

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2360

Wednesday, October 22, 2003, 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>
Carnes	Bayles	Alberty	Romig, Legal
Coutant	Collins	Chronister	
Harmon	Hill	Dunlap	
Jackson	Horner	Huntsinger	
Ledford	Midget		
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, October 17, 2003 at 10:44 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Jackson called the meeting to order at 1:35 p.m.

### **REPORTS:**

#### **Director's Report:**

Mr. Dunlap stated that Mr. Alberty is present for his first Planning Commission meeting today.

Mr. Dunlap reported that there would be two items on the City Council agenda Thursday, October 23, 2003.

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**SUBDIVISIONS:**

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

**L-19576 – Randy Lee (9029)**

(PD 23) (County)

25016 West 49<sup>th</sup> Street

**STAFF RECOMMENDATION:**

The applicant is requesting to split a 165' x 1320' tract into two tracts. The County Board of Adjustment will consider a variance of the required 150' average lot width at their September 16, 2003, hearing. All other AG-R bulk and area requirements will be met. Tulsa County Engineering Department has requested the north 30' for right-of-way.

The proposed configuration will result with Tract B having more than three side lot lines; thus the applicant is requesting a waiver of the Subdivision Regulations requiring that a property not have more than three side lot lines.

The Technical Advisory Committee had no concerns regarding this lot-split. Staff believes this lot-split would not have an adverse effect on the surrounding properties and recommends **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split, subject to the Board of Adjustment approving the required average lot width, and with the condition that the right-of-way is given to Tulsa County.

**The applicant was not present.**

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

**TMAPC Action; 6 members present:**

On **MOTION** of **CARNES** TMAPC voted 6-0-0 (Carnes, Coutant, Harmon, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Horner, Midget "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split for L-19576, subject to the Board of Adjustment approving the required average lot width, and with the condition that the right-of-way is given to Tulsa County per staff recommendation.

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## ZONING PUBLIC HEARING

Application No.: PUD-665-2

MINOR AMENDMENT

Applicant: Ken Meyers

(PD-5) (CD-5)

Location: North side of East 15<sup>th</sup> Street, between South Erie and South Fulton

### STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to PUD-665 to reduce the required five-foot landscape requirement along the right-of-way on East 15<sup>th</sup> Street to zero feet and reduce the 15% requirement of street yard landscaping to zero percent. The property is described as Lots 1 and 2, Block 1, Midtown Acres Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, and located on the north side of East 15<sup>th</sup> Street between South Erie Avenue and South Fulton Avenue.

PUD-665 was approved by the City Council in July 2002. The subject tract has 280 feet of frontage on 15<sup>th</sup> Street and 50 feet of frontage on South Erie Avenue and also on South Fulton Avenue. The permitted uses are those included within Use Unit 11 – Office, Studios, and Support Services; and building services and carpentry only as included within Use Unit 15 – Other Trades and Services. The existing landscaping standards are as follows:

Internal landscaped areas shall be provided in accord with the provisions of the PUD and Landscape Chapters of the Tulsa Zoning Code.

The minimum landscaped area required is ten percent of the net lot area.

The applicant is proposing to meet or exceed the minimum landscaped area required for the net lot area. Because of depth of the tract and the proposed landscaping, staff finds the request to be minor in nature and recommends **APPROVAL** of the request.

### Related Item:

Application No.: PUD-665

DETAIL SITE PLAN

Applicant: Ken Myers

(PD-5) (CD-5)

Location: 5404-09 and 5411-15 East of 15<sup>th</sup> Street

### **STAFF RECOMMENDATION:**

The applicant is requesting approval of a detail site plan for two office/building services and carpentry business buildings. The proposed uses, Use Unit 11, Offices, Studios, and Support Services, and Use Unit 15, Other Trades and Services – Building Services and Carpentry only, are in conformance with development standards. This case is related to minor amendment request PUD-665-2.

The proposed office/building services and carpentry buildings comply with development standards regarding maximum floor area and building setbacks. Proposed parking meets minimum space and design requirements. No parking lot lighting is proposed. The mechanical areas (air conditioner units) will be screened as required. No outside bulk trash container is proposed.

The proposed buildings are in compliance with development standards with regard to height at the top of the plate (15' permitted/12' proposed) and at the peak of the roof (24' feet permitted/ 23'8" proposed). The proposed cupolas are in compliance with Section 208.C, Height Exceptions (150% overall height permitted, 126% proposed). The buildings' exteriors are residential in character with a brick and wood accent exterior. No windows are proposed on either of the buildings' north sides.

Proposed landscaped area meets minimum lot requirements and meets street yard requirements for South Erie Avenue and South Fulton Avenue. The site does not meet street yard requirements nor requirements for a five-foot landscape area extending along 15<sup>th</sup> Street South. The applicant is requesting an amendment to these requirements through PUD-655-2.

Staff recommends **APPROVAL** of PUD-665 detail site plan on condition that Minor Amendment PUD-655-2 is approved by TMAPC.

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

### **TMAPC COMMENTS:**

Mr. Harmon asked if there is a reduction in the landscaping or if this request is simply moving it from one place to the other. In response, Mr. Dunlap stated that it was only being moved to another location due to the right-of-way needed for the plat.

### **Applicant's Comments:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, Tulsa, Oklahoma 74114, reminded the Planning Commission that the PUD requires a ten percent landscape area and on both lots, he is exceeding 30% with this reconfiguration.

