Park as recommended by staff.

Cobblestone Trail – (2323)

(PD-14) (County)

Quarter mile east of North Sheridan Road, north side of East 146th Street

Staff Recommendation:

Mr. Beach stated that everything is in order and staff has received all release letters. Staff recommends **APPROVAL** of the final plat for Cobblestone Trail.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the final plat for Cobblestone Trail as recommended by staff.

Butler Park – (3603)

(PD-16) (CD-6)

Northwest corner of East Marshall Street and North Mingo Road

Staff Recommendation:

Mr. Beach stated that everything is in order and all release letters have been received. Staff recommends **APPROVAL** of the final plat for Butler Park.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, Midget "absent") to **APPROVE** the final plat for Butler Park as recommended by staff.

Mr. Midget in at 1:43 p.m.

PRELIMINARY PLAT:

Booker T. Washington – (2030)

(PD-2) (CD-3)

North Trenton Avenue and East Woodrow Place

Staff Recommendation:

This plat consists of one lot in one block and one reserve on 42.35 acres. The property is the site of the new Booker T. Washington High School campus.

The following were discussed **July 20, 2000** at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

- The property is zoned RS-3 and has contained a public high school campus for many years. It was the subject of Board of Adjustment approval of several variances on July 25, 2000. This plat was filed to facilitate the redevelopment of the site to accommodate the new high school. There are no outstanding zoning issues that affect review of the plat.

2. Streets/access:

- The property has frontage on several public streets, all of which have the full right-of-way needed, except East Woodrow Street. East Woodrow Street will have 44 feet of right-of-way dedicated, 25 feet south of the centerline and 19 feet north of the centerline.

- Somdecerff, Transportation, stated that 44 feet is sufficient in this location. He further stated that a 25-foot radius is required at the northeast corner of East Virgin Street and North Trenton Avenue and at the southwest corner of East Zion Street and North Trenton Avenue.
- 3. Sewer:**
- Several existing sewer lines will be abandoned and relocated in this project. Easements will be dedicated as required by the Public Works Department, consistent with the approved development plans.
- 4. Water:**
- Several existing water lines will be abandoned and relocated in this project. Easements will be dedicated as required by the Public Works Department, consistent with the approved development plans.
 - The new gymnasium would be a considerable distance from the nearest fire department connection. Service will be provided to the satisfaction of the fire marshal.
- 5. Storm Drainage:**
- Reserve A is for detention.
 - McCormick, Stormwater, acknowledged that detention is required and provisions are being made.
- 6. Utilities:**
- There were no utility comments.
- 7. Other:**
- There were no other comments.

Staff recommends approval of the preliminary plat subject to the conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Dedication of additional right-of-way to form a 25' radius curve at the intersections of Zion and Virgin with North Trenton Avenue.

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 lines 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 topo 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; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins, "absent") to **APPROVE** the preliminary plat for Booker T. Washington, subject to special conditions and standard conditions as recommended by staff.

PLAT WAIVER:

BOA-18816 - (994)
13902 East 11th Street

(PD 17) (CD 6)

Staff Recommendation:

The Board of Adjustment approved a special exception to permit a church on this property on July 25, 2000. Any approval of Use Unit 5 triggers the platting requirement.

Staff Comments and Recommendation:

Based on the several items noted in the checklist that would require separate instruments, staff recommends **DENIAL** of the plat waiver.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1) Has property previously been platted? | √ | <input type="checkbox"/> |
| 2) Are restrictive covenants contained in a previously filed plat? | <input type="checkbox"/> | √ |
| 3) Is property adequately described by surrounding platted properties or street R/W? | √ | <input type="checkbox"/> |

