

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2520

Wednesday, July 16, 2008, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ard	Marshall	Alberty	Boulden, Legal
Cantrell	Miller	Fernandez	
Carnes		Huntsinger	
McArtor		Matthews	
Midget		Parker	
Shivel		Sansone	
Sparks			
Walker			
Wright			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, July, 10, 2008 at 4:45 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 Ard called the meeting to order at 1:30 p.m.

REPORTS:

Chairman's Report:

Mr. Ard reported that there has been an agenda item regarding the Plantation Apartments for a replat and has been continued several times. It will not be heard today, but will be re-advertised for August 6, 2008.

Comprehensive Plan Report:

Mr. Ard introduced John Fregonese of Fregonese and Associates from Portland Oregon, consultant for updating the Comprehensive Plan.

Mr. Fregonese presented a PowerPoint presentation explaining the process of updating the Comprehensive Plan. He commented that the current Comprehensive Plan was created in 1978 and after reading it he believes it is a good plan. He had heard a lot of critiques that the Comprehensive Plan hadn't been updated, but he doesn't believe that is the case in Tulsa because there are

a number of things that clearly show a long history of planning from the grid pattern of streets to the pattern zoning to the wonderful park system along the river. It is time for an update and things have changed since 1978.

Mr. Fregonese stated that he would like to make regular updates if the time is available on the Planning Commission's schedules.

TMAPC COMMENTS:

Mr. Ard that the Planning Commission, by Statute, are the overseer and maintainer of the Comprehensive Plan. The Planning Commission certainly needs to have regular updates and be involved in the process. He would like Mr. Fregonese to come back on a regular basis to give reports on the process.

Mr. Ard commented that all of the Planning Commissioners are invited to be involved in any and all meetings of the group when it gets together. In response, Mr. Fregonese concurred with Mr. Ard's statement.

Mr. Fregonese stated that he would like to come back to the Planning Commission after every major event and give a postmortem of what happened and get feedback.

Ms. Wright asked for advice for neighborhoods today to prepare for the upcoming meetings in September. Should they have a neighborhood vision? In response, Mr. Fregonese stated that the meeting in September is city-wide and the initial findings will be on the website and it would be good to review the material. He further stated that the best thing is to attend the meetings and get involved. In response, Ms. Wright cited the more stable areas and asked how to encourage them to participate. She described her thoughts on how it would be best to prepare for the upcoming meetings.

Mr. Ard thanked Mr. Fregonese for his report.

Ms. Wright out at 2:05 p.m.

Mr. Midget out at 2:05 p.m.

Director's Report:

Mr. Alberty reported on the BOCC and City Council agendas.

Mr. Alberty reported on the TMAPC receipts for the month of June 2008. He indicated that this is the end of the fiscal year and the receipts are down from last year.

Minutes:

Approval of the minutes of June 4, 2008 Meeting No. 2516

On **MOTION** of **CARNES**, the TMAPC voted 7-0-0 (Ard, Cantrell, Carnes, McArtor, Shivel, Sparks, Walker "aye"; no "nays"; none "abstaining"; Marshall, Midget, Miller, Wright "absent") to **APPROVE** the minutes of the meeting of June 4, 2008, Meeting No. 2516.

Minutes:

Approval of the minutes of June 18, 2008 Meeting No. 2517

On **MOTION** of **CARNES**, the TMAPC voted 7-0-0 (Ard, Cantrell, Carnes, McArtor, Shivel, Sparks, Walker "aye"; no "nays"; none "abstaining"; Marshall, Midget, Miller, Wright "absent") to **APPROVE** the minutes of the meeting of June 18, 2008, Meeting No. 2517.

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Mr. Ard read the opening statement and rules of conduct for the TMAPC meeting.

Ms. Wright in at 2:10 p.m.

Mr. Ard stated that before addressing the consent agenda he would like to consider the requests for continuances first.

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| 25. <u>Z-7102 – Roy Johnsen</u> | OL/RM-2 to OH |
| Southwest corner of Broken Arrow Expressway and
Utica | (PD-6) (CD-4) |

STAFF RECOMMENDATION:

Staff has received a request for a continuance from the Yorktown Neighborhood Association.

Applicant's Comments:

Roy Johnsen, 201 West 5th Street, Suite 501, 74103, stated that he just learned of the continuance request today and the signs have been up for several weeks. He indicated that time is very important to his clients and requested the continuance to be for only one week. He believes that one week will be enough time to meet with the neighborhood.

