

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2275

Wednesday, May 23, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, May 21, 2001 at 9:00 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, Vice Chair Boyle called the meeting to order at 1:30 p.m.

Minutes:

Approval of the minutes of May 2, 2001, Meeting No. 2273

On **MOTION** of **HARMON** the TMAPC voted 7-0-1 (Boyle, Carnes, Harmon, Horner, Jackson, Ledford, Pace "aye"; no "nays"; Hill "abstaining"; Midget, Selph, Westervelt "absent") to **APPROVE** the minutes of the meeting of May 2, 2001, Meeting No. 2273.

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford reported that there was a Comprehensive Plan Committee meeting today and the first topic of discussion was to amend the District 26 Plan to remove low-medium intensity node at 111th and Sheridan. After lengthy discussion, the committee decided to take no action.

Mr. Ledford stated that the second item of discussion was to amend the Zoning Matrix to designate OL as a "may be found" category in the low-intensity residential land use category. He reported that it was approved and will be forthcoming to the full Planning Commission for a full vote. Mr. Ledford requests the staff to review adding PK zoning as "may be found" in that category as well.

Mr. Boyle asked staff to set up another Comprehensive Plan Committee meeting to consider the PK zoning and then bring the entire package to the Planning Commission.

Rules and Regulations Committee

Mr. Boyle reported that the Rules and Regulations Committee met today and reviewed the draft amendment for the Subdivision Regulations. He indicated that the committee would meet again on June 6th to further discuss the amendments.

* * * * *

Director's Report:

Mr. Stump reported that there are two items on the City Council agenda for Thursday, May 24, 2001.

* * * * *

Mr. Midget in at 1:36 p.m.

Request for Continuances:

APPLICATION NO.: PUD-357-A-6

MINOR AMENDMENT

Applicant: Roy D. Johnsen

(PD-18) (CD-2)

Location: East and south of southeast corner of East 71st Street and South Quincy

The applicant has requested a continuance to June 6, 2001.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **CONTINUE** the minor amendment for PUD-357-A-6 to June 6, 2001 at 1:30 p.m.

* * * * *

APPLICATION NO.: PUD-405-16

Applicant: Glenda Nelson

Location: 7320 East 91st Place

MINOR AMENDMENT

(PD-18) (CD-8)

Staff Recommendation:

Mr. Stump stated that the applicant has requested a continuance in order to submit additional information.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **CONTINUE** the minor amendment for PUD-405-16 to June 6, 2001 at 1:30 p.m.

* * * * *

SUBDIVISIONS

L-19192 - Kenneth Crase

9377 North Birmingham

(PD-12) (County)

Staff Recommendation:

The applicant has applied to split their 330' X 1320' ten-acre parcel into two tracts. Both tracts meet all the AG bulk and area requirements; however, the required right-of-way has not been given.

Birmingham is currently 50' and dead-ends just south of the subject tract; and Delaware is only 40' wide. Tulsa County Engineering has agreed that the additional ten-foot right-of-way is not necessary along Birmingham; however, they would like Delaware to meet the 60' right-of-way standard.

The applicant has requested a waiver of the Subdivision Regulations that require the additional five-foot right-of-way along Birmingham and the additional ten-foot right-of-way along Delaware to meet the MSHP.

Given the development of the area, staff would agree that the deeding of the additional right-of-way along Birmingham is not warranted for this application. Staff would recommend **APPROVAL** of the waiver of Subdivision Regulations on Birmingham and of the lot-split, with the condition that the full 30' right-of-way from the center of the road be given to Tulsa County along Delaware.

TMAPC Comments:

Mr. Ledford asked what type of mechanism is there to ensure that a building is beyond the building setback line based on the Major Street and Highway Plan right-of-way. In response, Mr. Beach stated that in all instances regarding setbacks from streets, the Zoning Code describes the required setback as being from the centerline of the right-of-way as required by the Major Street and Highway Plan. Mr. Beach explained that regardless of the actual right-of-way, the requirement for setback is a number of feet plus half of the right-of-way.

Applicant's Comments:

Kenneth Crase, 9385 North Delaware, Tulsa, Oklahoma 74130, stated that he doesn't want to comply with this recommendation. He explained that there has been a lot-split in the subject area that he doesn't believe was held to this requirement. He indicated that there is a property south of the subject property and he doesn't think the right-of-way has been given to the County, but it may have.

Mr. Crase stated that Birmingham is not a dedicated county road according to the resident on the corner of 96th and Birmingham. To hold him to the five-foot right-of-way along Birmingham is ridiculous because it is not a county road.

Mr. Stump stated that staff is not recommending the five-foot right-of-way on Birmingham.

Mr. Crase stated that the ten-foot right on Delaware would take some yards and there isn't too much in front of the houses at this time. He commented that Delaware only goes from 96th to 86th and if it was a through road he could understand the 60-foot width.

Kenny Crase, 2313 North Elgin, Sperry, Oklahoma 74073, stated that the road his father is talking about is only one mile long. There is a floodplain to the north and south, which would be Bird Creek. Delaware would never be a through street in the subject area.

Mr. Stump stated that the 60-foot right-of-way is the standard minor street right-of-way and this is not right-of-way for future thoroughfare. This is the lowest classification of street in the county. Mr. Boyle asked Mr. Stump about the applicant's argument that Delaware would not go anywhere. In response, Mr. Stump stated that the street serves the applicant's lot, and any street serving a house should have a least 60 feet of right-of-way in the county. It is not intended to be a major route anywhere, one way or the other.