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

- | | | |
|---|--------------------------|--------------------------|
| 4) Is right-of-way dedication required to comply with Major Street and Highway Plan? | √1 | <input type="checkbox"/> |
| 5) Would restrictive covenants or deeds of dedication be needed by separate instrument? | √4 | <input type="checkbox"/> |
| 6) Infrastructure requirements | | |
| a) Water | | |
| i) Is a main line water extension required? | <input type="checkbox"/> | √ |
| ii) Is an internal system or fire line required? | <input type="checkbox"/> | √ |
| iii) Are additional easements required? | <input type="checkbox"/> | √ |
| b) Sanitary Sewer | | |
| i) Is a main line extension required? | <input type="checkbox"/> | √ |
| ii) Is an internal system required? | <input type="checkbox"/> | √ |
| iii) Are additional easements required? | <input type="checkbox"/> | √ |
| c) Storm Sewer | | |
| i) Is a P.F.P.I. required? | <input type="checkbox"/> | √ |
| ii) Is an Overland Drainage Easement required? | <input type="checkbox"/> | √ |
| iii) Is on-site detention required? | √ | <input type="checkbox"/> |
| iv) Are additional easements required? | √2 | <input type="checkbox"/> |
| 7) Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | √3 | <input type="checkbox"/> |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | √3 | <input type="checkbox"/> |
| 8) Change of Access | | |
| a) Are revisions to existing access locations necessary? | <input type="checkbox"/> | √ |
| 9) Is the property in a P.U.D.? | <input type="checkbox"/> | √ |
| a) If yes, was plat recorded for the original P.U.D.? | N/A | |

- 10) Is this a Major Amendment to a P.U.D.?
- a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? **N/A**
- 11) Are additional utility easements needed?

NOTES:

1. Right-of-way dedication needs to be made to make a total of 50' on 11th Street. The standard radius at the corner of 11th and 139th East Avenue is not needed.
2. Major portions of the site are covered in FEMA and City Regulatory Floodplain. These areas must be placed in easements.
3. If working in the FEMA floodplain, a Conditional Letter of Map Revision must be provided to the City and a Letter of Map Revision to FEMA. Compensatory storage must be provided if filling/grading in the floodplain. FEMA floodway is also on the property. No work is allowed in the floodway.
4. If the plat were waived, separate instruments would be needed for right-of-way and drainage related easements.

Commissioner Collins in at 1:48 p.m.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, Tulsa, Oklahoma, 74114, representing the Church of God, stated that the lot is a platted lot and the issues have to do with a dedication of a right-of-way on 11th Street. He indicated that the dedication of right-of-way could be done by separate instrument.

Mr. Reynolds stated that the other issue is that the property is within a floodplain and his client is willing to show the floodplain line on the survey that will be filed of record. He commented that he couldn't see a practical reason for the church having to replat the property and going through the expense of replatting when the two issues can be handled by separate instrument.

Mr. Reynolds explained that the church has been on the site for over 20 years and is adding onto the existing structure.

TMAPC Comments:

In response to Mr. Westervelt, Mr. Reynolds stated that he does not believe the church ever applied for a special exception for the use. Mr. Reynolds commented that it may or may not have been grandfathered in. Mr. Reynolds explained that his client recently filed for a special exception for church use to clean up the records.

Mr. Boyle stated that he does not like to see check lists like this one; however, in this particular case since the church has existed for over 20 years and there are not changes in the use, this is one the Planning Commission can exercise their discretion and approve this request.

TMAPC Action; 10 members present:

On **MOTION** of **HARMON**, the TMAPC voted **9-1-0** (Boyle, Collins, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; Ledford "nay"; none "abstaining"; Carnes "absent") to recommend **APPROVAL** of the plat waiver for BOA-18816 subject to a dedication of right-of-way on 11th Street; and subject to a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) being required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office as recommended by staff.

CONTINUED ZONING PUBLIC HEARING

APPLICATION NO.: PUD-502-A

MAJOR AMENDMENT

Applicant: Jeffrey Levinson

(PD-18) (CD-8)

Location: Northeast corner of East 53rd Street and South Lewis

Mr. Ledford announced that he would be abstaining from this item.