TMAPC COMMENTS:

Mr. Ard asked Mr. Johnsen if he has had an opportunity to meet with the neighborhood associations immediately adjacent to the subject property. In response, Mr. Johnsen stated that he has not, but there has been some conversation with a number of property owners within the subject area.

Mr. Ard strongly urged Mr. Johnsen and his clients to meet with the neighborhood associations.

Interested Parties Comments:

Susan McKee, 1616 South Victor, 74104, Vice President of Yorktown Neighborhood Association, requested a two-week continuance in order to have the President of the association present. She commented that she understands their time constraints, but she knows that the applicant had access to the neighborhood association and could have contacted them before today. Ms. McKee stated that she learned about the rezoning this weekend since she has been out of town.

TMAPC COMMENTS:

Mr. Alberty informed the Planning Commission that a two-week continuance would be impossible because the Planning Commission doesn't meet in two weeks. If it were continued more than one week it would have to be three weeks, August 6, 2008.

Mr. Midget in at 2:14 p.m.

After discussion it was determined to continue this application for one week, July 23, 2008.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-2-0** (Ard, Carnes, McArtor, Midget, Shivel, Sparks, Walker, "aye"; Cantrell, Wright "nays"; none "abstaining"; Marshall, Miller "absent") to **CONTINUE** Z-7102 to July 23, 2008 meeting.

26. **Z-5636-SP-2a – Whistler Sign Company, LLC** (PD-18) (CD-5)

Located along the northbound exit ramp of U.S. 51 to U.S. 169 (Corridor Minor Amendment for relocating the previously approved outdoor advertising sign 237 feet to the west.) **(This application should be continued to 7/23/08 for renoticing.)**

STAFF RECOMMENDATION:

This application will have to be continued due to renoticing.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **CONTINUE** the Corridor Minor Amendment for Z-5636-SP-2a to July 23, 2008.

27. PUD-760 – Roy Johnsen CH/OL/RM-2 to CH/OL/RM-2/PUD

Northwest corner of East 15th Street South and South Troost Avenue (PUD-760 is an infill development of new construction. In keeping with the established predominant arrangement of commercial uses along East 15th Street, the development concept proposes commercial uses along the 15th Street frontage with pedestrian-oriented store fronts at or near the right-of-way with parking located in the rear.) (PD-6) (CD-4)

STAFF RECOMMENDATION:

The Cherry Street Neighborhood Merchant’s Association has requested a continuance.

There were no interested parties wishing to speak.

Applicant’s Comments:

Roy Johnsen, 201 West 5th Street, Suite 501, 74103, stated that he didn’t know that there was a request pending on this application.

After discussing the continuance request with his client, Mr. Johnsen stated that he is puzzled that the interested party is not present if she is an officer in the Merchant’s Association. He thought they would have contacted him. He indicated that he will accept the August 6, 2008 meeting date.

TMAPC Action; 9 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **CONTINUE** PUD-760 to August 6, 2008.

28. **PUD-646-2 – Jim Thomason** (PD-26) (CD-8)

Northeast of the northeast corner of 111th Street South and Sheridan Road (Minor amendment to reduce the rear setback on Lot 2, Block 1 from 25 feet to 11.3 feet to construct a 748 SF detached three-car garage and a 290 SF pool cabana.)

STAFF RECOMMENDATION:

Ms. Matthews stated that the applicant has requested a continuance in order to readjust some of his boundaries.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **SPARKS**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **CONTINUE** the Minor Amendment for PUD-646-2 to August 6, 2008.

29. **PUD-559-B/Z-5888-SP-5 – John W. Moody** (PD-18) (CD-8)

North and east of the northeast corner of East 91st Street and South 101st East Avenue (Major Amendment to allow a second outdoor advertising sign within the southern half of Development Area A.) (Continued from 6/18/08 and 6/25/08.)

STAFF RECOMMENDATION:

Ms. Matthews stated that the applicant requested a continuance to July 23, 2008.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **CONTINUE** the Major Amendment for PUD-599-B/Z-5888-SP-5 to July 23, 2008.

CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **L-20225** – Charles Coleman (9217)/Lot-Split (County)
Northeast corner of West 26th Street and South 61st Avenue, 2545 South 61st West Avenue
3. **L-20231** – Tim Terral (1833)/Lot-Split (PD 26) (CD 8)
Northeast corner of East 116th Street and South Oswego Avenue, 11539 South Oswego Avenue (Related to Items 6 and 17.)
4. **L-20232** –Tim Terral (8418)/Lot-Split (PD 18 C) (CD 8)
8321 South 112th East Avenue
5. **LC-105** – Thomas Affeldt (9227)/Lot-Combination (PD 9) (CD 2)
West of South 30th Avenue and North of West 51st Street, 5028 South 30th West Avenue
6. **LC-106** – Tim Terral (1833)/Lot-Combination (PD 26) (CD 8)
Northeast corner of East 116th Street and South Oswego Avenue, 11539 South Oswego Avenue (Related to Items 3 and 17.)
7. **LC-107** – Charles Keithline (9306)/Lot-Combination (PD 4) (CD 4)
Southwest corner of East 6th Street and South Utica Avenue, 1650 East 6th Street
8. **LC-108** – Andrew Shannon (8326)/Lot-Combination (PD 26) (CD 8)
West of South Memorial and South of East 106th Street (Related to Items 18 and 20.)
9. **LC-109** – Tim Terral (8418)/Lot-Combination (PD 18C) (CD 8)
8327 South 112th East Avenue
10. **LC-110** – Mike Marrara (9304)/Lot-Combination (PD 3) (CD 4)
Northwest corner of East Admiral Place and North Yale Avenue, 10 South Yale Avenue
11. **All Commerce Business Park**/Change of Access (PD 17) (CD 6)
Lot 2, Block 2, (14780 East Admiral Place)

STAFF RECOMMENDATION:

This application is made to allow a change of access along East Admiral Place. The property is zoned IL.

The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

13. **PUD-747 – Tanner Consulting, LLC/Detail Site Plan** (PD-18) (CD-8)

North of the northeast corner of South Yale Avenue and 91st Street South (Detail Site Plan for construction of a 19,500 square foot office building.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for construction of a 19,500 square foot (SF) office building. The proposed Use, Use Unit 11 – Office, Studios and Support Services is a permitted use within Development Area A of the PUD.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the Zoning Code, and an eight-foot masonry wall will be constructed along the east boundary line per PUD development standards. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development standards. Sight lighting is permitted to be 20 feet in height, but will be limited to 13.5 feet in height. All lighting will be directed down and away from adjoining properties per application of the Kennebunkport Formula. A trash enclosure is provided per PUD development standards.

Therefore, staff recommends **APPROVAL** of the detail site plan for Penn Office Park, PUD-747, Development Area A.

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

14. **PUD-435-F – Wallace Engineering/Detail Site Plan** (PD-18) (CD-7)

Southeast corner of 66th Street South and Yale Avenue (Detail Site Plan for a three story addition to the existing Laureate Psychiatric Clinic.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a three-story addition to the existing Laureate Psychiatric Clinic as approved by major amendment PUD-435-F approved by the TMAPC on 6/18/08. A subsequent plat waiver and accelerated release of building permit was also approved by the TMAPC on 6/18/08.

The submitted site plan meets all applicable building floor area, open space, average building height and setback limitations (see attached exhibits). Parking has been provided per the Zoning Code. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development

standards. All sight lighting, including building-mounted will be limited to 30-feet in height and is directed down and away from adjoining properties per application of the Kennebunkport Formula. Trash enclosures and equipment areas, including building-mounted are screened from the view of a person standing at ground level.

Therefore, staff recommends **APPROVAL** of the detail site plan for the (3) three-story addition and associated amenities for the Laureate Psychiatric Clinic, PUD-435-F.

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

15. **PUD-527-B-5 – Robert D. Sanders, P.E./Minor** (PD-18) (CD-8)
Amendment

Northeast of the northeast corner of Yale Avenue and 121st Street South (Minor amendment to allow access to Lot 4, Block 1, The Villas at Tuscany through the immediately adjacent Reserve D.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to allow access to Lot 4, Block 1 – the Villas at Tuscany through the immediately adjacent Reserve D (see Exhibit A).

The approval of PUD-527 and PUD-527-B did not establish permitted uses, or limit permitted uses in the Reserve Areas within the PUD. PUD-527-A was abandoned on 12/20/2000.