Mr. Crase asked how long this requirement had been in effect. In response, Mr. Stump stated that he believes it has been a requirement for the last twenty years. Mr. Crase stated that he has lived on the subject property for 21 years and does not believe that the property to the south, which split since he has lived there, was held to this requirement. Mr. Stump stated that until seven years ago this dedication was not required of properties 2 ½ acres or more, which could have made the property Mr. Crase is talking about exempt.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the waiver of Subdivision Regulations on and the lot-split for L-19192, subject to the condition that the full 30 feet of right-of-way from the center of the road be given to Tulsa County along Delaware as recommended by staff.

TMAPC Comments:

Mr. Carnes stated that if Delaware were never developed, then the ten feet would never be taken.

* * * * *

L-19215 - Joan Derby
17482 South 145th East Avenue

(PD-20) (County)

Staff Recommendation:

The applicant has a 105' strip that runs along 145th East Avenue that abuts a 63.63-acre tract. The applicant has applied to split one acre out of the 63.63-acre tract and attach it to a one-half acre tract being split out of the 105' strip (6.36 acre tract).

The resulting tracts will be: Tract 1 -- 62.63 acres; Tract 2 -- 4.36 acres; Tract 3 -- 1.5 acres; Tract 4 -- 1.5 acres

Tulsa County Engineering has asked for the required 50' right-of-way for a secondary arterial on 145th East Avenue, but would accept as little as 30'. East 171st Street South is designated as a primary arterial, requiring 60' right-of-way. The applicant is asking for a waiver of the right-of-way dedication to Tulsa County. Staff considers this lot-split to qualify for reduced dedication of right-of-way considering Section 6.5.3.(c)(3) of the Subdivision Regulations. Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Tulsa City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan, except upon a finding that: development made possible by the split itself will not measurably increase the burden of traffic on an adjacent street to such an extent that it would adversely affect the health, safety, and welfare of the public.

On May 15, 2001, the Tulsa County Board of Adjustment approved five variances of the AG Bulk and Area requirements for Tracts 3 and 4, including the variance of the front yard requirement of 85' down to 50' on Tract 3 and with the condition that no structures be allowed in the setback or right-of-way on Tract 4.

The applicant did not obtain a passing percolation test for Tracts 2 and 4 and is therefore seeking a waiver of the Subdivision Regulation 6.5.4.(e) requiring a passing soil percolation test on each parcel. Both tracts have at least 1 ½ acre, meeting the Department of Environmental Quality's lot size standards of ½ acre for an alternative system.

Given the Tulsa County Board of Adjustment's approvals, staff would recommend **APPROVAL** of the two waivers of Subdivision Regulations and of the lot-split, with the condition that a minimum of 30' right-of-way be dedicated to Tulsa County on 145th East Avenue and on East 171st Street South.

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 **MIDGET**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the waivers of Subdivision Regulations and the lot-split, subject to the condition that a minimum of 30' right-of-way be dedicated to Tulsa County on 145th East Avenue and on East 171st Street South as recommended by staff.

* * * * *

Mr. Ledford stated that he would be abstaining from the following item.

FINAL PLAT:

The Tulsa Commons – PUD 601 (684) (PD-18) (CD-8)
Northeast corner of East 69th Street and South US 169

This plat consists of ten lots in two blocks and one reserve on 38.67 acres. It will be developed for commercial and office uses under PUD 601.

PUD 601 was approved in early 1999 and another subdivision plat by the same name was reviewed by TAC and approved by TMAPC. The PUD was amended in late 1999 to divide Development Area A into two parts (A-1 and A-2). The southerly part (A-1) was then platted as Eastside Market II. The remainder (Development Area A-2), along with Development Areas B, C, and E are included in this submittal. The Development Areas correspond with the lots as follows: Lot 1, Block 1 = Area A-2; Lot 2, Block 1 = Area B; Lot 1, Block 2 = Area C; Lots 2-8 and Reserve A = Area E.

The uses allowed on Lot 1, Block 1 include parking lots, offices, convenience goods and services, retail, restaurants and other entertainment, and hotel, motel and recreation uses. The uses allowed on Lot 2, Block 1 include offices and multifamily dwellings. The uses allowed on Lot 1, Block 2 include parking lots, offices, nursing homes, assisted living facility and elderly retirement housing. The uses allowed on the remainder of the property include offices and a drive-in bank on the east 225 feet, next to Garnett Road.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER**, TMAPC voted **8-0-1** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Selph, Westervelt "absent") to **APPROVE** the final plat for The Tulsa Commons as recommended by staff.

* * * * *

PRELIMINARY PLAT:

Birmingham Square Addition – (PUD 649) (2093) (PD 6)(CD 9)
West of the intersection of 33rd Street and South Birmingham Avenue

Staff Recommendation:

This plat consists of four lots in one block and two reserves on 2.46 acres. It will be developed as single-family residential.

The following were discussed **April 19, 2001** at the Technical Advisory Committee (TAC) meeting:

Zoning:

The PUD was heard by the TMAPC 4/18/01 and recommended for approval. The covenants must reflect the approved PUD conditions. The required setbacks need to be adjusted slightly around the cul-de-sac after its size and shape are resolved (see next paragraph). The PUD calls for a 30' building line along Birmingham Avenue; a 15' building line is shown.

Streets/access:

The PUD allows a private street with 26' paving in a 30' right-of-way. It requires the size of the cul-de-sac paving and right-of-way to be determined during platting. This should be resolved at the TAC meeting so that a proper recommendation can be made to the TMAPC with the preliminary plat. No entry gate details were provided and no area set aside to accommodate a gate. The applicant should address the plans for this entry and there should be discussion about sight distances up and down Birmingham.

