

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2295

Wednesday, December 19, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Bayles	Carnes	Beach	Boulden, Legal
Harmon	Selph	Bruce	
Hill		Dunlap	
Horner		Huntsinger	
Jackson		Matthews	
Ledford		Stump	
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, December 14, 2001 at 3:50 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

### **REPORTS:**

#### **Chairman's Report:**

Mr. Westervelt requested Mr. Horner to form a committee and submit nominees for 2002 Officers.

Mr. Westervelt wished Ms. Matthews a Happy Birthday.

Mr. Westervelt reported that he had some sad news, but very exciting news, Mr. Bruce will be leaving INCOG to move back to California. He stated that INCOG and TMAPC would be losing a very able person. He commented that the amendments to the Subdivision Regulations would have never been achieved without Mr. Bruce's effort. Mr. Westervelt stated that the Community is grateful for the time Mr. Bruce has served in Tulsa.

Mr. Westervelt reported that there are some changes to the agenda as follows:

**LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:**

**L-19312 – Leo Compton (2690)** (PD-23) (County)  
5022 South 193<sup>rd</sup> West Avenue

**Applicant has withdrawn this application.**

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**Tall Grass – PUD-579-A (784)** (PD-18) (CD-8)  
**Location:** Northwest corner of 81<sup>st</sup> Street and Mingo Valley Expressway

**Staff Recommendation:**

Staff requests that the preliminary plat for Tall Grass be continued to January 23, 2002.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **JACKSON**, the TMAPC voted **7-0-0** (Bayles, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Midget, Selph "absent") to **CONTINUE** the preliminary plat for Tall Grass to January 23, 2002 at 1:30 p.m.

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**Mr. Harmon in at 1:33 p.m.**

**APPLICATION NO.: PUD-431-B-B** **MINOR AMENDMENT**

**Applicant:** Roy D. Johnsen (PD-26) (CD-8)

**Location:** West of southwest corner of East 101<sup>st</sup> Street and South Sheridan

**Staff Recommendation:**

Staff requests a continuance to January 2, 2002.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **CONTINUE** the minor amendment for PUD-437-B-1 to January 2, 2001 at 1:30 p.m.

**APPLICATION NO.: Z-6844/PUD-658**

**AG to OL/CS/PUD**

**Applicant:** Roy D. Johnsen

(PD-26) (CD-8)

**Location:** Northwest corner of East 101<sup>st</sup> Street South and South Yale Avenue

**Staff Recommendation:**

An interested party has requested a continuance to January 2, 2001.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **CONTINUE** Z-6844/PUD-658 to January 2, 2001 at 1:30 p.m.

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**Mr. Midget in at 1:35 p.m.**

**APPLICATION NO.: Z-6845**

**RM-2 to RM-3**

**Applicant:** Charles Norman

(PD-7) (CD-9)

**Location:** 2300 South Riverside Drive

**Staff Recommendation:**

An interested party has requested a continuance for four weeks.

**Applicant's Comments:**

**Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, stated that he has not talked with anyone that is represented by Mr. Mitchell. He indicated that he objects to a four-week continuance and would prefer a continuance to January 2, 2002.

**Interested Parties Comments:**

**William C. Mitchell**, 16 East 16<sup>th</sup> Street, Suite 302, Tulsa, Oklahoma 74119, stated that January 2<sup>nd</sup> is after a holiday and is the reason for requesting a four-week continuance. He explained that many of the residence are out of town for the holidays and would be out of town through the New Year's Holiday.

**TMAPC Comments:**

**Ms. Bayles inaudible.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **8-0-1** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Selph "absent") to **CONTINUE** Z-6845 to January 2, 2002 at 1:30 p.m.

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**Mr. Midget out at 1:36 p.m.**

**Worksession Report:**

Mr. Westervelt reported that there was a worksession earlier today at 11:30 a.m. He indicated that there were some changes regarding special exceptions and the BOA, as well as the Fairoaks Annexation to the City of Tulsa.

Mr. Westervelt stated that there would be a report regarding the proposed changes to the State Statutes on the January 2<sup>nd</sup> TMAPC meeting and the Committee voted to endorse the proposed changes.

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**Director's Report:**

Mr. Stump reported that there is only one item on the City Council agenda, which is a final plat and there is no need for attendance.

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**SUBDIVISIONS:**

**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

- L-19312 – Leo Compton (2690)** (PD-23) (County)  
5022 South 193<sup>rd</sup> West Avenue
- L-19316 – White Surveying Company (3194)** (PD-18) (CD-5)  
10930 East 56<sup>th</sup> Street
- L-19317 – Coleman L. Robison (914)** (PD-15) (County)  
11121 North 129<sup>th</sup> East Avenue
- L-19318 – James Wakefield (3483)** (PD-26) (CD-8)  
11668 South Hudson Court
- L-19319 – Jack D. Ramsey (2693)** (PD-18) (CD-5)  
4403 South Sheridan
- L-19321 – White Surveying Company (1294)** (PD-17) (CD-6)  
South Lynn Lane, North of East 21<sup>st</sup> Street

L-19325 – Larry McCollough (692)

(PD-10) (CD-1)

402 South 71<sup>st</sup> West Avenue

**Staff Recommendation:**

Mr. Beach stated that these lot-splits are all in order and staff recommends **APPROVAL**.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Bayles Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

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**FINAL PLAT:**

**Airport Office and Warehouse - (2603)**

(PD 16) (CD 3)

**Location:** 240 feet north of East Virgin Street east side North Sheridan Road

**Staff Recommendation:**

This plat consists of one lot in one block on 1.55 acres. It will be developed for office/warehouse use.

The zoning is mostly IL, with about 150 feet of the south end zoned CS. Records are not exactly clear as to when, but the zoning was changed some time ago and the property is currently subject to plat.

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

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the final plat for Airport Office and Warehouse, subject to final Legal acceptance of the covenant language as recommended by staff.