RELEVANT ZONING HISTORY FOR PUD-502-A:

Z-6703/PUD-613 July 1999: All concurred in approval of a request to rezone a 1.04-acre lot located on the southeast corner of East 53rd Street South and South Lewis Avenue, south of the subject tract, from RS-2 to OL/PUD-613 for office use.

PUD-482-A September 1997: All concurred in approval of a major amendment to PUD-482 to change the permitted uses from motel to two development areas. One area would allow elderly/retirement housing and life care retirement center and the second area would permit office use.

BOA-17836 September 1997: The Board of Adjustment approved a request for a special exception to permit the floor area ratio of .32 on a tract located on the southeast corner of East 54th Street and South Lewis Avenue and zoned OL.

Z-6568 December 1996: All concurred in approval of a request to rezone a 140' x 105' tract located on the southeast corner of East 54th Street and South Lewis Avenue from RS-2 to OL.

Z-6489/PUD-534 June 1995: A request to rezone a 1.5-acre tract located south of the southwest corner of East 55th Street South and South Lewis Avenue from RS-3 to OL/PUD for a mixed use office and attached single-family residential development. All concurred in approval subject to conditions.

Z-6416/PUD-502 September 1993: All concurred to approve a request to rezone the original .8-acre tract of the subject property from RS-2 to OL/PUD-502 to permit an office development.

PUD-499 June 1993: All concurred in approval of a request to rezone a one-acre lot located north of the northwest corner of South Columbia Place and East 53rd Street from RM-2 to RS-2/PUD to permit a single-family development.

Z-6346/PUD-482 January 1992: A request was filed to rezone a half-acre tract located south of the southeast corner of 51st Street and South Lewis Avenue from OL to OMH and to abandon an existing PUD. The request was to combine the half-acre tract with the adjoining property under a new Planned Unit Development (PUD-482) for the development of a motel complex with offices, restaurant, living quarters for the manager, conference area and pool area. Staff recommended denial of OMH zoning and approval of OL/PUD subject to conditions.

Z-5882/PUD-373 January 1985: All concurred in approval of a request to rezone a half-acre tract located south of the southeast corner of East 51st Street and South Lewis Avenue from RS-2 to OL/PUD for an office development.

Z-5662/PUD-278 March 1982: A request to rezone a three-acre tract located on the southwest corner of East 55th Street South and South Lewis Avenue from RS-3 to OL/PUD for office development. All concurred in approval subject to conditions.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.28 acres in size and is located on the northeast corner of East 53rd Street South and South Lewis Avenue. The property is sloping, partially wooded, vacant and zoned RS-2 and OL/PUD-502.

STREETS:

<u>Existing Access</u>	<u>MSHP Design.</u>	<u>Exist. No. Lanes</u>	<u>Surface</u>	<u>Curbs</u>
East 53 rd Street South	50'	2 lanes	Paved	No
South Lewis Avenue	100'	4 lanes	Paved	Yes

The Major Street Plan designates South Lewis Avenue as a secondary arterial street. The City of Tulsa 1996 – 1997 traffic counts indicate 31,460 trips per day on South Lewis Avenue at East 51st Street South.

UTILITIES: Water and sewer are available to the subject property.

SURROUNDING AREA: The subject property is abutted on the north by a single-family dwelling, zoned RS-2; to the east by single-family dwelling, zoned RS-2; to the south across 53rd Street is a single-family dwelling, zoned RS-2 and a tract zoned OL/PUD-613; and to the west across S. Lewis Avenue, by an office complex, zoned OL.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – Linear Development and Low Intensity – Residential.

Staff Recommendation:

PUD-502 consists of 45,651 SF (gross) located at the northeast corner of East 53rd Street and South Lewis Avenue. PUD-502 was initially approved in 1993 for a maximum of 13,000 SF of office uses. This Major Amendment proposes to add to the PUD an adjoining parcel (abutting on the east) consisting of approximately 18,700 feet and increase the maximum building floor area from 13,000 SF to 17,500 SF.