There was discussion among the TAC members and the applicant about the cul-de-sac. The conclusion was that the geometry is acceptable as shown, provided the total length is shortened to less than 150 feet.

The applicant agreed to shorten the cul-de-sac. He also stated that the entry gate details will be resolved during the PUD detail plan review and may result in Reserve A being enlarged to accommodate it.

Staff has a concern that the entry gate needs to be decided now and the reserve area shaped to accommodate it so that the true layout of the subdivision can be reviewed and approved. There is also the issue of stacking distance with an entry gate and this needs to be considered before a final recommendation can be made.

TAC requested that the covenants be changed to separate the fence and the streets.

Sewer:

A sewer easement is shown along the west line of Lot 2, on the subject property, and along Lot 3, off-site. No other sewer information was provided.

Payne, Wastewater, stated that the sewer main needs to be extended to serve Lot 4. The existing manhole located in the 20' drainage easement shown on the west side of Lot 2 needs to be elevated above the 100-year flood elevation.

Water:

General utility easements are shown throughout the property. No existing water line information was provided.

Holdman, Water, stated that the utility easement along the private street needs to be clarified. Primary concern is where it passes the cul-de-sac on its west end and runs through the proposed Reserve B.

The applicant stated it is their intent to make the entire Reserve A a general utility and access easement. They assumed this would provide plenty of space for the water lines and other front-lot utilities.

There was discussion among the TAC members and the applicant. The conclusion was that the easement needs to be restricted for waterline only. Staff is comfortable that a release from Public Works will indicate satisfaction with the easements.

Storm Drainage:

Birmingham is about 18-20 feet higher in elevation than the west property line. Reserve B is for a detention pond. Utility easements are shown combined with drainage easements on the plat.

McCormick, Stormwater, stated that it needs to be verified that Reserve B is large enough for the required detention. He also made a requirement that all utility easements and drainage easements need to be separated.

Utilities:

Add the word "install" along with the word "repair" in Section I, A.3.

Bryant, PSO, requested a 10' utility easement along the west property line, separate from the drainage easement.

Other:

There were no other comments or concerns.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Sewer main extension required with appropriate easements.
2. Separate utility easements from drainage easements.
3. Add a 10' utility easement along the west end of the property, separate from the drainage easement.

Standard Conditions:

1. All conditions of PUD 649 shall be met prior to release of the final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to applicable sections of the Zoning Code in the covenants.
2. 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.
3. 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.)
4. 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).
5. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
6. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
7. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
8. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
9. Street names shall be approved by the Public Works Department and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.

11. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
12. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
13. 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.)
14. 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.
15. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
16. 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.)
17. The method of water supply and plans therefore shall be approved by the City/County Health Department.
18. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
19. The key or location map shall be complete.
20. 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.)
21. 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.)
22. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
23. All other Subdivision Regulations shall be met prior to release of final plat.

TMAPC Comments:

Mr. Ledford asked staff about the radius return on the private street abutting South Birmingham. In response, Mr. Beach stated that since it is a private street it is not required.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

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

* * * * *

OLYMPIA MEDICAL PARK (PUD 648) (PD-8) (CD-2)
Northeast corner of West 71st Street South and Highway 75

GENERAL

The site sits on the north side of 71st Street, just east of Highway 75. The site is zoned CO and is bounded by AG zoning to the north, RS-3 to the east in the northern half of the property and AG on the south along the southern half. AG zoning is present across 71st Street to the south. The site is bounded by Highway 75 on the west.

The proposed use will be medical-and office-related.

This plat includes one lot of the four potential lots represented by the corridor site plan. The proposed platting concept should be discussed in light of easements across unplatted property, future development, etc.

STREETS

The plat shows one lot and four reserve areas. The lot in question will be the location of the Tulsa Spine Hospital. The plat also indicates one major backbone street running south to north from 71st Street. A mutual access easement runs north from 71st Street to the hospital site across the eastern portion of the property. This lot and the future lots will be served from the backbone street. A Limits of No Access is shown along 71st Street broken only by the north/south backbone and mutual access.

SEWER

Atlas sheet 566 does not show sanitary sewer in this area.

WATER

The atlas shows water along 71st Street.

STORM DRAIN

Reserve areas are shown.

UTILITIES

Easements are shown in the eastern portion of the ownership. They are not addressed in the western portion of the ownership, currently intended to be platted at a later date.

The following information was provided at the TAC meeting of 02/01/01.

STREETS:

Brown, Traffic/Streets: A temporary turnaround will be required when the street is extended to the north boundary of the ownership. This area included in this plat does not extend to the northern boundary.

Discussion: The applicant indicated that the topo in the northern portion of the site and the southern portion of the adjacent property supported the curvilinear alignment of the street. A perpendicular connection would necessitate significant grading.

SEWER:

Payne, PW: Easement for sewer from the east (67th street) would require separate instrument.

WATER:

Holdman, PW: No comment.

STORM DRAIN:

McCormick, PW: Indicated that standard language and easements would be required. Improvement to drainage areas as the project progressed was acceptable, language should be included documenting the proposed improvement program.

Discussion: The applicant indicated that Areas A and D were to be dry facilities, Area B was to be wet.

FIRE:

Calkins. Fire: The travel-way in the north/south mutual access easement will have to be built to the City's structural standard to be able to support loaded fire trucks.

UTILITIES:

No comment.

