

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2378

Wednesday, May 19, 2004, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Bayles	Ledford	Alberty	Romig, Legal
Carnes	Miller	Chronister	
Coutant	Westervelt	Dunlap	
Harmon		Fernandez	
Hill		Huntsinger	
Horner		Matthews	
Jackson			
Midget			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, May 14, 2004 at 3:11 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, 1st Vice Chair Jackson called the meeting to order at 1:35 p.m.

Minutes:

Approval of the minutes of April 21, 2004, Meeting No. 2375

On **MOTION** of **HARMON** the TMAPC voted 6-0-1 (Carnes, Coutant, Harmon, Hill, Jackson, Midget "aye"; no "nays"; Horner "abstaining"; Bayles, Ledford, Miller, Westervelt "absent") to **APPROVE** the minutes of the meeting of April 21, 2004, Meeting No. 2375.

Minutes:

Approval of the minutes of April 28, 2004, Meeting No. 2376

On **MOTION** of **HARMON** the TMAPC voted 6-0-1 (Carnes, Coutant, Harmon, Hill, Jackson, Midget "aye"; no "nays"; Horner "abstaining"; Bayles, Ledford, Miller, Westervelt "absent") to **APPROVE** the minutes of the meeting of April 28, 2004, Meeting No. 2376.

Minutes:

Approval of the minutes of May 5, 2004, Meeting No. 2377

On **MOTION** of **HARMON** the TMAPC voted 6-0-1 (Carnes, Coutant, Harmon, Hill, Jackson, Midget "aye"; no "nays"; Horner "abstaining"; Bayles, Ledford, Miller, Westervelt "absent") to **APPROVE** the minutes of the meeting of May 5, 2004, Meeting No. 2377.

REPORTS:

Chairman's Report:

Mr. Jackson reported that Item No. 2 will be heard with Item No. 17 later in the agenda.

Ms. Bayles in at 1:36 p.m.

Director's Report:

Mr. Alberty reported on the May 6th and 13th, 2004 City Council meeting actions. He further reported on the items scheduled for the May 20th, 2004 City Council meeting.

SUBDIVISIONS:

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATIONS:

L-19682 – John Rupe (9320)

(PD 26) (CD 8)

3131 South Florence Court (**Withdrawn**)

This case was withdrawn by the applicant.

PLAT WAIVER :

Z-6359 – (3194)

(PD 18) (CD 5)

5818 South 107th East Avenue

STAFF RECOMMENDATION:

The platting requirement was triggered by rezoning.

Staff provides the following information from TAC at their May 6, 2004 meeting:

ZONING:

TMAPC Staff: The plat waiver is for property zoned IL and previously platted.

STREETS:

No comment.

SEWER:

No comment.

WATER:

No comment.

STORM DRAINAGE:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff can recommend **APPROVAL** of the plat waiver requested because the property has previously been platted and the TAC members had no concerns.

A YES answer to the following three 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:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		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.		
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.?		
11. Are mutual access easements needed to assure adequate access to the site?		X

12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X

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, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt "absent") to **APPROVE** the plat waiver for Z-6359 per staff recommendation.

PRELIMINARY PLAT:

Avalon Park at Memorial – (8326) (PD 26) (CD 8)

10600 South Memorial (TAC requests a continuance until 6/2/04)

STAFF RECOMMENDATION:

Mrs. Fernandez stated that the Technical Advisory Committee recommends a continuance to June 2, 2004.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt "absent") to **CONTINUE** the preliminary plat for Avalon Park at Memorial to June 2, 2004.

South and West of 33rd Street and 57th West Avenue

STAFF RECOMMENDATION:

This plat consists of four lots, one block, on four acres.

The following issues were discussed April 14, 2004 and May 6, 2004 at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned RS in Tulsa County. The plans for the Gilcrease Expressway were shown and the location needs to be put on the plat map and location map. The location of the expressway is to be east of 57th West Avenue. ODOT has expressed concern about the new subdivision and the expressway alignment. Based upon functional plans provided by the City of Tulsa Public Works staff, the alignment for the expressway is shown east of 57th West Avenue and it does not encroach on the proposed plat.
2. **Streets:** Recommend placing LNA along streets with overland drainage frontage. Include LNA language in covenants. A 25-foot intersection radius may be required. The right-of-way for the expressway is being acquired. Right-of-way is being acquired for the Gilcrease Expressway.
3. **Sewer:** Septic systems will be used.
4. **Water:** No water service lines are allowed within a utility easement. The extension of a water main along the east side of South 57th West Avenue in the street right-of-way may be required. Also a fire hydrant must be within 600 feet of the most remote part of a building/parcel. (Lot 3)
5. **Storm Drainage:** Label the "Berryhill Creek FEMA Floodplain". The boundary of the floodplain must be plotted using the 100-year water surface elevation. With multiple lots proposed, the floodplain should be placed in a reserve. Overland drainage easements will be required to convey the offsite water coming onto the site from the northwest. Add storm sewer to section I.D. and its accompanying standard language in covenants. May need to add an Estate Owners' Association to the covenants for maintenance of the reserve. This needs to be a full-sized plan sheet, so that all lettering is readable.
6. **Utilities:** Okay.
7. **Other: Fire:** Acreage per lot should be listed.