The underlying zoning for the existing PUD is OL and the tract that is proposed to be added is zoned RS-2. The subject tract is abutted on the north by a single-family home zoned RS-2; to the east by a single-family home, zoned RS-2; to the south, across East 53rd Street is a single-family dwelling, zoned RS-2 and a tract zoned OL/PUD-613 (approved for Office uses); and to the west across Lewis Avenue is an office complex zoned OL.

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-502-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-502-A subject to the following conditions:

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

2. **Development Standards:**

Land Area (Gross):	64,350 SF
(Net):	47,546 SF
Permitted Uses:	Use Unit 11 uses except drive-in bank use is allowed only in the west 225' of the PUD.

Maximum Building Floor Area:	17,500 SF
Maximum Building Height:	two stories not exceeding 35 FT
Maximum Number of Lots:	One
Minimum Building Setbacks:	
From the centerline of South Lewis Avenue	100 FT
From the centerline of East 53 rd Street	50 FT
From the east boundary of the PUD	
One story	20 FT
Two stories	50 FT
From the north boundary of the PUD	10 FT
Minimum Parking Area Setbacks:	
From the east boundary of the PUD	10 FT
From the east 86' of the south boundary of the PUD	25 FT
From the west 254' of the south boundary of the PUD	5 FT

Maximum Access Points:

There shall be no more than one access onto South Lewis Avenue and no more than two access points on 53rd Street. There shall be no access within 100 feet of the east boundary of the PUD. All access points shall be approved by Traffic Engineering. If a drive-in banking facility is built, traffic from such facility shall not be allowed to access the east 115' of the PUD.

Landscaped Area and Screening:

A minimum of 15% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code. A landscaped area of not less than ten feet in width shall be located along the east boundary of the PUD. A landscaped area of not less than 25 feet in width shall be located along the east 86 feet of the south boundary of the PUD. There shall be a six-foot high or higher masonry wall along the east boundary of the PUD. There shall be a four-foot high screening wall or fence along the north edge of the 25-foot landscape strip, which is located along the east 86 feet of the south boundary of the PUD. The design of the six-foot or higher masonry walls shall be approved by TMAPC at time of site plan review. A six-foot high screening wall or fence shall be provided along the north boundary of the PUD.

Signage:

One business sign shall be permitted. It shall not exceed 32 SF of display surface area. If a ground sign, it shall not exceed eight feet in height and shall be placed on the Lewis Avenue frontage. If a wall sign is used, it shall be on the west-facing wall of the building.

Lighting:

Exterior lights on standards or building-mounted lights shall be hooded and the light directed downward and away from adjacent residential areas. Light standards or building-mounted lights shall not exceed eight feet in height within the east 150 feet of the PUD, and there shall be no light standard or building mounted lights within the east 20 feet of the PUD. No light standard shall exceed 15 feet in height.

3. All buildings shall be of a residential architectural style similar to that proposed in the conceptual plan submitted with PUD-502.
4. No Zoning Clearance Permit shall be issued for a lot within the PUD until a Detail Site Plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
5. A Detail Landscape Plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for the lot, prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
6. No sign permits shall be issued for erection of a sign on a lot within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. All trash, mechanical and equipment (including building-mounted) areas shall be screened from public view 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 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.

The applicant indicated his agreement with staff's recommendation.

Interested Parties Comments:

Vern Wiggin, 5310 South Atlanta Avenue, Tulsa, Oklahoma 74105, stated that he lives down the hill from the subject property. He expressed concerns regarding stormwater drainage and traffic.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-1** (Boyle, Collins, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Carnes "absent") to recommend **APPROVAL** of the Major Amendment for PUD-502-A, subject to conditions as recommended by staff.