Staff recommends APPROVAL of the preliminary plat subject to the following:

WAIVER OF SUBDIVISION REGULATIONS:

Reduction of the right-of-way width of a commercial/industrial collector from 80' to 60'.

SPECIAL CONDITIONS:

Standard language and easements for detention should be included.

Language acceptable to the Public Works and Legal Departments should be included that appropriately expresses the intent of the owner to provide additional detention improvements as the development progresses.

The travel-way in the north/south mutual access easement will be built to City structural standards.

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 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 Public Works Department.
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 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.)
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. 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.)
18. 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.)
19. Applicant is advised to of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
20. If the owner is a Limited Liability Corporation (L.L.C.), a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
21. All other Subdivision Regulations shall be met prior to release of final plat.

Mr. Bruce stated that staff has received information from the City of Jenks indicating that the Highway 75 right-of-way, as indicated, does not necessarily in all points correspond to the functional plans that are being prepared by ODOT. The applicant has been informed of this and will be coordinating with ODOT.

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 **HORNER**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the preliminary plat for Olympia Medical Park, subject to waiver of Subdivision Regulations and subject to special conditions and standard conditions as recommended by staff.

Interested Parties Comments:

Mary B. Berg, 6902 South Houston, Tulsa, Oklahoma 74132, stated that she is not against this application, but would like to know when the tunneling would start so that she can be prepared.

Applicant's Comments:

Roger Taylor, Meshek & Associates, Inc., 20 West 2nd Street, Sand Springs, Oklahoma 74063, stated that there will be some tunneling across 71st Street, but there would be very little disturbance to the right-of-way. He indicated that this project would probably start in the middle of July and the off-site sanitary sewer in August.

* * * * *

CONTINUED ZONING PUBLIC HEARING

APPLICATION NO.: Z-6821/PUD-651

AG TO RS-2/OL/CS/PUD

Applicant: Randall Pickard

(PD-18) (CD-2)

Location: West of southwest corner of East 81st Street and South Harvard

Staff Recommendation for Z-6821:

RELEVANT ZONING HISTORY:

Z-6786/PUD-299-B October 2000: A request for a zoning change and a major amendment on a 4.5-acre tract located on the northeast corner of East 81st Street and South Harvard Avenue, to allow office and townhouse uses on the property and changing the underlying zoning from RS-4/PUD to RD/RM-1/PUD. All concurred in approval of the rezoning and the major amendment.

Z-6742/PUD-299-A January 2000: All concurred in approval of a request to rezone the 4.5-acre tract located on the northeast corner of East 81st Street and South Harvard Avenue, from RD/RM-1/PUD-200 to RS-4/PUD.

PUD-320-A January 1990: A request for a major amendment for pUD-320 to reduce the density of dwelling units from 119 duplex dwelling units to 78 detached dwelling units, and amend the development standards from RD to RS-2 standards was approved. The property is a sixteen-acre tract located south of the southeast corner of East 81st Street and South Delaware Avenue.

Z-5759/PUD-299 October 1982: A request to rezone the 4.5-acre tract located on the northeast corner of East 81st Street and South Harvard from RS-1 to RMO/OL/PUD. The requested RMO and OL were denied and approval was granted for RD/RM-1/PUD on the tract.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.18 acres in size and is located west of the southwest corner of East 81st Street and South Harvard Avenue. The property is gently sloping from northeast to southwest; partially wooded, contains a single-family dwelling and is zoned AG.

STREETS:

Exist Access	MSHP PLANNED R/W	Exist. No. Lanes
East 81 st Street South	100'	4 lanes
South Harvard Avenue	100'	4 lanes

The Major Street Plan designates East 81st Street and South Harvard Avenue as secondary arterial streets. The City of Tulsa Traffic Counts 1998 – 1999 indicates 19,700 trips per day on East 81st Street at the South Harvard Avenue intersection.

UTILITIES: Water and sewer are available to the site.

SURROUNDING AREA: The subject tract is abutted on the north, south, and west by single-family dwellings, zoned RS-2 and to the east by a shopping/office center, zoned CS.

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 – Residential.

According to the Zoning Matrix the requested RS-2 **is** in accord with the Plan Map, but the requested OL and CS zoning **are not** found in accordance with the Plan Map.

STAFF RECOMMENDATION:

Due to the fact the subject property is abutting a CS-zoned tract on the east, staff could support CS zoning in Area C, OL zoning in Area B and RS-2 zoning in Area A. Staff therefore recommends **APPROVAL** of the requested CS, OL and RS-2 zoning, if configured as set forth above and if the Planning Commission recommends approval of the accompanying PUD.

If the Planned Commission is inclined to approve this application and the accompanying PUD or some version thereof, staff should be directed to prepare appropriate amendments to the District 18 Plan, or in the alternative to amend the Zoning Matrix to include OL zoning as a "may be found" for areas designated Low Intensity-Residential.

Related Item:

Staff Recommendation for PUD-651:

The PUD proposes commercial and office uses on 3.49 acres located on the south side of East 81st Street approximately 374 feet west of South Harvard Avenue.

The subject tract is zoned AG. Concurrently, an application (Z-6821) has been filed to rezone the tract to RS-2, OL and CS. There are single-family homes to the north of the tract, across 81st Street, that are zoned RS-2. Single-family homes zoned RS-2 abut the tract on the west and the south. Commercial uses zoned CS abut the tract on the east.

The Comprehensive Plan proposes low intensity residential uses for the subject tract. The proposed PUD and plan category are not in accordance.

The Planning Commission at their May 16, 2001 meeting directed staff to prepare the following standards that reflected comments made at the Planning Commission meeting.