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**PRELIMINARY PLAT:**

**Cab Addition - (2383)**

(PD-26) (CD-8)

**Location:** West of the northwest corner of 101<sup>st</sup> and Memorial

**Staff Recommendation:**

TAC reviewed this as a sketch plat on July 19, 2001.

This plat consists of one lot in one block on 1.25 acres in a rapidly developing area near Memorial Drive, south of the Creek Turnpike. It's surrounded by commercial uses in CS and CO zoning and single-family residential uses in RS-2 and RS-3 zoning. There are several PUD's over much of the surrounding development.

The following were discussed **December 6, 2001** at the Technical Advisory Committee (TAC) meeting:

**1. Zoning:**

*Staff:* The Board of Adjustment approved a special exception to allow a car wash on this property in April of this year. However, this approval did not trigger a requirement to plat. The tract is zoned CS (Commercial Shopping) and will be developed per the BOA approval. A site plan accompanies this report.

**2. Streets/access:**

*Staff:* Per previous TAC comments, right-of-way dedication is shown on 101<sup>st</sup> Street and covenants were changed from "County" to "City". There is an eight-foot jog in the proposed right-of-way dedication but there doesn't appear to be any need for it.

*Public Works Traffic & Transportation:* The eight-foot jog is common to accommodate a right-turn lane but in this case it's on the wrong side of the street and is not needed. Move easterly drive west 20 feet. Covenants, Section 1.a. should say "street" not "streets"; last sentence drop the words "right-of-way"; include standard enforcement language.

*Applicant:* No objections stated.

**3. Sewer:**

*Staff:* No additional information.

*Public Works Waste Water:* Sewer main must be extended north of property.

*Applicant:* No objections stated.

**4. Water:**

*Staff:* No additional information.

*Public Works Water:* Will need to bore and sleeve 101<sup>st</sup> Street and tap twelve-inch waterline on south side. Need additional fifteen feet of restricted waterline easement along 101<sup>st</sup> Street.

*Applicant:* No objections stated.

**5. Storm Drainage:**

*Staff:* Previous TAC discussion centered on the detention requirements and the existing detention facility in Audubon Park. This site must connect to Audubon Park storm sewer if its capacity includes this tract. PFPI would be required.

*Public Works Stormwater:* Reiterated detention requirements. Will need drainage plans approved before release of final plat.

*Applicant:* No objections stated.

**6. Utilities:**

*Staff:* No additional information.

*Franchise Utilities:* Need book and page number for existing ONG easement.

*Applicant:* No objections stated.

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. Straighten right-of-way line to remove eight-foot jog; move easterly drive west 20 feet; modify covenant language as required by Public Works.
2. Add fifteen-foot restricted waterline easement satisfactory to Public Works.

3. Meet detention requirements and finalize drainage pans prior to release of final plat.
4. Give book and page number for existing easements.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.



12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefore 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 therefore 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; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the preliminary plat for CAB Addition, subject to special conditions and standard conditions as recommended by staff.

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**COUNTRY HOLLOW WEST ADDITION – PUD 657 (983) (PD-18) (CD-8)**

**Location:** West of the northwest corner of South Yale Avenue and 81<sup>st</sup> Street South

**Staff Recommendation:**

Staff presented the following information at the Technical Advisory Committee (TAC) meeting of December 6, 2001:

**GENERAL**

The site is located on the north side of 81<sup>st</sup> Street, approximately 660 west of the intersection with South Yale. The tract has 503 feet of frontage along 81<sup>st</sup> Street and is approximately 445 feet in depth. It is bounded by commercial uses to the east; multifamily uses to the north a PSO substation to the west (with single-family homes beyond) and 81<sup>st</sup> Street to the south with stormwater detention beyond.

A drainage channel of significant size runs through the eastern portion of the property. An existing building is located on Lot 1.

**ZONING**

The site is zoned CS with a PUD. The areas to the east is zoned CS, to the northeast RM-1 to the north and far west RS-3, to the immediate west AG and to the south across 81<sup>st</sup> Street RS-3.

**STREETS**

The plat shows three access points along 81<sup>st</sup> Street, two in the west (Lot 1) and one to the east (Lot 2). None are shown onto 98<sup>th</sup> Street.

A mutual access easement is shown in the southern portion of Lot 1, providing through access to Lot 2 and the unplatted area to the west.

**SEWER**

Atlas sheet 768 shows an eight-inch sewer line running along the eastern boundary of the property.

## **WATER**

Atlas sheet 768 shows an eight-inch tee connecting to a twelve-inch water line on the south side of 81<sup>st</sup> Street.

## **STORM DRAIN**

Easements for drainage purposes are not shown by this plat.

## **UTILITIES**

The plat shows an eleven-foot utility easement along the north and east boundaries. An existing 20' utility easement is shown along the east side of the eastern boundary.

Staff provides the following comments from the members of TAC.

### **1. Zoning:**

None

### **2. Streets/access:**

The Limits of No Access (LNA) should be addressed in the LNA paragraph in the covenants

### **3. Sewer:**

Sewer should be connected to the ten-inch line on the south side of 81<sup>st</sup> Street via bore.

### **4. Water:**

Water should be connected to the twelve-inch line on the south side of 81<sup>st</sup> Street

Via bore.

### **5. Storm Drainage:**

Water from the north will have to be caught and directed to the existing system

A PFPI will be required

Easements will be needed to cover drainage and maintenance

Standard language in the covenants should be included.

**6. Utilities:**

AEP – an easement for the transformer and primary cable in the southwest portion of the site

Cox – a 17.5' easement on/along the south boundary and eleven-foot easement along the west

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. Limits of No Access should be addressed in the covenants
2. Water from the north (off-site) should be caught directed to the existing system. A PFPI will be required as will easements and standard language
3. Easements for AEP transformer and primary cable should be provided
4. Easements along the south boundary (17.5') and west boundary (11') should be provided.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.

5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefore 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 therefore 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; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the preliminary plat for Country Hollow West subject to special conditions and standard conditions as recommended by staff.