Legal Description for PUD-502-A:

The East 113.33' of the West 390' of the S/2, S/2, SW/4, NW/4, NW/4, Section 32, T-19-N, R-13-E of the IBM, Tulsa County, State of Oklahoma; and the East 226.67' of the West 276.67' of the S/2, S/2, SW/4, NW/4, NW/4, Section 32, T-19-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, **from RS-2 and OL/PUD-502 (Residential Single-family Medium Density District and Office Low Intensity District/Planned Unit Development to RS-2/OL/PUD-502-A (Residential Single-family Medium Density District/Office Low Intensity District/Planned Unit Development [PUD-502-A]).**

ZONING PUBLIC HEARING

APPLICATION NO.: Z-6780

Applicant: Jeff Donnell

Location: Southwest corner of East 111th Street and South Yale Avenue

AG TO RS-1/OL

(PD-26) (CD-8)

Staff Recommendation:

RELEVANT ZONING HISTORY:

BOA-17914 January 1998: The Board of Adjustment denied a request for a 120' cellular tower on the subject property. Action by District Court, upon an appeal filed by the applicant, reversed the decision of the BOA.

Z-6595 - July 1997: All concurred in approval of a request to rezone the abutting five-acre tract on the west from AG to RS-2 for residential development.

BOA-16476 October 1993: The Board of Adjustment approved a special exception to reduce the required front setback from 35' to 30' on the subdivision located south and abutting the subject property. The addition is zoned RS-1.

Z-6369 - October 1992: A request to rezone a 30-acre tract located south of the southwest corner of East 111th Street South and South Yale Avenue and abutting the subject tract on the south from AG to RS-2. Staff and TMAPC recommended denial of RS-2 and approval of RS-1. City Council concurred in approval of RS-1.

Z-6087 - December 1985: A request to rezone the subject property from AG to CS was denied.

Z-6055/PUD-399 - July 1985: All concurred in approval of a request to rezone a twenty-acre tract located one-quarter mile south of the subject tract and fronting on South Yale from AG to RS-1/PUD.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 4.5 acres in size and is located on the southwest corner of East 111th Street South and South Yale Avenue. The property is flat, non-wooded, vacant, and zoned AG.

STREETS:

<u>Existing Access</u>	<u>MSHP Design.</u>	<u>Exist. No. Lanes</u>	<u>Surface</u>	<u>Curbs</u>
East 111 th Street South	100'	2 lanes	Paved	No
South Yale Avenue	100'	2 lanes	Paved	No

The Major Street Plan designates East 111th Street South and South Yale Avenue as secondary arterial streets. The City of Tulsa 1996 –1997 traffic counts indicate 6,100 trips per day on South Yale Avenue at the intersection of East 111th Street South.

UTILITIES: Water and sewer are available to the subject property.

SURROUNDING AREA: The subject tract is abutted on the north and south by single-family homes, zoned RS-1; to the west by vacant property and beyond that are single-family dwellings, zoned RS-1; to the northeast by a drainage basin, zoned RS-2/PUD-447; and to the east by vacant land, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Low Intensity – No Specific Land Use.

According to the Zoning Matrix the requested RS-1 is in accordance with and the OL zoning **may be found** in accordance with the Plan Map.

STAFF RECOMMENDATION:

Based on the zoning and development in this area, staff recommends **APPROVAL** of OL on the east 210' measured from the centerline of South Yale Avenue and **APPROVAL** of RS-1 on the balance.

Applicant's Comments:

Jeff Donnell, 3707 East 107th Street, Tulsa, Oklahoma 74137-6733, stated he is requesting OL zoning for the east portion of the subject property, which would be developed for small offices and the remainder of the property to the west would be developed into single-family dwellings.

Mr. Donnell stated that he has received numerous calls requesting information on the proposal. He described the office as having a house-like construction and will look like a residence instead of a commercial building. He indicated that the buildings would be limited to a single-story height.

Mr. Donnell indicated his agreement with the staff recommendation.

Interested Parties Comments:

Norm Glorioso, 4815 East 112th Street, Tulsa, Oklahoma 74137, stated that the proposal is in a residential area and the neighbors would like to keep the residential flavor in the subject area. He commented that allowing OL would detract from the subject area. He requested that the Planning Commission to deny this application.