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

Development Area A

Land Area:

Gross	.58 Acres	25,278 square feet
Net	.449 Acres	19,528 square feet

Permitted Uses: Those uses included within Use Units 11, 12, 13 and 14, but excluding liquor store, pawn shop and gasoline sales.

Maximum Building Floor Area: 6,000 SF

Maximum Building Height: 35 FT

Off-Street Parking: As required by the applicable Use Unit of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the centerline of East 81st Street 100 FT

From the east, south and west boundaries
of the Development Area 10 FT

Minimum Landscaped Area: 10% of the net lot area.

Signs: One ground sign shall be permitted with a maximum of 48 SF in display surface area and 12 FT in height.

Wall signs shall be permitted not to exceed one square foot in display surface area per lineal foot of building wall to which attached. The length of a tenant wall sign shall not exceed seventy-five percent of the frontage of the tenant space. No wall signs are permitted on south-facing walls.

Other Bulk and Area Requirements: As established within a CS district.

DEVELOPMENT AREA B

Land Area:

Gross 2.91 Acres 117,240 SF

Net 2.33 Acres 97,700 SF

Permitted Uses: Use Unit 11 uses excluding drive-in bank facilities whether principal or accessory use.

Maximum Building Floor area: 29,000 SF

Maximum Building Height:

Within the west and south 65 feet
of the Development Area One story, not to exceed 20 FT

Within the remainder
of the Development Area Two story, not to exceed 35 FT

Minimum Building Setbacks:

From the centerline of East 81st Street 100 FT

From the south and west boundaries of
the south 125 FT of the Development Area 50 FT

From the west boundary of the north 125 FT
of the Development Area 20 FT

From the east boundary of the Development Area 10 FT

Signs: There shall be a maximum of one business sign per lot,
which shall comply, with the provisions of the OL district.
Ground signs shall not exceed six feet in height. There
shall be no south- or west-facing wall signs and all ground
signs shall be located along the 81st Street frontage and
shall not be within 100 feet of the west boundary of the
PUD.

Minimum Landscaped Area: 15% of net lot area.

Other Bulk and Area Requirements: As established within an OL
district.

3. The PUD shall have a maximum of three access points to East 81st Street, one in Development Area A and two in Development Area B. Each lot in the PUD shall have vehicular accesses to all other lots in its Development Area through the use of mutual access easements. All access shall be approved by Traffic Engineering. No access to Florence Place is permitted.
4. There shall be a six-foot high screening wall or fence along the west and south boundary of the PUD abutting residential uses and the height of the screening fence will be measured from top of the curb within the PUD nearest the respective south and west boundaries of the property. There shall be a landscaped strip a minimum of five feet in width along the inside of the wall or fence. There shall be a landscaped strip adjacent to 81st Street right-of-way except for approved access points, a minimum of 20 feet in width. Parking areas within the PUD shall be screened from 81st Street by berms and landscaping to a height of at least three and one-half feet.

5. 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.
6. A Detail Landscape Plan for each lot, including all berms, 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.
7. 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.
8. 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. There shall be no outside trash, mechanical and equipment areas within 50 feet of a residential district outside the PUD.
9. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from properties within an R district. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in an R district. ~~No light standard nor building-mounted light shall exceed 15 feet in height in Development Area A or eight feet in height in Development Area B and no lights shall be within 50 feet of the south or west boundaries of the PUD.~~ Height and setbacks for light standards and building-mounted lights shall be determined at detail site plan review.
10. 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.

11. 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.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
13. 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.
14. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.
15. Grading plan shall be submitted with detail site plan.

Applicant's Comments:

Randall Pickard, 10051 South Yale, Tulsa, Oklahoma 74136, stated that he received the new standards proposed by staff and he is in agreement with the standards identified by the staff with the exception of four items. In Development Area A permitted uses; he requested that vehicle repair and service use be added. He explained that this use would be something in the nature of a "Jiffy Lube". He commented that this would be consistent with the development to the east, which has a Texaco service station.

Mr. Pickard requested that three items be changed in Development Area B: 1) paragraph four, third and fourth sentences, "there shall be a landscaped strip adjacent to East 81st Street right-of-way, except for approved access points, a minimum of five feet in width" instead of staff's recommendation of 20 feet; berming requirement be deleted in paragraph four and paragraph six modified to delete the language "including all berms"; 2) paragraph nine concerning light standards, staff recommends 12-foot high light standard and no lighting in the south 50 feet, which is all parking on the development plan. He stated that this would not be safe and he would like to propose a 24-foot high light standard in Development Areas A and B with the exception of the 50 feet of the south boundary and 50 feet of the west boundary in the south 125 feet. He indicated that his proposal is lower than the light standards at the development located at 101st and South Yale, which is also adjacent to a residential area.

Interested Parties Comments:

David Graves, 8121 South Florence Place, Tulsa, Oklahoma 74137, stated that the homeowners are in agreement with the staff's recommendation as modified from last week. He requested that there be a condition that the grading plans be submitted along with the detail site plan for review.

Mr. Graves stated that he is not in favor of vehicle repair shop being allowed in Development Area A. He agreed that a store like "Jiffy Lube" would not be repairing cars, but the allowed uses go with the land and someone else could move in and start performing auto repair.

Mr. Graves stated that the homeowners are concerned with the lighting issues. He explained that the homeowners would like the subject property to have adequate lighting, but not spilling over into the homeowners' windows. He expressed concerns that the subject property owners may turn the lights off at night and requested that they be required to keep the lights on during dark hours.

Mr. Graves thanked the Planning Commission for giving the staff the opportunity to workout the conditions.