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**PLAT WAIVER:**

**PUD 112A - (183)**

**(PD-18) (CD-7)**

**Location:** West of the Southwest corner of 89<sup>th</sup> East Avenue and 61<sup>st</sup> Street South

**Staff Recommendation:**

**The following information was provided at the TAC meeting of 12/06/01.**

**GENERAL**

The subject property is located on the south side of 61<sup>st</sup> Street, west of the intersection of 89<sup>th</sup> East Avenue. The site is the location of Tulsa Bible Church. The church utilizes a portion of the lot to the east for additional parking.

The site is previously platted, being Lot 1 of Block 1 of the Tulsa Bible Church Addition.

**TRIGGER and PURPOSE**

The church recently requested and received approval of an amendment to the PUD allowing the addition of a private school use within the PUD. The purpose of this request is to allow the use in the existing facility without a replat.

The use would be located entirely within existing facilities. The site currently includes parking beyond that required for the church -- no additional parking would be required to service the additional use.

**ZONING**

The site is currently zoned RM-1 with a PUD overlay.

**STREETS**

Lot 1 is accessed from 61<sup>st</sup> Street and no new points of access are planned.

**SEWER and Water**

Sanitary sewer and water are present on Lot 1 and no new connections are planned.

**STORM DRAIN**

No new construction is proposed.

**UTILITIES**

It does not appear that the additional school use will impact existing utility easements.

**Staff provides the following information from TAC.****STREETS:**

Traffic: No Comment

French: No Comment.

**SEWER:**

PW: No Comment.

**WATER:**

PW: No Comment.

**STORM DRAIN:**

PW: No Comment.

**FIRE:**

Fire: No Comment.

**UTILITIES:**

No comment.

Based on discussion with the members of TAC and review of the following checklist which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for plat waiver subject to the following:

Filing of PUD conditions by separate instrument, as approved by the Commission.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

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

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?		X
3. Is property adequately described by surrounding platted properties or street R/W?	X	

*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?		X
5. Will restrictive covenants be filed by separate instrument?	X	
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X



- iv. Are additional easements required? X
- 7. Floodplain
  - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
  - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
- 8. Change of Access
  - a) Are revisions to existing access locations necessary? X
- 9. Is the property in a P.U.D.? X
  - a) If yes, was plat recorded for the original P.U.D. X
- 10. Is this a Major Amendment to a P.U.D.? X
  - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the plat waiver for PUD-112-A subject to conditions as recommended by staff.

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**PUD 656/ Z6840 - (684)**

(PD-18) (CD-8)

**Location:** South of the southeast corner of 61<sup>st</sup> Street and Mingo Road

**Staff Recommendation:**

The following information was provided at the TAC meeting of 12/06/01.

**GENERAL**

The subject property is located on the east side of Mingo Road, south of 61st Street. The site is the location of a structure, which formerly housed an indoor soccer facility.

The site was previously platted, being Lots 1 of Block 1 of the Newhart Hutson Addition.

**TRIGGER and PURPOSE**

The applicant recently requested and received approval of a zoning change from CO to IL, with a PUD. The current approvals allow the design, development and fabrication of the components of aeronautic simulators. The change in zoning to IL allows the fabrication and assemblage of gauges, valves, packers, plugs and related down hole well service tools. The purpose of the request is to allow the new use in the existing facility without a replat.

The use would be located almost entirely within existing facilities—the Council allowed an additional 1,000 square feet of floor area, raising the total to 31,000. (The applicant indicated that the additional 1,000 SF would be created in an internal second floor)

**ZONING**

The site is currently zoned IL with a PUD overlay.

**STREETS**

Lot 1 is accessed from Mingo Road and no new points of access are proposed.

Mingo road is a secondary arterial on the Major Street and Highway plan.

**SEWER and Water**

Sanitary sewer and water lines are present on Lot 1 and no new connections are planned.

**STORM DRAIN**

Staff does not have information on detention/drainage, but there would be a minimal (1000 SF) if any new construction should occur.

**UTILITIES**

It does not appear that the newly approved use will impact existing utility easements.

**Staff provides the following information from TAC.**

**STREETS:**

Traffic: No Comment

French: No Comment.

**SEWER:**

PW: No Comment.

**WATER:**

PW: No Comment.

**STORM DRAIN:**

PW: An easement will be required for the regulatory floodplain in the parking area. Existing construction may remain, no new construction in the area of floodplain will be allowed.

**FIRE:**

Fire: No Comment.

**UTILITIES:**

No comment.

Based on discussion with the members of TAC and review of the following checklist, which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for plat waiver subject to the following:

Dedication of an easement over the area of regulatory floodplain ensuring drainage, any maintenance and the prohibition of future construction in that area.

Filing of PUD conditions by separate instrument and approved by the Commission.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

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

- |   | Yes | NO |
|---|-----|----|
| 1. Has Property previously been platted?  | X   |    |
| 2. Are there restrictive covenants contained in a previously file plat?             | X   |    |
| 3. Is property adequately described by surrounding platte properties or street R/W? | X   |    |

**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? |   | X |
| 5. Will restrictive covenants be filed by separate instrument?                       | X |   |

- 6. Infrastructure requirements:
  - a) Water
    - i. Is a main line water extension required? X
    - ii. Is an internal system or fire line required? X
    - iii. Are additional easements required? X
  - b) Sanitary Sewer
    - i. Is a main line extension required? X
    - ii. Is an internal system required? X
    - iii. Are additional easements required? X
  - c) Storm Sewer
    - i. Is a P.F.P.I. required? X
    - ii. Is an Overland Drainage Easement required? X
    - iii. Is on site detention required? X
    - iv. Are additional easements required? X
- 7. Floodplain
  - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
  - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
- 8. Change of Access
  - a) Are revisions to existing access locations necessary? X
- 9. Is the property in a P.U.D.? X
  - a) If yes, was plat recorded for the original P.U.D. X
- 10. Is this a Major Amendment to a P.U.D.? X
  - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X

If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted **8-0-0** (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the plat waiver for PUD-656 subject to conditions as recommended by staff.