Alan Kroblin, 4911 East 113th Street, Tulsa, Oklahoma 74137, requested that the Planning Commission deny this request. He expressed concerns with traffic in the subject area if OL zoning is allowed.

Sandra Nargi, 4210 East 112th Street, Tulsa, Oklahoma 74137, stated that the OL zoning would be detrimental to the neighborhood. She commented that the single-family proposal is acceptable, but the OL zoning will change the flavor of the neighborhood.

Brian Broach, 4102 East 111th Street, Tulsa, Oklahoma 74137, stated that he is in support of the OL zoning. He described the surrounding properties and explained that a developer will not build single-family homes across from an Indian smoke shop and next to a stormwater detention pond. He commented that the OL zoning is appropriate for the subject property and requested the Planning Commission to approve this application.

Applicant's Rebuttal:

Mr. Donnell stated that he is trying to preserve the neighborhood as much as possible because he lives in the subject area as well. He explained that he is trying to maintain the residential flavor of the subject area and this application will be compatible with the subject area.

TMAPC Comments:

Mr. Midget asked Mr. Donnell if the office would face 111th or Yale Avenue. In response, Mr. Donnell stated that the office will face Yale Avenue and the residential property will access off of 111th Street. He indicated that the three residential lots would have 6,000 SF homes.

Mr. Boyle stated that he understands the sensitivity of the neighborhood regarding having OL on Yale, but this seems to be well placed considering the existing development surrounding the subject area.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Collins, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes "absent") to recommend **APPROVAL** of the OL zoning on the east 210' measured from the centerline of South Yale Avenue and **APPROVAL** of RS-1 on the balance as recommended by staff.

Legal Description for Z-6780:

Part of the N/2, NE/4, NE/4, NE/4, less and except the N 150' of the W 150', Section 33, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, **From AGL (Agriculture District) To RS-1 and OL (Residential Single-family Low Density District and Office Low Intensity District).**

APPLICATION NO.: PUD-182-7

Applicant: Jeffrey Lower

Location: 7415-7417 South Atlanta Avenue

MINOR AMENDMENT

(PD-18) (CD-2)

Staff Recommendation:

The applicant is requesting a Minor PUD Amendment to allow a lot-split along the common wall of an existing duplex and to allow an amendment of the required five-foot side yard setback to a zero-foot setback.

Nine other lots in this subdivision have previously been granted minor amendments for lot-splits along the common wall of duplexes. Staff recommends **APPROVAL** of PUD-182-7 minor amendment for Lot 7, Block 1, South Oaks Acres, subject to it applying only to the existing building.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Collins, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes "absent") to **APPROVE** of the minor amendment for PUD-182-7, subject to it applying only to the existing building as recommended by staff.

APPLICATION NO.: PUD-540-3
Applicant: Robert Brokaw
Location: 9636 South Vandalia

MINOR AMENDMENT
(PD-26) (CD-8)

Staff Recommendation:

The applicant is requesting a minor PUD amendment to move the 25-foot rear setback line to 24.3 feet for an existing structure. Minimum rear yard requirements for lots abutting the Hunters' Pointe Addition are the RS-2 zoning district standards.

Staff does not object to the proposed minor change to allow the infringement of the corner of the single-family structure. The lot is triangular with an 11-foot utility easement bordering the rear property line. Part of Lot 4 was split under Lot-Split #18386, approved in January of 1987, which allowed splits between Lots 3, 4, and 5 of Block 1. Staff has reviewed the Planned Unit Development standards, and can agree that the minor amendment request as depicted on the submitted site plan would be in keeping with the overall intent of the PUD.

Staff recommends **APPROVAL** of the Minor PUD Amendment per the submitted site plan.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Collins, Harmon, Hill, Homer, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes "absent") to **APPROVE** the minor amendment for PUD-540-3 per the submitted site plan as recommended by staff.