TMAPC Comments:

Mr. Boyle thanked Mr. Graves and the homeowners for working with the applicant and staff to resolve these issues.

Mr. Carnes asked Mr. Graves if he would be comfortable if the lighting issue were decided during detail site plan review. In response, Mr. Graves indicated his agreement.

Mr. Stump clarified that if Mr. Pickard is in fact proposing the type of activity like a "Jiffy Lube", then it would be permitted by the staff recommendation because oil and lubrication service up to three bays is a Use Unit 14. Mr. Stump stated that the applicant's amendment would not be necessary to allow a "Jiffy Lube" type of service.

Interested Parties Comments:

Marjorie Phillips, 8115 South Florence Place, Tulsa, Oklahoma 74137, expressed concerns regarding the uses allowed in Development Area A. In response, Mr. Boyle informed her that the Use Units allowed are 11, 12, 13 and 14.

Applicant's Rebuttal:

Mr. Pickard stated that he had no rebuttal and he is in agreement with Mr. Stump's statement regarding vehicle repair.

TMAPC Comments:

Ms. Pace asked if the grading, lighting and drainage issues would be reviewed during detail site plan. In response, Mr. Carnes stated that is the best time to review these issues because these things cannot be determined until the Planning Commission knows where the buildings would be located.

Ms. Pace expressed concerns regarding the landscaping request by Mr. Pickard. In response, Mr. Pickard stated that he would like the landscaping to be reviewed during the detail site plan and detail landscaping plan. In response, Mr. Dunlap stated that Comprehensive Plan supports low-intensity residential and there is an established low-intensity residential to the north across 81st Street and abuts on the south and west by a low-intensity residential. Mr. Dunlap commented that the 20-foot strip of landscaping with the berm is consistent with previous developments in the City of Tulsa. Mr. Dunlap indicated that 20 feet of landscaping is a very common requirement that staff has made in the past. Mr. Dunlap stated that if the subject tract is going to develop for uses other than low-intensity residential, staff feels that this is an important part of their recommendation. Ms. Pace stated that staff has developed standards that would allow the applicant to accomplish what he would like to do and she would not vote for less spacing.

Mr. Pickard stated that the homeowners present today live south and west of the subject tract. The requirement along East 81st Street would not affect them. There are homes to the north across East 81st Street and no one has appeared from that area. Given the topography, a three-foot high berm would not screen the subject tract. He indicated that by requiring the berming it would be difficult to develop the land.

TMAPC Comments:

Mr. Boyle stated that he believes staff has the staff recommendation correct. He agreed that the lighting and grading should be handled during detail site plan review.

TMAPC Action; 9 members present:

On **MOTION** of **PACE**, the TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Horner, Selph "absent") to recommend **APPROVAL** of the CS/OL/RS-2 zoning for Z-6821 and recommend **APPROVAL** of PUD-651 as amended by TMAPC and applicant submit a landscaping plan, lighting plan and grading plan with the detail site plan to the TMAPC.

Legal Description for Z-6821:

A tract of land located in the NE/4, NE/4 of Section 17, Township 18 North, Range 13 East, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: Commencing at the Northeast corner of the NE/4 of said Section 17,

thence S 89°50'30" W along the North line of the NE/4 of the said Section 17 a distance of 373.85' to a point; thence S 0°00'32" W a distance of 50.00' to a point, said point being the Northwest corner of Lot 2, Block 1, Walnut Creek Mall, a subdivision of part of the East one-third of the NE/4, NE/4 of said Section 17, thence S 0°00'32" W along the West line of said Lot 2, Block 1, Walnut Creek Mall a distance of 170.00' to a point; thence S 89°50'30" W along the most Southerly North line of said Lot 2, Block 1, Walnut Creek Mall a distance of 66.00' to the Point of Beginning, thence S 0°00'32" W and along the Westerly line of Block 1, Walnut Creek Mall a distance of 80.00' to a point; thence S 89°50'30" W and along the Northerly line of Block 2, Walnut Creek III Addition, a distance of 440.00' to a point said point being the Northwest corner of Lot 4, Block 2, Walnut Creek III Addition; thence N 0°00'32" E and along the Easterly lot lines of Lots 2 and 1, Walnut Creek III Addition, a distance of 80.00' to a point; thence N 89°50'30" E and parallel to the Northerly line of Block 2, Walnut Creek III Addition, a distance of 440.00' to the Point of Beginning, FROM AG (Agriculture District) TO RS-2 (Residential Single-family Medium Density District); **And** A tract of land located in the NE/4, NE/4 of Section 17, Township 18 North, Range 13 East, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: Commencing at the Northeast corner of the NE/4 of said Section 17, thence S 89°50'30" W along the North line of the NE/4 of the said Section 17, a distance of 373.85' to a point; thence S 0°00'32" W a distance of 50.00' to the POINT OF BEGINNING said point being the Northwest corner of Lot 2, Block 1, Walnut Creek Mall, a subdivision of part of the East One-third of the NE/4, NE/4, of said Section 17, thence S 89°50'30" W and along a line parallel with and 50.00' perpendicular distant from the North line of Section 17, a distance of 66.00' to the Point of Beginning; thence S 0°00'32" W and parallel to the West line of Block 1, Walnut Creek Mall a distance of 170.00' to a point; thence S 89°50'30" W and parallel with the North line of said Section 17, a distance of 440.00' to a point, said point being on the East line of Lot 2, Block 2, Walnut Creek III Addition, thence N 0°00'32" E and along the East line of Lots 1 and 2, Block 2, Walnut Creek III Addition, a distance of 170.00' to a point, said point being 50.00' perpendicular distance from the North line of said Section 17, thence N 89°50'30" E and parallel to the North line of said Section 17, a distance of 440.00' to the Point of Beginning, FROM AG (Agriculture District) TO OL (Office Low Intensity District); **And** A tract of land located in the NE/4, NE/4 of Section 17, Township 18 North, Range 13 East, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: Commencing at the Northeast corner of the NE/4 of said Section 17, thence S 89°50'30" W along the North line of the NE/4 of the said Section 17 a distance of 373.85' to a point; thence S 0°00'32" W a distance of 50.00' to the POINT OF BEGINNING said point being the Northwest corner of Lot 2, Block 1, Walnut Creek Mall, a subdivision of part of the East One-third of the NE/4, NE/4, of said Section 17, thence S 0°00'32" W along the West line of said Lot 2, Block 1, Walnut Creek Mall a distance of