With respect to the open space requirement for the PUD, this request will have a negligible affect. The land area of the PUD, in combination with how much open space is allocated on each lot, requires that the reserve areas have no less than 46,000 square feet (SF) of open space in the aggregate. This request, which would eliminate 560 square feet of open space, would bring the total open space in all reserve areas to 78,800 SF, 58% more than required.

Since there is no use guidelines established for the Reserve Areas in this PUD, it is staff's interpretation that access through the reserve area can be permitted. Per Section 1206 of the Code residential single-family lots are required to provide off-street parking. As a result of the aforementioned, and in combination with the reserve areas being in common ownership of the homeowners association and that there are four existing "guest" parking spaces in this reserve area (see attached case aerial photograph) staff can support this request.

Therefore staff recommends **APPROVAL** of minor amendment PUD-527-B-5 permitting access to Lot 4, Block 1 - The Villas at Tuscany only, through Reserve D (as depicted on the attached Exhibit A).

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

17. **PUD-709-3 – Tulsa Engineering & Planning Associates, Inc./Minor Amendment** (PD-26) (CD-8)

Approximately 1,300 feet east of the intersection of South Delaware and 116th Street South (Minor amendment to allow a lot-split L-20231 and lot-combination LC-106 to facilitate construction of an access drive on the south side of Lot 3, Block 2, Sequoyah Hill II.) (Related to Items 3 and 6.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to PUD-709 to allow a lot-split and lot-combination to facilitate construction of an access drive on the south side of Lot 3, Block 2 – Sequoyah Hill II (see Exhibit A).

Specifically, the applicant seeks to split 150 square feet (SF) from Reserve Area F, and combine it to Lot 3, Block 2 (see Exhibit B and C). Lot-split application L-20231 and lot-combination application LC-106 have been submitted concurrently and are also on the July 16, 2008 agenda. The removal of 150 square feet of open space from Reserve Area F does not impact the open space requirement for the PUD.

Pending the approval of the aforementioned lot-split and lot-combination applications, staff recommends **APPROVAL** of minor amendment PUD-709-3 subject to the deed of dedication and restrictive covenants for Sequoyah Hill II be amended to reflect the proposed lot-split and lot-combination.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

18. **PUD-370-B-2 – Duvall Architects/Minor Amendment** (PD-26) (CD-8)

½ mile south of the southwest corner of 101st and Memorial Drive, Lots 15 and 16, Block 1 (Minor amendment to combine Lots 15 and 16, Block 1, Avalon Park on Memorial, LC-108, creating Tract C to allow for construction of a 9,184 SF office building.) (Related to Items 8 and 20.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to combine Lots 15 and 16; Block 1 – Avalon Park on Memorial, effectively creating Tract C, Lots 15 and 16, Avalon Park on Memorial (see Exhibit A). The Lot combination would allow for the construction of a 9,184 square foot office building (see Exhibit B). Lot

combination LC-108 has been filed concurrently and is also on the July 16, 2008 TMAPC agenda.

The applicant's development plan appears to meet all applicable PUD development standards. There are no changes proposed to the existing development standards for PUD-370-B.

Therefore staff recommends **APPROVAL** of minor amendment request PUD-370-B-2 creating Tract C, Lots 15 and 16, Block 1 – Avalon Park on Memorial with all existing development standards of PUD-370-B remaining effective and as listed below for convenience.

1. Development Standards:

Net Land Area: 9.01 Acres

Permitted Uses:

Communication Antenna and supporting structure only as included within Use Unit 4; and those uses included within Use Unit 11, Offices, Studios, and Support Services; Use Unit 12, Eating Establishments, other than Drive-Ins; Use Unit 13, Convenience Goods and Services; and use Unit 14, Shopping Goods and Services. Commercial Uses shall be limited to the East 420 feet of the site as measured from the center line of South Memorial Drive.

Reserve Areas shall be used for storm water detention and open space for the Office Park.

Maximum Height of Communication Tower: 100 FT

Type of Communication Tower Permitted: Monopole

Minimum Setback for Communication Tower:

From north, south and west boundaries of Lot 1, Block 1, Trinity Addition Amended 110 FT

Maximum Number of Communication Towers: One

Maximum Commercial Building Floor Area: 54,450 SF

Maximum Office Building Floor Area: 107,285 SF

Maximum Land Coverage of Buildings: 35%

Minimum Building Setbacks:

From west property line of South Memorial Drive	50 FT
From west boundary of PUD	80 FT
From south boundary of PUD	20 FT
From north boundary of PUD	20 FT

Maximum Building Height:

Commercial Buildings	One story
Office Buildings	

Two stories not to exceed 36 FT; there shall be no windows on the second story of the west-facing walls on the westernmost lots.