TMAPC Comments:

Mr. Boyle asked staff if there was a way that this issue could be handled administratively rather than coming to the Planning Commission. In response, Mr. Stump stated that staff is trying to develop a procedure for standard zoning and it could be done for PUDs, but the Legal Department feels that staff's proposal is contrary to law. Mr. Stump explained that Legal is concerned that handling a minor amendment like this one would be done without any notice to interested parties.

Mr. Boyle stated that if there is already a PUD in place and the Planning Commission could set up a procedure that assigns some of the responsibility to staff; it would seem to make sense. Mr. Boyle further stated that he is not aware of any law that this would violate.

Mr. Ledford informed Mr. Boyle that this subject was discussed at the last worksession and it was to be sent back to Public Works for their input.

APPLICATION NO.: PUD-360-A-7

MINOR AMENDMENT

Applicant: Roy D. Johnsen

(PD-18) (CD-8)

Location: North and west of the northwest corner of East 91st Street and South Memorial

Staff Recommendation:

The applicant is requesting a minor amendment to PUD-360 to allow a restaurant use within 70 feet of the west property line. There have been similar previous requests for this Planned Unit Development.

In March of 1999, a decision was made to only allow restaurant use 150 feet east of the western boundary of the PUD, on the parcel to the south of the subject site located in Development Area Lot 2-B. Lot 2-B contains an under-construction retail structure facing 91st Street. Only Use Units 11 and 14 of the Zoning Code are permitted in the 150-foot setback area.

In August of 1998, a decision was made by TMAPC to allow CS-zoned uses, but restricting the west 200 feet to only Use Units 11 and 14.

A landscaping and drainage buffer strip is being developed between the PUD and the existing neighborhood. Existing screening fences on each individual residential lot appear to be in place at this time.

The intent of the original PUD contemplated only certain types of commercial uses nearest the neighborhood for protection. Decisions on minor amendments have not allowed restaurant uses, in particular, to be allowed near the residential neighborhoods because of concerns about hours of operation, noise and traffic.

Staff recommends that if the TMAPC allows the restaurant use, it shall not face the neighborhood to the west, have any public entrance within 100 feet of the west boundary of the PUD, and limit hours of operation to 6:30 a.m. to 11:00 p.m., and no bulk trash container used by the restaurant shall be within 120 feet of the west boundary of the PUD. The enclosure for the bulk trash container shall be of a masonry type (except for gates) similar to the front of the building. There shall be no drive-in window allowed. Staff can recommend **APPROVAL** of the requested Minor Amendment with the recommended conditions to the general commercial use.

Applicant's Comments:

Roy Johnsen, 201 West 5th, Suite 501, Tulsa, Oklahoma 74103, stated that the application is to amend a restriction that was imposed in the very first PUD for Homeland, which was that in the west 200' the commercial use was limited to Use Units 11 and 14.

Mr. Johnsen stated that the subject tract is the last tract of land to develop within the PUD. He explained that he is proposing that a restaurant could be permitted if a part of a principal building (not a free-standing building). He stated that the restaurant will be St. Louis Bread Company and will be located in the north part of the middle building within the PUD. The building will be 70' from the west boundary and is a significant setback.

Mr. Johnsen explained that staff was concerned about the trash receptacle and did not want it to be located west of the subject building. He stated that a setback has been established and forces the trash receptacle to the north end of the building a 120' from the west boundary line, which places it toward the front of the building and farther away from the residential area.

TMAPC Comments:

Mr. Westervelt asked Mr. Johnsen if this is the property that has had some problems with maintaining an adequate buffer. In response, Mr. Johnsen stated that he believes that this is the property; however, he was not employed at the time that this issue came up. Mr. Johnsen explained that he believes that his client has taken it upon himself to make sure that the buffer is done properly. Mr. Johnsen indicated that it has been resodded and his client has met with the neighborhood.

Mr. Midget out at 2:25 p.m.

Commissioner Collins out at 2:25 p.m.