170.00' to a point; thence S 89°50'30" W along the most Southerly North line of said Lot 2, Block 1, Walnut Creek Mall a distance of 66.00' to a point; thence N 0°00'32" E and parallel with the Westerly line of said Lot 2, Block 1, Walnut Creek Mall a distance of 170.00' to a point, said point being on the Southerly Right of Way line of East 81st Street South; thence N 89°50'30" E and along a line parallel with and 50.00' perpendicularly distant from the North line of the NE/4 of Section 17 a distance of 66.00' to the Point of Beginning, FROM AG (Agriculture District) TO CS (Commercial Shopping Center District).

Legal Description for PUD-651:

Planned Unit Development on the following described property: A tract of land located in the NE/4, NE/4 of Section 17, Township 18 North, Range 13 East, of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: Commencing at the Northeast corner of the NE/4 of said Section 17, thence S 89°50'30" W along the North line of the NE/4 of the said Section 17 a distance of 373.85' to a point; thence S 0°00'32" W a distance of 50.00' to the POINT OF BEGINNING said point being the Northwest corner of Lot 2, Block 1, Walnut Creek Mall, a subdivision of part of the East One-third of the NE/4, NE/4 of said Section 17, thence S 0°00'32" W along the West line of said Lot 2, Block 1, Walnut Creek Mall a distance of 170.00' to a point; thence S 89°50'30" W along the most Southerly North line of said Lot 2, Block 1, Walnut Creek Mall a distance of 66.00' to a point; thence S 0°00'32" W along the most Westerly West line of said Lot 2, Block 1, Walnut Creek Mall a distance of 80.00' to a point, said point being the Northeast corner of Block 2, Walnut Creek III, a subdivision of part of the N/2, NE/4 of said Section 17, thence S 89°50'30" W along the North line of said Block 2, Walnut Creek III a distance of 440.00' to a point, said point being the Northwest corner of Lot 4, Block 2, of said Walnut Creek III, thence N 0°00'32" E along the most Westerly East line of said Block 2, Walnut Creek III a distance of 250.00' to a point, said point being the North Corner of Lot 1, Block 2, of said Walnut Creek III; thence N 89°50'30" E along a line parallel with and 50.00' perpendicularly distant from the North line of the NE/4 of said Section 17 a distance of 506.00' to the POINT OF BEGINNING, and located west of the southwest corner of East 81st Street and South Harvard Avenue, Tulsa, Oklahoma, From AG (Agriculture District) To RS-2/OL/CS/PUD-651 (Residential Single-family Medium Density/Office Low Intensity District/Commercial Shopping Center District/Planned Unit Development).

* * * * *

ZONING PUBLIC HEARING

APPLICATION NO.: PUD-190-E-7

MINOR AMENDMENT

Applicant: Robert Johnson

(PD-18) (CD-8)

Location: 7524 South Hudson Place

Staff Recommendation:

The applicant is requesting an amendment of a front yard requirement from 18 feet to 17 feet for a newly constructed dwelling.

Staff recommends **DENIAL** of the minor amendment because the request involves an 18-foot utility easement that has not been vacated which is infringed upon by the structure.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **DENY** the minor amendment for PUD-190-E-7 as recommended by staff.

* * * * *

Mr. Ledford stated that he would be abstaining from PUD-613-1.

APPLICATION NO.: PUD-613-1

MINOR AMENDMENT

Applicant: Jeffrey Levinson

(PD-18) (CD-9)

Location: South and east of the southeast corner of East 53rd Street and South Lewis Avenue

Staff Recommendation:

The applicant is requesting an amendment to allow a third level basement and a building height maximum of 38 feet for an office building on Lot 1, Block 1, Lewis 53 Office Park.

The original PUD approval allowed two stories, not exceeding 35 feet in height. The new proposal will include a 38-foot maximum height per the submitted elevations and include a basement level.

Staff can recommend **APPROVAL** of the minor amendment per the elevations submitted. Parking area for the entire site will need to meet PUD requirements during the detail site plan approval process.

The applicant indicated his agreement with staff's recommendation.

Interested Parties Comments:

Larry Johnson, 5216 South Toledo, Tulsa, Oklahoma, representing Lewis Park Management, stated that Lewis Park Management is south of the proposed building. He expressed concerns with flooding and any additional impact the subject property may have. He requested that the drainage be designed and installed to prevent continued erosion and future flooding of the Lewis Park Management property.

TMAPC Comments:

Mr. Boyle stated that the Planning Commission does not deal with drainage issues. Mr. Boyle informed Mr. Johnson that today's applicant is to change the height of the building from 35 feet to 38 feet, including the basement level. Mr. Boyle asked Mr. Johnson how this would impact drainage by going up rather than out. In response, Mr. Johnson stated that perhaps he is too late for his request.