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. The concerns of the County Engineer must be taken care of to his satisfaction.
2. The location map must show the proposed Gilcrease Expressway alignment.

Standard Conditions:

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

10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

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, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the preliminary plat for Berryhill Estates, subject to special conditions and standard conditions per staff recommendation.

* * * * *

The Village at Sparta – (7335) (PD 20) (County)
 East of East 181st Street and Sheridan Road

STAFF RECOMMENDATION:

This plat consists of 34 lots, seven blocks, on 70 acres in two phases.

The following issues were discussed May 6, 2004 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG in Tulsa County. A sketch plat had been reviewed by TAC on 3/18/04 and planning and County Engineering staff had met with the consulting engineer on access provisions per the Major Street and Highway Plan.
2. **Streets:** Place limits-of-no-access along streets with overland drainage easement frontage. Include limits-of-no-access language in covenants. A 25-foot intersection radius may be required.
3. **Sewer:** Outside of Tulsa City service area. Aerobic or septic is proposed.

4. **Water:** Rural Water District 6 will serve the property.
5. **Storm Drainage:** Show floodplain and stream names. An overland drainage easement is needed at the northeast corner area of the development. Detention areas may be required. Standard language for drainage easements is needed.
6. **Utilities:** No comment.
7. **Other: Fire:** Show full location map. Add lots and blocks. Clarify basis of bearing and point of beginning. Addresses are needed.

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. The concerns of the County Engineer must be taken care of to his satisfaction.

Standard Conditions:

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

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES:

Duane Anderson, 7220 East 171st Street, Bixby, Oklahoma 74008, expressed concerns about water runoff. He suggested that the creek be cleaned out before the subject property is developed.

Mrs. Fernandez stated that the County Engineer will review all of the stormwater issues. She explained that she would contact the County Engineer with Mr. Anderson's address and concerns and requests that he review the runoff water situation with regard to Mr. Anderson's property. She further explained that the TMAPC would rely on the County Engineer to approve anything having to do with the water runoff.

In response to Mr. Anderson, Mrs. Fernandez stated that the applicant would have to make provisions for water runoff, especially if it would affect surrounding properties.

Tape is Inaudible.

Mrs. Fernandez stated that Mr. Anderson stated that there would be a lawsuit if the water runoff is not taken care of.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the preliminary plat for The Village at Sparta, subject to special conditions and standard conditions per staff recommendation.

* * * * *

Application No.: PUD-585-3

MINOR AMENDMENT

Applicant: Justin Cook

(PD-18) (CD-7)

Location: South of the southwest corner of South Memorial Drive and East 61st Street.

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to permit vehicular access to South Memorial Drive from Development Area A. The proposed access would be right-turn in and right-turn out only.

PUD-585 was approved by the City Council in 1998. Development Area A consists of approximately 2.09 gross acres located south of the southwest corner of East 61st Street and South Memorial Drive. The following uses have been approved for the tract:

Uses permitted as a matter of right in CS – Commercial Shopping Center District, except no Use Unit 12a uses and only hotel and motel uses in use Unit 19.

Staff finds that the request to permit one access point from Development Area A to Memorial Drive does not substantially alter the traffic design or capacity. Therefore, staff recommends **APPROVAL** of the request subject to the following conditions:

1. The access shall be a right-turn in and a right-turn out only.
2. All access shall be subject to Public Works approval.
3. All other conditions of PUD-585 as amended shall apply.

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 **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the of the minor amendment for PUD-585-3, subject to the following conditions: 1. The access shall be a right-turn in and a right-turn out only; 2. All access shall be subject to Public Works approval; 3. All other conditions of PUD-585 as amended shall apply per staff recommendation.

RELATED ITEM:

CHANGE OF ACCESS ON RECORDED PLAT:

Block 2, South Bridge East Office Park (1832)

South of East 61st Street, west of South Memorial Drive
(Related to Item No. 10)

STAFF RECOMMENDATION:

This application is made to allow a change of access along South Memorial Drive. The proposal is to add a 40-foot limited access point on Memorial Drive. There is a related minor amendment request for this site on the TMAPC agenda which should be approved before the change of access request is considered.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access 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 **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the change of access for Block 2, South Bridge East Office Park as submitted per staff recommendation.

FINAL PLAT:

Woodberry Estates – AG (423)

(PD 13) (County)

South of 186th Street North and east of Harvard

STAFF RECOMMENDATION:

This plat consists of 40 lots in two blocks on 100 acres.

All release letters have been received for this final plat. 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 **HARMON**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the final plat for Woodberry Estates per staff recommendation.