\*\*\*\*\*

**Z6656 - (2392)**

**(PD-9) (CD-2)**

**Location:** Southwest corner of 36<sup>th</sup> Street and South Maybelle

**Staff Recommendation:**

**GENERAL**

The subject property is located on the west side of Maybelle, south of 36th Street. The site consists of two lots and an existing structure sits on the northern lot.

The site is previously platted, being Lots 2 and 3, Block 8, of the Garden City Addition.

**TRIGGER and PURPOSE**

The applicant requested and received approval of a zoning change from RS-3 to IL. The purpose of the requested waiver is to facilitate construction on the southern lot. Based on information provided by the applicant, staff estimates that the proposed structure will include floor area of approximately 1,625 square feet.

**ZONING**

The site is currently zoned IL.

**STREETS**

Lot 2 can be accessed from 36<sup>th</sup> Street or Maybelle, Lot 3 can be accessed from Maybelle and no new points of access are proposed.

Maybelle and 36<sup>th</sup> Street are not indicated on the Major Street and Highway plan.

**SEWER and Water**

A six-inch water line is present in 36<sup>th</sup> Street, three-inch water line is present in Maybelle. Sewer is not present.

**STORM DRAIN**

Staff does not have information on detention and/or drainage.

**UTILITIES**

Staff does not have information on easements.

**Staff provides the following information from TAC.**

**STREETS:**

Traffic: No Comment

French: No Comment.

**SEWER:**

PW: Sanitary sewer will be under construction in the near future. Each lot will require separate service unless a tie agreement is executed.

**WATER**

PW: No Comment.

**STORM DRAIN:**

PW: On-site detention and easement may be required and separate instruments are acceptable.

**FIRE:**

Fire: No Comment.

**UTILITIES:**

No comment.

Based on discussion with the members of TAC and review of the following checklist which reflects the policies of TMAPC Staff recommends **APPROVAL** of the request for plat waiver subject to the following.

Separate sewer service or Tie Agreement.

On-site detention and easements as needed and acceptable to Public Works.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

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

- |   | <b>Yes</b> | <b>NO</b> |
|---|------------|-----------|
| 1. Has Property previously been platted?                                | X          |           |
| 2. Are there restrictive covenants contained in a previously file plat? |            | X         |

3. Is property adequately described by surrounding platte X  
properties or  
street R/W?

**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? X
5. Will restrictive covenants be filed by separate instrument? X
6. Infrastructure requirements:
- a) Water
- i. Is a main line water extension required? X
- ii. Is an internal system or fire line required? X
- iii. Are additional easements required? X
- b) Sanitary Sewer
- i. Is a main line extension required? X
- ii. Is an internal system required? X
- iii Are additional easements required? X
- c) Storm Sewer
- i. Is a P.F.P.I. required? X
- ii. Is an Overland Drainage Easement required? X
- iii. Is on site detention required? X\*
- iv. Are additional easements required? X\*
7. Floodplain
- a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
- b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
8. Change of Access
- a) Are revisions to existing access locations necessary? X
9. Is the property in a P.U.D.? X
- a) If yes, was plat recorded for the original P.U.D. X
10. Is this a Major Amendment to a P.U.D.? X
- a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

\* Potential for required detention and easement. To be reviewed by Public Works at time of Building Permit request with filing of a separate instrument as needed.

**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 **HARMON**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the plat waiver for Z-6566 subject to conditions as recommended by staff.

\*\*\*\*\*

**CBOA 1924 (674)**

(PD-20) (County)

**Location:** South side US Highway 64, approximately 16500 Block East

**Staff Recommendation:**

This County Board of Adjustment case was processed recently to allow the antenna and tower. This triggered the platting requirement.

It is the TMAPC's policy to waive the platting requirement for antennas and supporting structures under Use Unit 4, Public Protection and Utility Facilities.

Staff administratively waived formal TAC review and recommends **APPROVAL** of the plat waiver.

**Applicant was not present.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the plat waiver for CBOA-1924 as recommended by staff.

\*\*\*\*\*



**CERTIFICATE OF CORRECTION:**

**CEDAR RIDGE PARK – (1984)**

(PD-18) (CD-6)

**Location:** Northeast corner of South Mingo Road and Highway 169

**Staff Recommendation:**

Cedar Ridge Park was approved by the Commission on November 1, 2000 and by the Council on November 30, 2000.

The surveyor indicates that the legal description recited on the plat encompassed area of floodplain that was to be dedicated to the City by separate instrument. This correction removes the area from the description that has been dedicated separately and the face of the plat does not change. Please find enclosed the following certificate and attached correction for your approval. The information will also be submitted to Council for their approval.

Staff recommends **APPROVAL**.

**TMAPC Action; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the certificate of correction for Cedar Ridge Park as recommended by staff.

\*\*\*\*\*

**ZONING PUBLIC HEARING**

**APPLICATION NO.: Z-6846**

**RS-1/PUD-527-B to RS-3/PUD-527-B**

**Applicant:** J. Don Walker

(PD-26) (CD-8)

**Location:** North and east of northeast corner of East 121<sup>st</sup> Street and South Yale Avenue

**Staff Recommendation:**

**RELEVANT ZONING HISTORY:**

**Z-6800/PUD-527-A March 2001:** The original approval for PUD-527 was for nine acres of commercial uses at the northeast corner and approximately eleven acres of residential uses that wrapped around the proposed commercial on the north and east. This zoning application requested a change from RS-1 and CS zoning to RS-1, RS-2, and CS zoning and the major amendment proposed no change in floor area for commercial uses but requested two more single-family dwelling units and a re-configuration of the development areas. All concurred in approval of the request for rezoning and the major amendment.

**Z-6453/PUD-527 February 1995:** All concurred in approval of a request to rezone a 20.7-acre tract that included the subject property, from AG to RS-1/CS/PUD.

**Z-6452/PUD-526 and Z-6454/PUD-528 February 1995:** All concurred in approval of rezoning and Planned Unit Development on property located on the northwest corner and the southwest corner of East 121<sup>st</sup> Street South and South Yale Avenue from AG to RS-1/CS/PUD.