TMAPC Action; 9 members present:

On **MOTION** of **HARMON**, the TMAPC voted **8-0-1** (Boyle, Carnes, Harmon, Hill, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Horner, Selph "absent") to recommend **APPROVAL** of the minor amendment for PUD-613-1 as recommended by staff.

* * * * *

APPLICATION NO.: PUD-378-A-3

MINOR AMENDMENT

Applicant: Donald East

(PD-26) (CD-8)

Location: South and west of southwest corner of East 101st Street and South Memorial Drive

Staff Recommendation:

The applicant is requesting a minor amendment to allow setback changes from 24 feet to 31 feet of setback along the south property line where a variable setback line was not required per the plat, and from 37 feet to 36 feet 6 inches for the northeastern building wall of the existing house.

Staff views these changes to setback as minor existing infringements with no harmful effect to surrounding property in this Planned Unit Development. Staff recommends **APPROVAL** of the minor amendment as requested.

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 **CARNES**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the minor amendment for PUD-378-A-3 as recommended by staff.

* * * * *

APPLICATION NO.: PUD-378-A-4

MINOR AMENDMENT

Applicant: Donald East

(PD-26) (CD-8)

Location: South and west of southwest corner of East 101st Street and South Memorial Drive

Staff Recommendation:

The applicant is requesting a minor amendment to allow a required 20-foot garage setback along an alleyway to be changed to ten feet along the south lot line of the site.

The garage will be set back farther than the footprint of the rest of the house to the west. Staff views the request as an acceptable design for the corner lot which will not prove harmful to nearby neighbors and recommends **APPROVAL** of the minor amendment per the site plan submitted.

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 **CARNES**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the minor amendment for PUD-378-A-4 as recommended by staff.

* * * * *

APPLICATION NO.: PUD-378-A-5

MINOR AMENDMENT

Applicant: Donald East

(PD-26) (CD-8)

Location: South and west of southwest corner of East 101st Street and South Memorial Drive

Staff Recommendation:

The applicant is requesting a minor amendment from the required ten-foot setback to nine feet along the east property line on Lot 17, Block 1, in The Village subdivision. The requested change is a result of the Reserve Area B to the east of the subject site being built over onto Lot 17.

Staff views the request to be an acceptable amendment with no detriment to surrounding neighbors and recommends **APPROVAL** of the minor amendment per the submitted site plan.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the minor amendment for PUD-378-A-5 as recommended by staff.

* * * * *

OTHER BUSINESS:

APPLICATION NO.: PUD-462

DETAIL SITE PLAN

Applicant: Y.M. Piland

(PD-18) (CD-8)

Location: Northeast corner of East 91st Street and South College

Staff Recommendation:

The applicant is requesting a detail site plan approval for two office buildings on Lot 1, Block 1, Cedar Crest Park Homes. One building will be for medical professionals and the other building will be office use for professionals with possible medical professional use. A total of 6,810 square feet of professional office space will be provided, with the first phase medical building having 3,330 square feet.

Staff has reviewed the proposed site plan and finds conformance to the PUD standards for the site. Staff recommends **APPROVAL** of the site plan as submitted, per the elevations submitted, with the conditions that the structures remain one story with attic space as shown remaining non-habitable, and that the access to the site along East 91st Street South match the approved subdivision plat.

Note: Detail Site Plan approval does not constitute sign or landscape approval.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the detail site plan for PUD-462, subject to conditions as recommended by staff.

* * * * *

APPLICATION NO.: PUD-411

REVISED DETAIL SITE PLAN

Applicant: Eric Sack/Ted Sack

(PD-26) (CD-8)

Location: Southeast corner of Mingo Valley & South Memorial

Staff Recommendation:

The applicant is requesting detail site plan approval for additions to the South Park Lincoln Mercury dealership at 9706 South Memorial Drive. Existing covered parking will be enclosed and a new customer service area added.

The use is currently existing and in conformance with the approved Planned Unit Development for the site. Adequate parking is provided and the proposed additions conform to the PUD development standards.

Staff recommends **APPROVAL** of the revised detail site plan per plans submitted.

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 **HORNER**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the revised detail site plan for PUD-411 as recommended by staff.

* * * * *

APPLICATION NO.: PUD-587

DETAIL SITE PLAN

Applicant: Darrel Kent

(PD-18) (CD-8)

Location: 8222 South Yale

Staff Recommendation:

The applicant is requesting detail site plan approval for two rows of carports for a senior retirement center. A minor amendment (PUD-587-3) was approved at the May 16, 2001 TMAPC meeting to allow building setback infringement for the proposed carports.

Staff recommends **APPROVAL** of the detail site plan for the carports as submitted. Site and landscape plans have previously been approved for the subject site.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

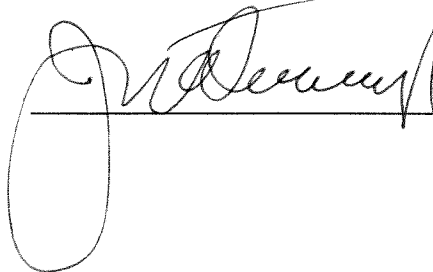
TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Selph, Westervelt "absent") to **APPROVE** the detail site plan for PUD-587 as recommended by staff.

* * * * *


There being no further business, the Vice Chairman declared the meeting adjourned at 2:25 p.m.

Date Approved: 66-20-01



Chairman

ATTEST:



Secretary