Minimum Landscaped Area:

Commercial Lots	10% of Net Lot Area
Office Lots	15% of Net Lot Area

Signs:

Signs shall comply with Section 1103B.2.a. and b. of the Tulsa Zoning Code

Landscaping and Screening:

All landscaping shall meet or exceed the requirements of the Landscape and PUD chapters of the Tulsa Zoning Code. An eight-foot high screening wall or fence shall be erected and maintained along the west, and a six-foot high or higher screening wall or fence shall be erected and maintained along the south and north boundaries of the PUD that abut a residential district or development. This requirement may be waived by TMAPC if the abutting R district is developed or used for office or commercial use in an adjacent PUD.

Other Bulk and Area Requirements:

Commercial Lots	As established within a CS district.
Office Lots	As established within an OL district.

2. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking, screening

fences and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

3. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
4. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
5. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
6. All trash, mechanical and equipment areas, including building-mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
7. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or street right-of-way. No light standard or building-mounted light shall exceed 15 feet in height.
8. The Department of Public Works and Development or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. All private roadways shall have a minimum right-of-way of 30' and be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. 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 ten percent.
10. 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. The developer shall pay all inspection fees required by the City.

11. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
13. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
14. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.
15. Private and public vehicular and pedestrian circulation shall be reviewed during detail site plan review. All access shall be approved by TMAPC, the Fire Department and Public Works.
16. Office Buildings shall be residential in nature.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

19. **PUD-370-B – Duvall Architects/Detail Site Plan Lot 20** (PD-26) (CD-8)
½ mile south of the southwest corner of East 101st Street and Memorial Drive, Lot 20, Block 1 (Detail site plan for a 5,752 SF two-story office building.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a 5,752 square foot (SF), two-story office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is a permissible use within PUD-370-B.

The submitted site plan meets all applicable building floor area, lot coverage, building height and setback limitations. Parking has been provided per the Zoning Code, and an eight-foot screening fence will be constructed along the south boundary line per PUD development standards. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development

standards and all sight lighting including building-mounted, will be limited to 15 feet in height and will be directed down and away from adjoining properties per application of the Kennebunkport Formula. Sidewalks are provided along 106th Street per Subdivision Regulations. A trash enclosure has been provided per adopted development standards.

Therefore, staff recommends **APPROVAL** of the detail site plan for Lot 20, Block 1 – Avalon Park on Memorial, PUD-370-B.

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

20. **PUD-370-B – Duvall Architects/Detail Site Plan Lots 15 and 16** (PD-26) (CD-8)

½ mile south of the southwest corner of East 101st Street and Memorial Drive, Lots 15 and 16, Block 1 (Detail site plan for a 9,184 SF two-story office building.) (Related to Items 8 and 18.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a 9,184 square foot (SF), two-story office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is a permissible use within PUD-370-B. Minor amendment PUD-370-B-2 and lot combination application LC-108 have been filed concurrently and also appear on the July 16, 2008 agenda.

The submitted site plan meets all applicable building floor area, land coverage by buildings, building height and setback limitations. Parking has been provided per the Zoning Code, and an eight-foot screening fence will be constructed along the south boundary line per PUD development standards. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development standards and all sight lighting including building-mounted, will be limited to 15 feet in height and will be directed down and away from adjoining properties per application of the Kennebunkport Formula. Sidewalks are provided along 106th Street per Subdivision Regulations. A trash enclosure has been provided per adopted development standards.

Therefore, staff recommends **APPROVAL** of the detail site plan for Lots 15 and 16, Block 1 – Avalon Park on Memorial, PUD-370-B.

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

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller, "absent") to **APPROVE** the consent agenda Items 2 through 11, 13 through 15, and 17 through 20 per staff recommendation.

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CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

12. PUD-713-7 – Jim Thomason/Minor Amendment (PD-26) (CD-8)

Northwest of the northwest corner of 121st Street South and Sheridan Road (Minor Amendment to reduce the required side yard setback along 116th Street from 25 feet to 17.8 feet and to increase the permitted height of a detached accessory structure from 18 feet to 24 feet.)