**Z-6273 December 1989:** Staff and TMAPC recommended approval of a rezoning request for CS on a 467' x 467' node located on the northeast corner of East 121<sup>st</sup> Street South and South Yale Avenue and a wraparound of RM-0 on the north and east to a depth of 300' on the north and 191.7' depth on the east. City Council denied the request.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 9.93 acres and is located north and east of the northeast corner of East 121<sup>st</sup> Street South and South Yale Avenue. The property is sloping, partially wooded, vacant and zoned RS-1/PUD-527-B.

**STREETS:**

<b>Exist Access</b>	<b>MSHP R/W</b>	<b>Exist. No. Lanes</b>
East 121 <sup>st</sup> Street South	120'	2 lanes
South Yale Avenue	100'	2 lanes

The Major Street Plan designates East 121<sup>st</sup> Street South as a primary arterial street and South Yale Avenue as secondary arterial street. The City of Tulsa Traffic Counts 1998 – 1999, indicates 4,800 trips per day on East 121<sup>st</sup> Street South at the intersection of South Yale Avenue.

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

**SURROUNDING AREA:** The subject tract is abutted on the north and east by single-family dwellings, zoned RS-1/PUD-358; to the south by a wholesale nursery, zoned AG; to the west by vacant land, zoned RS-1/PUD-526; and to the northwest by single-family homes, zoned RS-1.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

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

According to the Zoning Matrix the requested RS-3 zoning is in accordance with the Plan Map.

**STAFF RECOMMENDATION:**

The proposal would not increase the net density as approved in PUD-527-A but will decrease the required livability space per lot. Based on the Comprehensive Plan, the site's topography and development trends in the area, staff can support the requested RS-3 zoning and recommends **APPROVAL** of RS-3 zoning for Z-6846.

**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 **HORNER**, the TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to recommend **APPROVAL** of the RS-3 zoning for Z-6846 as recommended by staff.

**Legal Description for Z-6846:**

A tract of land lying in the SW/4, SW/4 of Section 34, T-18-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, and more particularly described as follows: commencing at the Southwest corner of Section 34, thence S 89°50'50" E a distance of 479.84'; thence N 00°09'10" E a distance of 60.00' to the Point of Beginning; thence N 00°00'02" E a distance of 780.00'; thence N 89°50'50" W a distance of 429.99'; thence due North and parallel to the West line of said SW/4, SW/4, of Section 34 a distance of 480.09'; thence S 89°52'14" E a distance of 609.87'; thence S 00°02'54" W a distance of 1,260.34'; thence N 89°50'50" W a distance of 178.81' to the Point of Beginning, and located north and east of the northeast corner of East 121<sup>st</sup> Street South and South Yale Avenue, Tulsa, Oklahoma, **From RS-1/PUD-527-B (Residential Single-family Low Density District) To RS-3/PUD-527-B (Residential Single-family High Density District).**

**RELATED ITEM:**

**APPLICATION NO.:** PUD-527-B-1

**MINOR AMENDMENT**

**Applicant:** J. Don Walker

(PD-26) (CD-8)

**Location:** North and east of the northeast corner of East 121<sup>st</sup> Street and South Yale Avenue

**Staff Recommendation:**

PUD-527 was approved by the Tulsa City Council in February 1995. The first amendment to this PUD (527-A) was intended to reconfigure the boundaries of the underlying commercial and residential zoning and increase the density of the residential development area by two units, from 42 to 44. The difficulties encountered subsequent to the approval of PUD-527-A resulted in the necessity

for abrogating the amendment, resulting in reversion to the original form. This reversion was approved as PUD-527-B. The underlying zoning for the subject tract is RS-1. Concurrently, an application (Z-6846) has been made to rezone proposed Development Area B-1 of PUD-527-B to RS-3.

This minor amendment is for the purpose of modifying the development standards in Development Area B and creating an additional Development Area B-2 while leaving Development Area A intact, with no changes from the original PUD-527. The uses and intensities proposed herein are essentially in keeping with the approved PUD-527 that was found to be in harmony with the spirit and intent of the City of Tulsa Zoning Code and Comprehensive Plan; and consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

If Z-6846 is approved as recommended by staff, staff finds that the request is minor in nature and substantial compliance is maintained with the approved Development Plan and the purposes and standards of the PUD Chapter. Therefore, staff recommends **APPROVAL** of PUD-527-B-1 (Minor Amendment) subject to the following conditions:

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

**DEVELOPMENT AREA – B-1**

**Land Area (Gross):** 10.73 Acres

**Permitted Uses:**

Uses included within Use Unit 6, Detached Single-Family Dwellings and customary accessory uses.

**Maximum Number of Dwelling Units.** 40

**Minimum Lot Width:** 55 FT

**Minimum Lot Area:** 6,300 SF

**Minimum Common Livability Space:** 46,000 SF

**Minimum Livability Space Within Lots:** 37% of Lot

**Maximum Building Height:** 35 FT

**Minimum Depth of Required Yards:\***

From the external boundaries of the Development Area	20 FT
From Private Street Rights-of-Way	18 FT
From Internal Side-Lot Lines	5 FT
From Internal Rear-Lot Lines	15 FT

**Access:**

There shall be a minimum of two access points to Development Area B-1.

**Off-Street Parking**

Two enclosed off-street parking spaces per dwelling unit and at least two additional off-street parking spaces per dwelling unit.

**On-Street Parking**

Forty on-street parking spaces shall be provided. On-street parking areas must receive approval from Traffic Engineering.

\*Minimum depth of required yards may be amended by TMAPC through site plan approval, but in no case shall the depth be less than five feet or the width of the utility easement which ever is greater.

**DEVELOPMENT AREA – B-2\*\***

**Land Area (Gross):** 0.73 Acres

**Permitted Uses:**

Customary accessory uses to those uses included within Use Unit 6. Any detached accessory building shall meet the requirements of the RS-1 zoning district.

\*\*Development Area B-2 will be deeded to and made a part of Lot 25, Block 2, Hunter's Hills Addition.