ZONING PUBLIC HEARING

Application No.: CZ-340

AG TO RS

Applicant: Jim Coleman

(PD-23) (County)

Location: Northeast and southeast corner of Coyote Trail and Pawnee County Line

STAFF RECOMMENDATION:

No recent zoning activities have occurred in this area.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property contains approximately forty acres. It is located on the east side of South 263rd West Avenue (Coyote Trail) on a small peninsula bordered on the east and west by Lake Keystone; it borders the Pawnee County Line on the north. The property is hilly, heavily wooded, vacant and zoned AG.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
South 263 rd West Avenue (Coyote Trail)	Residential collector in this area	N/A	2 lanes

UTILITIES: The subject tract is located outside the City of Tulsa and the City of Sand Springs service areas; however, this area is served by Rural Water District 1 for water. The applicant indicates he will extend water to the development through an agreement with Sand Springs.

SURROUNDING AREA:

The subject property is abutted on the east and west by Lake Keystone; to the north by vacant land and the lake, within Pawnee County; and to the south by vacant land, zoned AG. Development on the properties in all directions consists of large-lot residential, recreational and related uses.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This area is not included in any adopted Comprehensive Plan; therefore, the Metropolitan Development Guidelines apply. The property is not located in a node and would be designated as Low Intensity-No Specific land use by the Guidelines. The requested RS zoning is in accord with the Metropolitan Development Guidelines.

STAFF RECOMMENDATION:

Based on the Metropolitan Development Guidelines, existing development and trends in the area, staff can support low density residential zoning in this area, but due to lack of sanitary sewer facilities, staff is reluctant to support the requested RS designation. Therefore, staff recommends **DENIAL** of RS zoning and **APPROVAL** of RE zoning in the alternative for CZ-340.

The applicant indicated his agreement with staff's recommendation.

TAPE INAUDIBLE

INTERESTED PARTIES:

Frank Ziegler, 2521 East Dallas, Broken Arrow, Oklahoma 74012, representing Patrick Geenen, stated that his client has lived on his property for 15 years. He expressed concerns with the construction traffic and problems with damage to his client's property. He indicated that a gas line has been damaged and would like the responsible party to pay for the repairs. He requested that the road be moved to the east, by his client's property, when the development is started. Mr. Ziegler submitted photographs of his client's property and the damaged gas line (Exhibit A-2).

Mr. Midget out at 2:01 p.m.

Mr. Ziegler requested that the Planning Commission inform the applicant that he must abide by the speed limit rules and that the dusting from the construction be diminished. He requested that the applicant remedy the gas line that has been cut and now exposed.

TMAPC COMMENTS:

Mr. Harmon asked who should be notified of an exposed gas line, since it would be a safety concern. In response, Mr. Alberty stated that we do not know if it is a private line or a line that is in the easement. If it is a service line, it would be up to the individual and if it is a line in the easement, then it would be up to the gas company. Ultimately, whoever is responsible for uprooting it would be liable for the repair. He further stated that for safety reasons, he would assume that the gas has been shut off. The items that Mr. Ziegler has mentioned are not under the Planning Commission's authority. When the plat is processed the interested party's client would be notified and that is when the roadway would be discussed.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted 7-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson "aye"; no "nays"; none "abstaining"; Ledford, Midget, Miller, Westervelt) "absent") to recommend **APPROVAL** of RE zoning for CZ-340 per staff recommendation.

Legal Description for CZ-340:

Part of the NW/4) of Section 5, and part of the NE/4 of Section 6, all in T-19-N, R-10-E of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof, being more particularly described as follows, to-wit: A tract of land located in the W/2 of the NW/4, NW/4, Section 5, T-19-N, R-10-E, more particularly described as follows: Beginning at the Southwest corner of Lot 3, otherwise known as the NW/4, NW/4) of said Section 5; thence North along the West line of said Section a distance of 1,030' to a point; thence East and parallel to the North line of said Section a distance of 550' to a point; thence Southeasterly to a point on the South line of said Lot 3, said point being 660' East of the point of beginning; thence West along the South line of Lot 3 a distance of 660' to the point of beginning; **AND** the NW/4, NW/4, SW/4, NW/4, of Section 5, T-19-N, R10, East of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof; **AND** A part of Lot 1, Section 6, T-19-N, R-10-E, Tulsa County, Oklahoma, described as follows: Beginning at a point on the East line of Lot 1 Section 6, T-19-N, R-10-E, Tulsa County, Oklahoma, said point being 137' North of the Southeast corner of said Lot 1; thence West and parallel with the South line of said Lot 1, a distance of 308.09'; thence Northeasterly a distance of 183.80'; thence East and parallel with the South line of said Lot 1, a distance of 279.06' to a point on the East line of said Lot 1; thence South along the East line of said Lot 1 a distance of 181.50' to the point of beginning; **AND** a part of Lot 1, Section 6, T-19-N, R-10-E, described as follows: Beginning at a point on the East line one of Lot 1, said point being 3,185'