STAFF RECOMMENDATION:

The applicant is requesting two minor amendments: one to reduce the required side yard setback along 116th Street from 25' to 17'8", and another to increase the permitted height of a detached accessory structure located in the required rear yard from 18' to 24' (see Exhibits A and B).

The 748 SF proposed garage is located partially in the required rear yard, and partially in the side yard per the definition of each in Section 1800 of the Code which reads:

Yard: An open unoccupied space on a lot between a building and a lot line.

Yard, Required: The minimum permitted distance of open unoccupied space between a building and a lot line.

Yard, Rear: A yard extending along the full length of the rear lot line between the side lot lines.

Yard, Side: A yard extending along a side lot line between the front yard and the rear yard.

There is currently an eight-foot solid screening wall along the lot line in common with the 116th Street ROW (see Exhibit C). Additionally, section 403-5 of the Code States:

When a single-family or duplex lot abuts a non-arterial street right-of-way on two sides, the owner may select the front yard and the other yard abutting the

non-arterial public street shall not be less than 15 feet; provided that garages which access this street shall be setback a minimum of 20 feet.

Since this lot is abutted by a non-arterial street on two sides (116th Street and 116th Place), straight zoning and Section 403-5 would allow this structure to be 15' from the property line along 116th Street. Given the aforementioned and the peculiar shape of the lot, staff can support this request.

The five-foot increase in building height from 18' to 23' appears minor in nature. The abutting three acres (+/-) tract to the west is zoned AG, and has one large single-family dwelling, approximately 80 feet from the subject tract. This is the garage side of the abutting dwelling's property and is separated by an eight-foot masonry wall (See Exhibit C). While the overall height of the structure may be increased to 24', there should be no habitable second floor allowed per Section 210-B, 5a providing no second-story windows overlooking the abutting tract to the west.

Given the aforementioned, staff recommends **APPROVAL** of minor amendment PUD-713-7 allowing the structure to be 24' in total height limited to one-story, and a side setback reduction along 116th Street from 25-feet to 17'8.

Note: Approval of a minor amendment does not constitute building permit approval.

TMAPC COMMENTS:

In response to Ms. Wright, Mr. Sansone stated that the site plan that has been submitted meets all of the other bulk and area requirements of the PUD with the exception of this single setback. It meets all of the open space requirements as defined by the PUD. It appears that, due to the odd shape of the lot and being wider than it is deep, the applicant needs some relief for the positioning of a detached accessory structure located in the rear of the lot.

In response to Ms. Wright, Mr. Sansone stated that the difference in this request and a Board of Adjustment variance is that the Planning Commission doesn't necessarily have to have a hardship, but do look for extenuating circumstances. He reiterated that he would defer to the odd shape of the lot and it faces on a cul-de-sac that is 286 feet wide and 96.3 feet deep.

Applicant's Comments:

Jim Thomason, 19225 South 49th West Avenue, Mounds, Oklahoma 74047, stated that he does have a hardship, which relates to the height limitation. The subject site is an irregular site. On the south end of the site the topography falls about nine or ten feet drastically toward a retention pond. The covenants require rear and side entrance garages. He already started the home foundation work with concrete stem-walls before learning that the detached accessory building had to adhere to the 25-foot setback.

TMAPC COMMENTS:

Mr. Ard asked Mr. Thomason if he had a building permit. In response, Mr. Thomason answered affirmatively.

Mr. Sansone stated that if this were straight zoning, the applicant would be allowed to have a side yard setback of 15 feet and because he abuts the street and fronts on the cul-de-sac, he in essence is a corner lot.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **APPROVE** the minor amendment for PUD-713-7 per staff recommendation.

16. **PUD-636-3 – Charles Norman/Minor Amendment** (PD-8) (CD-2)

Unplatted and vacant land at the northwest corner of West 81st Street and U.S. Highway 75 (Minor amendment to clearly establish the number of multifamily dwelling units permitted by the existing development standards for Development Areas B, D and E of PUD-636.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to clearly establish the number of multifamily dwelling units permitted by the existing development standards for Development Areas B, D and E of PUD-636 (See Exhibit A).

The PUD-636 was approved as a seven development area PUD as depicted on Exhibit A, allowing multifamily dwellings in Development Areas B, C, D, E, and F. Exhibit B represents the net and gross areas of all of the development areas and the designated uses within those areas.