**Minimum Building Setbacks:**

From the west boundary of the Development Area	50 FT
From the north boundary of the Development Area	20 FT
From the east boundary of the Development Area	20 FT

3. In Development Area B-1, a homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas, security gates, guard houses, on street parking areas or other commonly owned structures within the PUD.
4. All private roadways shall be a minimum of 22' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb and shall have a minimum right-of-way of 30'. All curbs, gutters, base and paving materials used shall be of a quality and thickness, which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10 percent.
5. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.
6. 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.
7. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.
8. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit.
9. 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.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-527-B-1, subject to standards and conditions as recommended by staff.

\*\*\*\*\*

**ZONING PUBLIC HEARING:**

**APPLICATION NO.:** CZ-294                      **RE to AG-R**  
**Applicant:** TMAPC                                      (PD-15) (County)

**Location:** South of 116<sup>th</sup> Street North and on the east side of Memorial

**Staff Recommendation:**

**RELEVANT ZONING HISTORY:**

**CZ-286 July 18, 2001:** An application to rezone property at the northeast corner of 106<sup>th</sup> Street North and Memorial, immediately south of the subject property, from AG to RS was denied by the TMAPC and recommended for rezoning to RE instead. Applicant appealed denial of RS to County Commission, which approved RE on October 1, 2001.

**CZ-262 January 19, 2001:** An application to rezone property on East 106<sup>th</sup> Street North between Memorial and Mingo from AG to RS was denied by the TMAPC, which recommended approval of RE in the alternative. This was subsequently approved by the County Commission.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 151 acres in size and is located south of the southeast corner of East 116<sup>th</sup> Street North and North Memorial Drive. The property is sloping, partially wooded, contains numerous single-family dwellings and accessory buildings and is zoned RE.

**STREETS:**

<b>Exist Access</b>	<b>MSHP R/W</b>	<b>Exist. No. Lanes</b>
North Memorial Drive	100'	2 lanes
East 116 <sup>th</sup> Street North	120'	2 lanes

The Major Street and Highway Plan designates North Memorial Drive as a secondary arterial street in this area and East 116<sup>th</sup> Street North as a primary arterial street.

**UTILITIES:** Water is available from the City of Owasso and sewer is by septic means.

**SURROUNDING AREA:** The subject tract is abutted on the north by large-lot single-family residential uses and vacant land, zoned AG; to the south by large-lot single-family residential uses and vacant land, zoned AG and RE; to the west by large-lot single-family residential uses and vacant land, zoned AG; and to the east by single-family residential uses and vacant land, zoned AG.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 15 Plan, a part of the Comprehensive Plan for the City of Owasso, designates the subject tract as Rural Residential/Agriculture. According to the Plan Map and Land Use Descriptions in the Plan Text, the requested AG-R zoning **is** in accord with the Owasso 2010 Land Use Master Plan.

**STAFF RECOMMENDATION:**

Based on the Owasso 2010 Land Use Master Plan, existing development in the area, development trends and the property owners' wishes, staff can support the requested rezoning and therefore recommends **APPROVAL** of AG-R zoning for CZ-294.

**TMAPC Comments:**

Mr. Harmon asked Ms. Matthews if all of the residents have agreed to this request. In response, Ms. Matthews stated that it has been conveyed to staff that everyone is in agreement. She indicated that all of the residents have been notified and there are no interested parties present today.

**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 **HORNER**, the TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to recommend **APPROVAL** of the AG-R zoning for CZ-294 as recommended by staff.

**Legal Description for CZ-294:**

All of Countryside Estates Addition, an addition to Tulsa County, State of Oklahoma and located south of the southeast corner of East 116<sup>th</sup> Street North and North Memorial Drive, Owasso, Oklahoma, From RE (Residential Single-family, Estate District) To AG-R (Agriculture – Residential Single-Family, Rural Development).

\*\*\*\*\*





Therefore, staff recommends **APPROVAL** of PUD-586-A/Z-5888-SP-4 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: All existing requirements of PUD-586 shall continue to apply unless modified below:

### DEVELOPMENT AREA A

**Add the following permitted uses for Development Area A:**

Outdoor Advertising

<b>Maximum Number of Outdoor Advertising Signs:</b>	Two
<b>Minimum Distance from North Boundary of Dev. Area A:</b>	200 FT
<b>Minimum Distance from Centerline of East 91<sup>st</sup> Street:</b>	575 FT
<b>Minimum Distance Between Signs:</b>	1300 FT
<b>Minimum Distance from Mingo Valley Exp. right-of-way:</b>	10 FT

**Other Requirements:**

Shall comply with Section 1103.B.2 of the Zoning Code.

3. Prior to issuance of a building permit for either outdoor advertising signs a detail site plan must be approved by the TMAPC.

**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 **HORNER**, the TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to recommend **APPROVAL** of the major amendment and corridor site plan for PUD-586-A/Z-5888-SP-4, subject to conditions as recommended by staff.

**Legal Description for PUD-586-A/Z-5888-SP-4:**

The West 400' of a tract of land that is part of the SE/4 of Section 18, T-18-N, R-14-E, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: Beginning at a point that is the Southeast corner of the SE/4 of said Section 18; thence S 88°58'03" W ALONG THE southerly line of Section 18 for 1,668.99'; thence N 01°01'57" W for 50.00'; thence along the existing Mingo Valley Expressway right-of-way as follows: N 78°46'03" W for 1171.69'; thence S 88°58'03" W and parallel with the Southerly line of the SE/4 of Section 18 for 350.00'; thence N 83°48'43" W for 397.81'; thence N 20°04'56" E for 0.00' to a point of curve; thence Northeasterly along a curve to the left with a radius of 5,979.58' for 440.80'; thence N 06°42'05" E for 832.37'; thence N 07°51'21" E for 0.00' to a point of curve; thence Northerly along a curve to the left with a radius of 5,904.58' for 1,044.54' to a point of tangency; thence N 02°16'48" W along said tangency for 230.60' to a point on the Northerly line of the SE/4 of Section 18; thence N 89°01'17" E along said Northerly line for 2,197.42' to a point that is the Northeast corner of the SE/4 of Section 18; thence S 01°16'31" E along the Easterly line of Section 18 for 2,635.75' to the Point of Beginning of said tract of land, and located on the northeast corner of East 91<sup>st</sup> Street South and Mingo Valley Expressway, Tulsa, Oklahoma, **From CO/PUD-586 (Corridor District/Planned Unit Development) To CO/PUD-586-A (Corridor District/Planned Unit Development).**

\*\*\*\*\*

**APPLICATION NO.: PUD-179-I-5**

**MINOR AMENDMENT**

**Applicant:** Mike Stumps

(PD-18) (CD-8)

**Location:** 9530 East 76<sup>th</sup> Street South

**Staff Recommendation:**

The applicant is requesting a minor amendment to the required 20-foot rear yard setback for a new patio room addition. The room addition will be 6.5 feet from the rear property line.