North of the Southeast corner of said Lot 1; thence West and parallel with the South line of said Lot 1 a distance of 279.06'; thence Northeasterly a distance of 183.81', thence East and parallel with the South line of Lot 1 a distance of 250.03' to a point on the East line of said Lot 1; thence South along the East line of said Lot 1, a distance of 181.50' to the point of beginning; **AND** the East 845' of the N/2, SE/4, NE/4 of Section 6, T-19-N, R-10-E, IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof; LESS AND EXCEPT a tract of land described as: Beginning at a point 311.34' South of the Northeast corner of the N/2, SE/4, NE/4, of Section 6, T-19-N, R-10-E.; thence South a distance of 349.29' to the Southeast corner of the N/2, SE/4, NE/4, of Section 6; thence West along the South line thereof a distance of approximately 350' to the point of intersection of the center line of private roadway easement (dated July 25, 1962, from Nora Clifford, a widow, recorded in Book 3259 at Page 523); thence Northeasterly along the center line of said private roadway the approximate distance of 550' to the point of beginning; and a tract of land described as: Beginning at a point 311.34' South of the Northeast corner of the N/2, SE/4, NE/4, of Section 6, T-19-N, R-10-E; thence South a distance of 349.29' to the Southeast corner of the N/2, SE/4, NE/4, of Section 6; thence West along the South line thereof a distance of approximately 350' to the point of intersection of the center line of a private roadway easement (dated July 25, 1962, from Nora Clifford, a widow, recorded in Book 3259 at Page 523); thence Northeasterly along the center line of said private roadway the approximate distance or 550' to the point or beginning; **AND** the surface interest only in and to a tract of land located in the S/2, SE/4, NE/4, of Section 6, T-19-N, R-10-E, according to the U. S. Government survey thereof, LESS AND EXCEPT the E/2, E/2, SE/4, SE/4, NE/4, of said Section 6, heretofore conveyed to the United States of America by General Warranty Deed filed of record in Book 3042 at Page 438 of the records of the County Clerk of Tulsa County, and LESS AND EXCEPT the following described tract, to-wit: Beginning at the Northwest corner of the said S/2, SE/4, NE/4, being marked by a Corps of Engineers Brass Cap set in concrete; thence S 89°46'34" E along the North line of the said S/2, SE/4, NE/4, a distance of 487.70' to a point in the centerline of a road known as the "Coyote Trail"; thence S 03°54'12" West along the centerline of the road a distance of 215.35'; thence along the centerline of the road along a curve to the right, said curve having a radius of 200.00' and a central angle of 80°58'25" for an arc distance of 282.65'; thence S 84°52'37" W along the centerline of the road a distance of 126.18'; thence along the centerline of the road on a curve to the left, said curve having radius of 611.62' and a central angle 01°31'14", for an arc distance of 16.23' feet; thence S 00°03'50" W parallel to the West line of the S/2, SE/4, NE/4, a distance of 244.32' feet to a point on the South line of the S/2, SE/4, NE/4; thence N 89°49'05" W along the South line a distance of 150' to the southwest corner of the said S/2, SE/4, NE/4, thence N 00°03'50" E along the West line of the S/2, SE/4, NE/4, a distance of 206.70' to a point in the centerline of the "Coyote Trail"; thence continuing N 00°03'50" E along the West line of the S/2, SE/4, NE/4, a distance of 452.41' to the Point of Beginning; **AND** the Northwest diagonal half of the SW/4, NE/4, SW/4, NW/4 of Section 5, T-19-N, R-

10-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof, and located on the northeast corner and the southeast corner of South 263rd West Avenue (Coyote Trail) and the Pawnee County Line, Sand Springs, Oklahoma, **From AG (Agriculture District) To RE (Residential Estate District).**

Mr. Midget in at 2:05

Application No.: Z-6944

RS-3 to OL

Applicant: David Leifeste

(PD-6) (CD-9)

Location: 1320/1316 East 35th Place

STAFF RECOMMENDATION:

April 1994 Z-6436: The TMAPC and City Council approved rezoning from RS-3 to PK on a site north of the subject property.

January 1994 Z-6430: The TMAPC and City Council approved rezoning from RS-3 to PK on a property north of the subject parcel.

June 1992 PUD 488: The TMAPC and City Council unanimously approved rezoning from CH, OL and RS-3 to CH/OL/RS-3/PUD to add a seven-lane drive-in to an existing bank north of the subject property. The TMAPC recommended increasing the proposed screening fence height to 8' and making the width of the landscaped area on the east boundary a minimum of 12'. The City Council concurred.

December 1991 Z-6334: All concurred in granting a rezoning from RS-3 to CH and PK on a site south and west of the subject property.

November 1991 PUD 474: All concurred in granting a rezoning from RS-3 to OL/PUD 474 on a property north of the subject property.

AREA DESCRIPTION:

The property lies within the Northern Brookside Area within the business area boundaries and is adjacent to (east of) a service station.

SITE ANALYSIS: The subject property is flat, partially wooded and developed with two single-family residences.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
East 35 th Place South	Residential street	N/A	2

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA: The Brookside area is one of mixed commercial/office/parking and related uses, adjacent to largely single-family residential uses (in this case, to the east). Nonresidential uses are typically pedestrian-oriented and set on or near the right-of-way. Parking is sometimes an issue and several of the existing businesses have shared parking arrangements in the area.