Interested Parties Comments:

Darrell Richter, 8925 South 77th Place, Tulsa Oklahoma 74133-4857, stated that he lives behind where the subject building is being proposed. He expressed concerns with there being a drive-in or drive-through, concerns with rodent problems due to the trash receptacle.

Mr. Richter commented that the landscaping buffer is still not acceptable and is not completed.

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

Jamal S. Saad, 8929 South 77th East Place, Tulsa, Oklahoma 74145, expressed concerns with the landscaping buffer not being completed.

TMAPC Comments:

Mr. Stump stated that he would like to point out that there is a drive-in prohibition on this PUD and staff recommends that this be included in the conditions.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Collins "absent") to **APPROVE** of the minor amendment for PUD-360-A-7 as modified, subject to conditions as recommended by staff.

Commissioner Collins in at 2:41 p.m.

OTHER BUSINESS:

APPLICATION NO.: PUD-405/Z-5722-SP

DETAIL SITE PLAN

Applicant: Ted Sack

(PD-18) (CD-8)

Location: Southwest corner of East 91st Street and South 78th East Avenue

Staff Recommendation:

The applicant is requesting a Detail Site Plan approval for two office buildings to be located on Lot 1, Block 1 of the "9100 Memorial" Plat. A 7,640 square foot building and a 20,336 square foot building are proposed for the site.

Staff has examined the request and finds conformance to bulk and area, building square footage, setback, parking, lighting, general screening and total landscaped area standards and specifications as outlined in PUD-405/Z-5722-SP-1.

Staff, therefore, having found conformance to the approved standards and specifications for the Planned Unit Development, recommends **APPROVAL** of the Detail Site Plan as submitted, with the requirement that the detail landscaping plan include appropriate screening to the west side as required.

Note: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **10-0-0** (Boyle, Collins, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes "absent") to **APPROVE** the detail site plan for PUD-405/Z-5722-SP as submitted with the requirement that the detail landscaping plan include appropriate screening to the west side as required.

APPLICATION NO.: PUD-206

DETAIL SITE PLAN

Applicant: Larry Pennington

(PD-28) (CD-8)

Location: Lot 1, Block 1 of Sheridan Center, south of the southwest corner of Sheridan Road and 91st Street South

Mr. Ledford announced that he would be abstaining from this item.

Staff Recommendation:

The subject site is bounded by Sheridan Road to the east, residential uses to the south and west and commercial uses to the north. Access to the site is from Sheridan Road with access onto the private parcel in the northeast via joint access agreement.

The proposed plan includes three buildings totaling 22,734 square feet of floor area. The buildings to the east and west are two stories in height; the central building is one story. Proposed uses include retail uses on the first floor and office uses on the second. The three structures will run east/west with customer access from the north, east and west.

The second floor of the eastern building is set back approximately 51 feet from the southern property line; the second floor of the western building is set back approximately 58 feet from the southern property line and 65 feet from the west property line. The elevation of the western building shows three office windows on the second floor facing south and two office windows facing west. The elevation of the western building shows one office window on the second floor. Conversation with the architect indicates that the 3' x 5' windows are set 4' off the floor.

A series of screened dumpsters are indicated along the south side of the structure, located approximately 23' from the property line.

The site plan as submitted provides for a six-foot landscape strip and an eight-foot high screening fence along the south and west perimeters. Staff has requested that the fence along the south and west boundaries be increased to eight feet, the architect has indicated that the owner will agree. A landscaping plan has not been provided at this time.

Staff has reviewed the request and finds that the request conforms to the height, setback, open space and parking requirements of the PUD.

With the condition that documentation be provided regarding the mutual access in the northeast staff recommends **APPROVAL** of the detail site plan for PUD-206.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-1** (Boyle, Collins, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Carnes "absent") to **APPROVE** the detail site plan for PUD-206, subject to conditions as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:43 p.m.

Date approved: 08/15/00



Chairman

ATTEST: 

Secretary