This request was denied on 6/6/01 by TMAPC. At that time the applicant had requested a five-foot setback to the rear property line, and the patio room was proposed to be constructed over an eleven-foot easement.

The applicant has since closed the easement where the building of the addition is proposed. The proposed elevations show windows on all sides of the structure. The area behind the lot in question is designed for a detention area. South of the detention area is an open space reserve area for PUD-460.

Staff can support the proposed site plan and building elevations as submitted and recommends **APPROVAL** of the minor amendment as submitted.

**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 **HARMON**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-179-I-5 as recommended by staff.

\*\*\*\*\*

**APPLICATION NO.: PUD-570-2 MINOR AMENDMENT**

**Applicant:** Gale Plummer (PD-26) (CD-8)

**Location:** 10912 South Memorial Drive

**Staff Recommendation:**

The applicant is requesting minor amendments to facilitate the construction of a one story, 11,220 square foot retail building. The amendments are similar to those requested for the other two lots in this commercial addition and approved in April of 2001.

Staff has reviewed the development standards for the PUD and the requested amendments. There has been rezoning activity near the subject site which changes residential zones to commercial zoning. The commercial zoning lessens the need for some of the PUD standards as originally approved.

The amendments requested include the following:

1. Deletion of the parking setback from the west boundary of the PUD;
2. Deletion of the setback for bulk waste containers from the west boundary of the PUD.
3. Deletion of the landscaping and screening requirements for a six-foot screening fence along the west boundary of the PUD;
4. Revision of the building height maximum from 20 feet and not more than one story, to 24 feet and not more than one story;
5. Revision of height of light standard and building-mounted light from 12 feet maximum to a 16-foot maximum height.

Staff does not object to the proposed amendments as similar standards have been approved in the remaining part of this PUD. Staff recommends

**APPROVAL** of the minor amendments as submitted with all other PUD development standards remaining as previously approved.

**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 **HORNER**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-570-2 as recommended by staff.

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**APPLICATION NO.: PUD-637-1 MINOR AMENDMENT**

**Applicant:** Charles Norman (PD-6) (CD-9)

**Location:** Northwest corner of East 45<sup>th</sup> Street and South Atlanta Avenue

**Staff Recommendation:**

The applicant is requesting a minor amendment to reduce the required rear yard from 25 feet to 15 feet for not more than 50 feet of a lot width to allow the eight interior lots of the Greenhill Subdivision to have alley entrances to rear yard garages.

Staff views the request to reduce the rear yard requirement as reasonable if the alleyway and rear yard garages are required features for the eight interior lots. Front yard building lines should be maintained.

Staff recommends **APPROVAL** of the amendment as submitted.

**Applicant's Comments:**

**Charles Norman**, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, explained the new proposed design for the subject property. He stated that he is requesting a reduction in the rear yard for not more than 50% of the width of the lot in order to have the design flexibility to work with rear yard entrances from the alley and existing trees that have been preserved within the lots.

Mr. Norman indicated his agreement with the staff recommendation.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-637-1 as recommended by staff.

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**APPLICATION NO.: PUD-388-B-4**

**MINOR AMENDMENT**

**Applicant:** David Dryer

(PD-18) (CD-8)

**Location:** 6846 South Trenton

**Staff Recommendation:**

The applicant is requesting a minor amendment to allow an increase of the allowable square footage of an office building from 3,600 square feet, as approved in the PUD, to 3,890 square feet for the existing building.

Minor amendments can be considered for increases in permitted non-residential floor area, provided the increased floor area is permitted by the underlying zoning and the floor area of a development area is not increased by more than 15%.

The applicant has also asked that air conditioning and mechanical equipment be located on the ground level. Staff is of the opinion that this condition may be a requirement of private restrictions, as the PUD states that "all trash, mechanical, and equipment areas shall be screened from public view by persons standing at ground level."

Staff can recommend **APPROVAL** of the minor amendment as proposed for the increased allowable square footage for the existing building.

**There were no interested parties wishing to speak.**

**The applicant was not present.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-388-B-4 as recommended by staff.

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**APPLICATION NO.: PUD-405-17**

**MINOR AMENDMENT**

**Applicant:** Eric G. Sack, Sack & Associates (PD-18) (CD-8)

**Location:** Southwest corner of East 91<sup>st</sup> Street and South 78<sup>th</sup> East Avenue

**Staff Recommendation:**

The applicant is requesting a minor amendment to allow an increase of the allowable square footage of an office building from 3,600 square feet as approved in the PUD, to 3,890 square feet for the existing building.

Minor amendments can be considered for increases in permitted non-residential floor area, provided the increased floor area is permitted by the underlying zoning and the floor area of a development area is not increased by more than 15%.

The applicant has also asked that air conditioning and mechanical equipment be located on the ground level. Staff is of the opinion that this condition may be a requirement of private restrictions, as the PUD states that "all trash, mechanical, and equipment areas shall be screened from public view by persons standing at ground level."

Staff can recommend **APPROVAL** of the minor amendment as proposed for the increased allowable square footage for the existing building.

**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 **HORNER**, TMAPC voted 8-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-405-17 as recommended by staff.