Uses in the immediate vicinity of the subject site include single-family residential to the east, zoned RS-3; a service station to the west, zoned CH; a shopping center/office development and associated parking to the north, zoned CH and PUD-474; and parking and single-family residential uses to the south, zoned PK and RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

As noted above, this property lies within the Brookside study area. Provisions in the Brookside Infill Development Design Recommendations (page 36) call for continued emphasis on pedestrian-orientation, with particular attention to sidewalk provision, design and replacement; crosswalks, storefront displays and other pedestrian amenities. Concerns within the Brookside area as a whole include provision of adequate parking (encouraged to be at the rear of properties and where feasible, shared) and compatibility of new development with existing development.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan (both that of Planning District 6 and the Brookside Infill Development Design Recommendations) and trends in the area, staff can support the requested rezoning and therefore recommends **APPROVAL** of OL zoning for Z-6944.

Ms. Hill announced that she would be abstaining from this item.

The applicant indicated his agreement with staff's recommendation.

Tape inaudible.

INTERESTED PARTIES:

Guy deVerges, 1343 East 35th Place, Tulsa, Oklahoma 74105, expressed concerns with the parking, traffic and trash problems in the subject area. He requested that the subject property remain residential.

Ben Taylor, 28506 South 4170 Road, Inola, Oklahoma 74036, stated that he owns the property located at 1336 East 35th Place, Tulsa, Oklahoma 74105. He further stated that he objected to the subject proposal and expressed concerns regarding increased traffic, noise and parking. He commented that all of these issues should be addressed before the zoning is considered and he suggested a continuance.

Mr. Dunlap reported that the Neighborhood Association did send a letter of support for this application. The Planning Commission is aware that there was a long process that the neighborhood and businesses went through to develop the Brookside Plan, which has been adopted. The subject application is compatible with the Brookside Plan.

Mr. Taylor asked for information regarding the Brookside Plan. In response, Mr. Midget suggested the interested parties contact Steve Carr, Urban Development, at the City of Tulsa. He explained that Mr. Carr conducted the Brookside Study.

Mr. Jackson recognized Mr. deVerges. Mr. deVerges stated that he is unaware of a Brookside Plan. He commented that the homeowners should have the last say.

Mr. Harmon stated that the Brookside Plan was conducted over several years and numerous neighborhood meetings were conducted. Mr. Harmon asked Mr. deVerges if he attended any of the Brookside Plan meetings. In response, Mr. deVerges stated that he was unaware of the meetings and did not attend.

Applicant's Comments:

Terry Donovan, 1820 South Boulder Place, Tulsa, Oklahoma 74119, stated that he would not like a continuance. He explained that he took steps to show a good proposal. Mr. Donovan submitted photographs of the subject property (Exhibit B-2) and a conceptual site plan (Exhibit B-1).

Mr. Donovan explained that the subject property is in disrepair and he and his partner plan to repair the homes for office uses. He indicated that he would retain the 1920's architecture and he would also provide 12 parking spaces on the subject property.

TMAPC COMMENTS:

Mr. Midget asked Mr. Donovan if he would consider filing a PUD in order to implement some requirements and conditions that would give some assurances to the neighborhood. In response, Mr. Donovan stated that he is unaware of what a PUD is and its purpose.

Mr. Dunlap described a Planned Unit Development (PUD) and its purpose.

Mr. Donovan stated that he didn't think he would need to file a PUD since he wouldn't be changing the structures and it would be for a light office use.

Mr. Midget explained that a PUD is an instrument to guarantee the applicant does what he states he will do.

Mr. Jackson asked Mr. Donovan if he would agree to a PUD. In response, Mr. Donovan stated that he is not a developer and that he didn't think a PUD would be necessary, plus it would drive up the cost.

Mr. Alberty reminded the Planning Commission that the applicant has applied for the least intensive use of the various proposals submitted.

Mr. Midget recognized Ms. deVerges. Ms. deVerges stated that she would prefer a PUD be submitted for the subject proposal.

Mr. Midget stated that he can appreciate that the requested zoning is the least intense use, but he would feel better if a PUD was submitted. He suggested that this application be continued in order to allow the applicant to meet with the neighborhood and consider submitting a PUD.

Ms. Bayles agreed with Mr. Midget.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-1 (Bayles, Carnes, Coutant, Harmon, Horner, Jackson, Midget "aye"; no "nays"; Hill "abstaining"; Ledford, Miller, Westervelt "absent") to **CONTINUE** Z-6944 to June 2, 2004 at 1:30 p.m.

Application No.: Z-6945

AG to RS-3

Applicant: Justin Cook

(PD-17) (CD-6)

Location: Northeast corner of East 51st Street and Lynn Lane

STAFF RECOMMENDATION:

October 2001 Z-6834: The TMAPC and City Council approved rezoning from AG to RS-3 on a property located north of the northwest corner of East 51st Street South and South 177th East Avenue, lying northwest of the subject property.