There were no interested parties wishing to speak.

**TMAPC Action; 6 members present:**

On **MOTION** of **CARNES** TMAPC voted 6-0-0 (Carnes, Coutant, Harmon, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Horner, Midget "absent") to **APPROVE** the minor amendment PUD-665-2 per staff recommendation.

**TMAPC Action; 6 members present:**

On **MOTION** of **CARNES** TMAPC voted 6-0-0 (Carnes, Coutant, Harmon, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Horner, Midget "absent") to **APPROVE** the detail site plan for PUD-665 per staff recommendation.

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**OTHER BUSINESS:**

**Application No.:** PUD-550

**DETAIL SITE PLAN**

**Applicant:** Mark Eberhard

(PD-5) (CD-5)

**Location:** Southeast corner of East 21<sup>st</sup> Street and South 87<sup>th</sup> East Avenue

**STAFF RECOMMENDATION:**

The applicant is requesting approval of a detail site plan for a commercial retail center. The proposed uses are retail; however, the PUD standards further limit such uses to those allowed as a matter of right in the CS zoning district, with exception to those uses within Use Units 12a or 19, or convenience stores, service stations, lube or tune-up shops.

The proposed buildings comply with all development standards regarding maximum building floor area and height permitted and building setbacks. Proposed parking meets minimum space and design requirements. The bulk trash containers will be screened as required. Proposed parking lot lighting is in compliance with development standards and the Zoning Code.

The site plan includes conflicting information regarding the 10' landscaped area on the site's north boundary adjacent to 21<sup>st</sup> Street South. This landscaped area is also noted as right-of-way, with book and page cited. The applicant has stated the right-of-way notation is in error and his correspondence regarding such is attached. As landscaped area, this ten-foot strip combined with the site's other landscaped areas meet minimum landscaped area requirements and street yard requirements.

Staff recommends **APPROVAL** of PUD-550 detail site plan on condition that the "site notes/site criteria" be revised to specify which uses are permitted by the PUD; and that the site plan be revised to remove the right-of-way notation included in the ten-foot landscaped area adjacent to 21<sup>st</sup> Street South.

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

**Applicant's Comments:**

**Robert Reynolds**, Synergy, 1307 South Boulder, Tulsa, Oklahoma, 74133, stated that he is in agreement with the staff recommendation.

**INTERESTED PARTIES:**

**Ray and Leta Cosby**, 8705 East 21<sup>st</sup> Street, Tulsa, Oklahoma 74129, submitted photographs (Exhibit A-1) and letter of suggestions (Exhibit A-2). Ms. Cosby requested that the site be sprinkled during the excavation and grading to keep the dust to a minimum. She further requested that the landscaping in the center median be left in its current condition. She explained that the City approved that her husband install his own landscaping, which he maintains. She made several suggestions regarding the architectural plans and landscaping.

Ms. Cosby requested that she be notified when there is any type of application on the subject property.

**TMAPC COMMENTS:**

Mr. Jackson read the suggestions and request submitted by Mr. and Mrs. Cosby (Exhibit A-2).

Mr. Ledford stated that the center median belongs to the City of Tulsa and evidently Mr. Cosby has an agreement with the City to maintain it. Mr. and Mrs. Cosbys' requests and suggestions could be made a part of the public record.

**TMAPC Action; 6 members present:**

On **MOTION** of **LEDFORD** TMAPC voted 6-0-0 (Carnes, Coutant, Harmon, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Horner, Midget "absent") to **APPROVE** the detail site plan for PUD-550, subject to the "site notes/ site criteria" be revised to specify which uses are permitted by the PUD; and that the site plan be revised to remove the right-of-way notation included per staff recommendation.

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**Application No.: PUD-278**

**DETAIL SITE PLAN**

**Applicant:** William Campbell

(PD-18) (CD-9)

**Location:** 5520 South Lewis

**STAFF RECOMMENDATION:**

The applicant is requesting approval of a detail site plan for a one-story medical office building. The proposed use, Use Unit 11, is in conformance with development standards.

The proposed office building complies with development standards regarding maximum floor area and height permitted, building setbacks and minimum landscape requirements. No new parking lot lighting or bulk trash container is proposed.

On August 26, 2003, the Board of Adjustment approved a variance of parking requirements from nine spaces to zero spaces for the site on condition that the building not exceed a floor area that would require more than nine space. The proposed building meets those floor area restrictions.

Staff recommends **APPROVAL** of PUD-278 detail site plan as proposed.

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

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

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

**TMAPC Action; 6 members present:**

On **MOTION** of **HARMON** TMAPC voted 6-0-0 (Carnes, Coutant, Harmon, Jackson, Ledford, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Collins, Hill, Horner, Midget "absent") to **APPROVE** the detail site plan for PUD-278 per staff recommendation.

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**Commissioners' Comments:**

Mr. Westervelt welcomed Mr. Alberty as the new Manager of Land Development Services and to the Planning Commission.

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There being no further business, the Chair declared the meeting adjourned at 1:50 p.m.

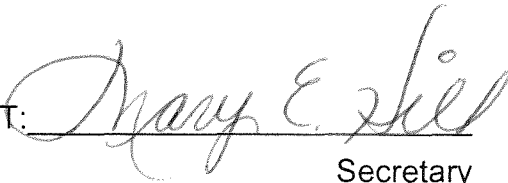
Date Approved:

11.19.03



Chairman

ATTEST:



Secretary