\* \* \* \* \*

**Mr. Midget in at 2:15 p.m.**

**APPLICATION NO.: PUD-306-G-4**

**MINOR AMENDMENT**

**Applicant:** Eric G. Sack, Sack & Associates (PD-18) (CD-2)

**Location:** Southeast corner of East 95<sup>th</sup> Street South and South Delaware

**Staff Recommendation:**

The applicant is requesting a minor amendment to reallocate floor area in Development Area B. The approved allocation for the PUD is for 30,000 square

feet of commercial uses and 8,000 square feet of office uses. The proposed reallocation of floor area is for 5,750 square feet of commercial use, and 4,000 square feet of office use for a new Tract C1, and 24,250 square feet of commercial use and 4,000 square feet of office use for a new Tract C2.

Staff had not received detail information about parking, landscaping, cross-parking agreements, or maintenance agreements for the parking areas for each new tract created at the time that the agenda was prepared. Staff could recommend approval of the proposed amendment if each of these issues were in conformance with the original PUD standards.

**Applicant's Comments:**

**Ted Sack**, 111 South Elgin Avenue, Tulsa, Oklahoma 74120, stated that he is requesting lot-splits due to a minor amendment which reallocated floor area. Each tract does meet the parking requirements, but the individual lots do not meet the landscaping requirement per each and every tract. The owner of the subject property has no desires of selling any of the parcels and the only reason for the lot-split is for financing purposes.

Mr. Sack stated that the owners have created a dedication of easements and covenants that all owners within the property would be party to this agreement. He explained that the agreement would be subject to the approval of TMAPC and if there were changes to the agreement in the future the applicant would have to come before the TMAPC. Mr. Sack concluded that the agreement exceeds the PUD requirements.

**TMAPC Comments:**

Mr. Harmon asked staff if they would now recommend approval after hearing Mr. Sack's presentation. In response, Mr. Stump stated that staff would recommend approval with the condition that the restrictive covenant is recorded and accepted as to form by Legal.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **HARMON**, TMAPC voted 9-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Selph "absent") to **APPROVE** the minor amendment subject to restrictive covenants being approved as to form by Legal and filed of record as recommended by staff.

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**OTHER BUSINESS:**

**APPLICATION NO.: PUD-215      DETAIL SITE PLAN**

**Applicant:** Jim Doughty                      (PD-18) (CD-8)

**Location:** 7432 East 91<sup>st</sup> Street

**Staff Recommendation:**

The applicant is requesting detail site plan approval for a one story, 2,472 square foot youth activity building for an existing church. The use proposed is in conformance with the church related activities approved in the Planned Unit Development.

The building proposed meets the development standards for the PUD in which it is located. Staff recommends **APPROVAL** of the site plan as submitted.

Note: Site plan approval does not constitute sign or landscape plan 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 **HORNER**, TMAPC voted 9-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Selph "absent") to **APPROVE** the detail site plan for PUD-215 as recommended by staff.

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**APPLICATION NO.: PUD-230      DETAIL SITE PLAN**

**Applicant:** Ricky Jones                      (PD-17) (CD-5)

**Location:** North of the northeast corner of East 41<sup>st</sup> Street and South 103<sup>rd</sup> East Avenue

**Staff Recommendation:**

The applicant is requesting a detail site plan approval for a Junior Achievement school and office building. The proposal is for 8,941 square feet of first floor office space and for 8,010 square feet of second floor space for school uses.

The site plan, as proposed, meets the development standards for PUD-230 in which it is located.

Staff recommends **APPROVAL** of 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 **HARMON**, TMAPC voted 9-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Selph "absent") to **APPROVE** the detail site plan for PUD-230 as recommended by staff.

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**APPLICATION NO.: PUD-435-D    DETAIL SITE PLAN**

**Applicant:** Darin Akerman                    (PD-18) (CD-7)

**Location:** 6500 South Yale Avenue

**Staff Recommendation:**

The applicant is requesting a detail site plan for a new four story, 170,423 square foot medical building and a new four level parking garage. The uses proposed are in conformance with PUD-435-D in which they are located.

The parking provided for the medical campus as a whole is in conformance with the approved PUD per major amendment "D". The site plan, as proposed, meets the development standards for PUD-435 as long as lighting standards, especially on top of the parking garage, do not adversely affect residential zoning districts nearby.

Staff recommends **APPROVAL** of the site plan as submitted.

Note: Detail site plan approval does not constitute sign or landscape plan approval.

There were no interested parties wishing to speak.

Applicant was not present.

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, TMAPC voted 9-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Selph "absent") to **APPROVE** the detail site plan for PUD-435-D as recommended by staff.

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**APPLICATION NO.: PUD-198-C    DETAIL SITE PLAN**

**Applicant:** Wallace Wozencraft    (PD-18) (CD-7)

**Location:** 6220 South Lakewood

**Staff Recommendation:**

The applicant is requesting detail site plan approval of a 39,030.24 square foot, three level office building. The use proposed is in conformance with the PUD for the site.

The site plan, as proposed meets, the development standards for the PUD in which it is located. Staff recommends **APPROVAL** of the site plan as submitted.

Note: Detail site plan approval does not constitute sign or landscape plan 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 **HORNER**, TMAPC voted 9-0-0 (Bayles, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Selph "absent") to **APPROVE** the detail site plan for PUD-198-C as recommended by staff.

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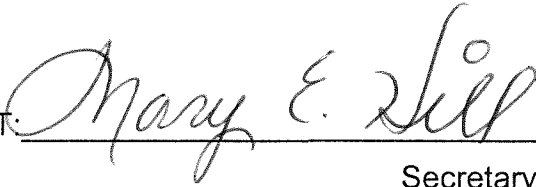
There being no further business, the Chairman declared the meeting adjourned at 2:20 p.m.

Date Approved: 1-2-2002

A handwritten signature in cursive script, appearing to read "M. E. Hill", written over a horizontal line.

Chairman

ATTEST:

A handwritten signature in cursive script, reading "Mary E. Hill", written over a horizontal line.

Secretary