September 1995 Z-6500: The TMAPC and City Council approved rezoning from AG to RS-4 on a property north of East 51st Street between Lynn Lane (South 177th East Avenue) and South 193rd East Avenue, lying east of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is relatively flat, partially wooded and vacant.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
East 51 st Street South	Secondary arterial	100' minimum	2
Lynn Lane (South 177 th East Avenue)	Secondary arterial	100' minimum	2

UTILITIES: The subject tract has municipal water and sewer.

SURROUNDING AREA:

The subject site is adjacent to multifamily residential uses on the south, zoned R-5 in Broken Arrow; on the east by a large-lot single-family residential use, zoned RS-4; to the south and west (at the northeast corner of the 177th East Avenue and East 51st Street intersection) by vacant land, zoned AG; to the west by large-lot single-family residential and vacant land, zoned AG and RS-3; and to the north by large-lot single-family residential and vacant land, zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Comprehensive Plan for Planning District 17 designates this area as Low Intensity-No Specific Land Use. According to the Zoning Matrix, the requested RS-3 is in accord with the Comprehensive Plan.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, existing nearby development and zoning and trends in the area, staff can support the requested rezoning and recommends **APPROVAL** of RS-3 for Z-6945.

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 **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to recommend **APPROVAL** of RS-3 zoning for Z-6945.

Legal Description for Z-6945:

Southwest Quarter of Section 25, Township 19 North, Range 14 East, LESS AND EXCEPT the South 1210.5 feet of the West 1190.0 feet of, Section 25, Township 19 North, Range 14 East, Containing 126.5 acres, more or less, city of Tulsa, Tulsa County, State of Oklahoma and located at Northeast corner of East 51st Street and Lynn Lane, Tulsa, Oklahoma. **From AG (Agriculture District) To RS-3 (Residential Single-Family High Density District).**

Application No.: PUD-207-18

MINOR AMENDMENT

Applicant: James Heinlein

(PD-18-B) (CD-8)

Location: 9717 South Lakewood Place

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to build an attached workshop onto an existing garage which would be located on an existing fenced RV pad. The proposed workshop would be the same style and have shingles and siding to match the existing structure. The proposed workshop would come within three feet of the northerly side lot-line which is adjacent to a 25-foot wide drainageway that is part of the PUD common area.

PUD-207 was approved by the City in 1978. The PUD consists of 40 acres located ¼ mile north of the northwest corner of East 101st Street and South Sheridan Road. The PUD was approved for a maximum of 100 dwelling units. The minimum yard requirements for Development Area A are as follows:

Front:

Residence setback: 20 Feet

Garage setback:

Front entry: 25 Feet

Side entry: 20 Feet

Side:

There shall be a minimum separation between structures of ten (10) feet provided that where two dwelling units are attached such units shall be considered as a single structure.

Rear: 15 Feet

The northerly side yard abuts a 25-foot wide drainageway which is part of the PUD common space. Staff finds that the request does not substantially alter the approved PUD standards or the character of the development. Therefore, staff recommends **APPROVAL** of the request subject to the applicant's submittal.

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, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the minor amendment for PUD-207-18, subject to conditions per staff recommendation.

* * * * *

Application No.: PUD-360-A & B-9

MINOR AMENDMENT

Applicant: Dennis Blind

(PD-18) (CD-8)

Location: West and north of northwest corner of East 91st Street and South Memorial Drive

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reallocate floor area between development areas.

PUD-360-A-8 (minor amendment) was approved by the TMAPC in July 2001. The minor amendment allowed a lot-split and reallocated floor area within Development Area 2-A-2 of PUD 360-A. The minor amendment created two tracts within Development Area 2-A-2. Tract A contained 3.170 acres and was permitted a maximum building floor area of 25,436 SF. Tract B contained .818 acres and permitted a maximum building floor area of 6,564 SF.

PUD-360-B was approved by the City Council in February 2003. This major amendment allowed a children's nursery as an additional permitted use within Tract A.

The existing maximum building floor area is as follows:

Tract A (PUD-360-B)	25,436 SF
Tract B (PUD-360-A)	6,564 SF
Total:	32,000 SF

This minor amendment proposes the following allocation of maximum building floor area:

Tract A (PUD-360-B)	23,975 SF
Tract B (PUD-360-A)	8,025 SF
Total:	32,000 SF

There is no increase in the total maximum building floor area. The requested allocation is minor in nature. Therefore, staff recommends **APPROVAL** of the request.

The applicant indicated his agreement with staff's recommendation.

Ms. Coutant out at 2:44 p.m.

INTERESTED PARTIES:

Chris Kirt, 321 South Boston Avenue, Tulsa, Oklahoma 74103, representing The Goldberg Partnership, stated that the proposal would violate restrictive covenants. He indicated that his client has not seen any plans and is concerned about the private restrictions.

TMAPC COMMENTS:

Mr. Jackson asked Mr. Kirt how this proposal would impact his client. In response, Mr. Kirt stated that it would violate the restrictions. He further stated that there would be sight issues if anything was developed on Tract B and if both tracts were developed there would be parking and traffic issues.

Mr. Harmon stated that the applicant is requesting a reallocation of floor area between the two development areas. He asked how this can impact the Steinmart property. In response, Mr. Kirt stated that voicing these concerns at this time may be premature, but both of the proposals in front of the Planning Commission today promise some type of violation of the restrictions that have been applied to the subject property.

Mr. Romig stated that the problems Mr. Kirt is discussing would have to be dealt with at a later date. These issues would be a civil matter.

Applicant's Comments:

Dennis Blind, 4645 East 83rd Avenue, Tulsa, Oklahoma 74145, stated that this would extend the existing building for a doctor's office and two retail stores. Mr. Blind submitted a photograph (Exhibit C-1). He indicated that he has researched the records and unaware of private agreements. He stated that he received a letter from a law firm in Kansas City indicating that their concerns what their square footage of the proposed extension would be.

Tape is inaudible.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted 7-0-0 (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Coutant, Ledford, Miller, Westervelt) "absent") to **APPROVE** the minor amendment for PUD-360-A and B-9, subject to conditions per staff recommendation.

RELATED ITEM:

Ms. Coutant in at 2:46 p.m.

Application No.: PUD-360-A & B

DETAIL SITE PLAN

Applicant: Dennis Blind

(PD-18) (CD-8)

Location: West of northwest corner of East 91st Street and South Memorial

STAFF RECOMMENDATION:

This site plan relates to minor amendment request 360-A/360-B-9. The applicant is requesting approval of a detail site plan for a new office and retail building. The proposed uses, Medical Office, Use Unit #11, and Retail, Use Unit #14, are in conformance with PUD development standards.

The proposed building complies with building setbacks, maximum building height permitted and provides adequate off-street parking as required by the Zoning Code. Existing paving meets the 40' paving setback requirements. The site meets minimum net lot landscaped area requirements and an existing 40' landscaped buffer area is in place, as required by standards. No lighting plan has been provided. Elevations of the building's north side are required to verify compliance with standards regarding architectural compatibility with the front of the building.

Staff recommends **APPROVAL** of PUD-360-A detail site plan, contingent upon approval of a detail lighting plan or notation on the detail site plan that no parking lot lighting is proposed; and upon verification of compatibility between the building's north elevation and the front of the building.

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

Applicant's Comments:

Dennis Blind, 4645 South 83rd East Avenue, Tulsa, Oklahoma 74145, stated that lighting already exists on site. On the north elevations the proposal is one inch away from the existing building.

Mr. Dunlap stated that it is a requirement of the PUD that the elevations be compatible. He suggested that Mr. Blind call Delise Tomlinson at INCOG to discuss the conditions of the approval.

Mr. Blind stated that he can come up with the elevations for the site plan.

INTERESTED PARTIES:

Chris Kirt, 321 South Boston Avenue, Tulsa, Oklahoma 74103, stated that he would have the same comments regarding the detail site plan as he did with the minor amendment.

TMAPC COMMENTS:

Mr. Jackson informed Mr. Kirt that there would not be any development on Tract A. Mr. Jackson suggested that Mr. Kirt and the applicant discuss the issues after the meeting.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt "absent") to **APPROVE** the detail site plan, contingent upon approval of a detail lighting plan or notation on the detail site plan that no parking lot lighting is proposed; and upon verification of compatibility between the building's north elevation and the front of the building per staff recommendation.

Application No.: PUD-681-2

MINOR AMENDMENT

Applicant: Ricky Jones

(PD-26) (CD-8)

Location: South of southeast corner of East 111th Street and South Louisville

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to increase the maximum number of lots from 15 to 17.

PUD-681 was approved by the City Council in June 2003. The PUD consists of approximately 15 acres located south of the southeast corner of South Louisville Avenue and East 111th Street. The PUD is approved for a maximum of 15 single-family lots. The underlying zoning is RS-1.

The underlying zoning would permit the number of lots requested and the density of the PUD would be increased by less than 15%. Staff finds that the request is minor in nature. Therefore, staff recommends **APPROVAL** of the request to increase the maximum number of dwelling units from 15 to 17.

The 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, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the minor amendment for PUD-681-2 to increase the maximum number of dwelling units from 15 to 17 per staff recommendation.

LOT-SPLITS TO RESCIND TIE AGREEMENT LANGUAGE:

L-19679 – Robert E. Duncan (8323)

(PD 26) (CD 8)

9800 South Memorial Drive

STAFF RECOMMENDATION:

On February 25, 2003, lot-split 19495 was approved that split Tract B off Tract A and tied it to Tract C, and Tract D was split off Tract C and tied to Tract A.

An application has now been filed to split Tract D off Tract A and re-attach it to Tract C. However, the original lot-split was approved with the condition that Tract D could not be conveyed separately without Tract A unless the Tulsa Metropolitan Area Planning Commission approved such action.

The applicant is requesting that the tie-agreement for Tract D of L-19495 be rescinded, to allow Tract D to be split off Tract A, with the condition that Tract D then be tied to Tract C.

A minor amendment (PUD-603-A-2) to consider the development area standards will be heard by TMAPC on May 19, 2004.

Staff believes this lot-split would not have an adverse effect on the surrounding properties and recommends **RESCINDING** the tie-language for Tract D of L-19495 and recommends **APPROVAL** of the current lot-split request, L-19679, subject to Tract D being tied to Tract C and subject to approval of PUD 603-A-2.

RELATED ITEM:

Application No.: PUD-603-A-2

MINOR AMENDMENT

Applicant: Charles Norman

(PD-26) (CD-8)

Location: Southwest corner of East 98th Street and South Memorial

STAFF RECOMMENDATION:

The applicant is requesting an increase in maximum building floor area and an adjustment in development area boundaries.

PUD-603-A was approved by the City Council in January 2000. Two development areas were designated. Development Area A contained 180,650 SF and was approved for a maximum building floor area of 20,000 SF. Development Area B contained 243,944 SF and was approved for a maximum building floor area of 73,184 SF.

With the proposed adjustment in development area boundaries, Development Area A would contain 229,650 SF and Development Area B would contain 194,944 SF. It is proposed that Development Area A be permitted a maximum building floor area of 38,170 SF and Development Area B 58,484 SF.

The total maximum building floor area for the PUD would increase by approximately 3.7%. Staff finds that the proposed adjustment of internal development area boundaries does not substantially alter the allocation of land to particular uses or the relationship of uses within the project and the increased floor area is minor in nature. Therefore, staff recommends **APPROVAL** of the request.

Applicant's Comments:

Charles Norman, 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103, stated that the lot-split application is to restore Lot 2 to original lines, plus part of Development Area B. The total maximum building floor area for the PUD is unchanged.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the minor amendment for PUD-603-A-2 per staff recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **RESCIND** the tie-language for Tract D of L-19495 and **APPROVE** the current lot-split request, L-19679, subject to Tract D being tied to Tract C and subject to approval of PUD 603-A-2 per staff recommendation.

OTHER BUSINESS:

Application No.: PUD-355-C

DETAIL SITE PLAN

Applicant: Doug Huber

(PD-18) (CD-8)

Location: Northwest corner of East 91st Street and South Yale Avenue

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a new office building. The proposed use, General Office, is in conformance with PUD development standards.

The proposed building complies with building setbacks, maximum building height permitted and provides adequate off-street parking as required by the zoning code. No parking lot lighting is proposed and building-mounted lighting is decorative only. The site meets minimum net lot landscaped area requirements.

Staff recommends **APPROVAL** of PUD-355-C 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; 8 members present:

On **MOTION** of **HORNER**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the detail site plan for PUD-355-C per staff recommendation.

Discuss classification of South Quebec Avenue as a collector street on the Major Street and Highway Plan.

Mr. Dunlap stated that the Planning Commission received a letter from City Councilor Bill Christiansen requesting that South Quebec Avenue be removed from the Major Street and Highway Plan designation as a collector street. Staff has reviewed this request and found that the South Quebec Avenue is a functional, operating residential collector street and it is in place. It would not matter whether this was shown on the Major Street and Highway Plan because it is built and platted as a collector. Staff has discussed this with Councilor Christiansen and he is aware of staff's finding.

Mr. Dunlap stated that staff recommends that the Planning Commission send a letter to Councilor Christiansen indicating that this issue was reviewed and find that it is an existing, operating residential collector street.

TMAPC COMMENTS:

In response to Mr. Midget, Mr. Dunlap stated that Councilor Christiansen wanted staff to consider removing this street as a collector, but the point is, whether it is removed from the Major Street and Highway Plan, and it would not change the fact that the street is a collector street with a 60-foot right-of-way.

Mr. Harmon asked staff why Councilor Christiansen wanted this changed. In response, Mr. Alberty stated that he believes that the neighborhood wanted traffic calming devices installed and the City has a policy restricting traffic calming devices on collector streets.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted 8-0-0 (Bayles, Carnes, Coutant, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; none "abstaining"; Ledford, Miller, Westervelt) "absent") to **APPROVE** the Planning Commission and directing staff to draft a letter to Councilor Christiansen explaining their findings.

Commissioners' Comments:

Mr. Horner reported that TMAPC Chairman Joe Westervelt has had his surgery this morning, which took approximately four hours. The doctors are confident that the cancer has not spread and Joe will not have to undergo cancer treatment.

Mr. Horner stated that Joe and Carolyn are thankful for the prayers and thoughts from everyone. Prayer answers a lot of things and he believes the prayers were answered today. Mr. Horner concluded that he would keep everyone informed of Joe's progress. He requested that everyone continue praying for Joe because he has a long recovery and rehabilitation to go through.

There being no further business, the Chair declared the meeting adjourned at 3:05` p.m.

Date Approved:

6/2/04
Mary E. Ziel
2nd Vice Chairman

ATTEST: Marcy M. Bayles
Secretary