PUD-636 has been amended twice. Minor amendment PUD-636-1 permitted single-family uses in Areas D and E. Minor amendment PUD-636-2 allowed single-family uses in Areas A, B, and C. The approval of these minor amendments may have had the unintended effect of eliminating the previously approved multifamily uses which was not the intent of either minor amendment. Specifically, the case report for PUD-636-1 reads:

Staff can support the proposed minor amendment to develop single-family residential uses rather than multifamily residential (emphasis added) in

Development Areas D and E. Therefore, staff recommends **APPROVAL** of PUD-636-1.

In order to permit the construction of 310 multifamily dwelling units as previously approved, this minor amendment application is made and supported by staff re-establishing the following as permitted densities of multifamily development in Areas B, D, and E, of which the multifamily use is already permitted under PUD-636:

Dev. Area	Acres	Dwelling Unit (du)/acre allowed	DU allowed	DU as Proposed
Area B	1.865	20	37.3	12
Area D	8.601	20	172.02	188
Area E	4.26	30	127.8	110
Total			337.12	310

Therefore staff recommends **Approval** of Minor Amendment PUD-636-3 establishing permitted multi-family densities for Development Areas B, D, and E of PUD-636. All other development standards for all development areas of PUD-636 shall remain applicable.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

Interested Parties Comments:

Connie Foster, 7931 South Waco Avenue, 74132, stated that she is concerned about the fire protection, traffic and all the new homes going into the subject area. She expressed concerns that the Fire Department wouldn't be able to handle all of the new construction.

TMAPC COMMENTS:

Mr. Ard informed Ms. Foster that the application before the Planning Commission today is simply a reaffirmation of what uses are allowed with a slight change in the number of units in different areas. The applicant is not increasing what was already allowed on the subject tract of land.

Ms. Foster stated that she thought they had eliminated the apartment complex. In response, Mr. Ard asked Mr. Norman to speak with Ms. Foster after the meeting today.

Ms. Cantrell stated that the applicant has the right to build the apartments. During the platting stages the fire protection, traffic issues, etc. will be addressed. Public Schools are not within the Planning Commission's purview and usually schools love it when more students come in.

Applicant's Comments:

Charles E. Norman, 401 South Boston Avenue, Suite 2900, Tulsa, Oklahoma 74103; representing Mike Case of Case and Associates, stated that the Planning Commission will be seeing a preliminary plat in the near future. This particular PUD was approved on August 16, 2000 and was approved by the City Council in September of 2000. He explained that he wanted to create a record for the remaining areas in the PUD so that the Planning Commission staff could monitor the remaining dwelling units that will be allocated. The subject site will accommodate 337 units, but he is requesting 310 units. He indicated that notice was given and he met with two neighbors on July 8, 2008. He requested that the Planning Commission approve this application per staff recommendation.

TMAPC COMMENTS:

Mr. Carnes stated that he will move to approve this minor amendment. He further stated that the west side of Tulsa did not have water until the water tower was built on Turkey Mountain. Since then it has exploded and it is close in for people to live there. The schools will be growing and they will build new schools. This is the new growth of Tulsa.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-1-1** (Ard, Cantrell, Carnes, Midget, McArtor, Shivel, Sparks "aye"; Wright "nay"; Walker "abstaining"; Marshall, Miller "absent") to **APPROVE** the minor amendment for PUD-636-3 per staff recommendation.

PUBLIC HEARING

- 22. **Saint Francis South** – (8418) Preliminary Plat (PD 18) (CD 5)
 Northeast corner of 91st Street and South Highway 169

STAFF RECOMMENDATION:

This plat consists of four lots, two blocks, on 21.95 acres.

The following issues were discussed June 5, 2008, June 19, 2008 and July 3, 2008 at the Technical Advisory Committee (TAC) meeting:

- 1. **Zoning:** The property is zoned PUD-586-A-6. All PUD requirements must be met and reflected in the covenants.

2. **Streets:** On page 1, provide for 30 feet of right-of-way on northwest corner of private collector street at East 91st Street South. On page 4, revise title of Section 1, Easements and Utilities, D. Revise to read, "Water, Sanitary and Storm Sewer Service, and Traffic Control Devices:" Add and Traffic Control Devices, 4. Access "Or traffic control devices (including traffic signal, signs and pavement markings)".
3. **Sewer:** A sanitary sewer easement will need to be granted to cover the sanitary sewer that goes across the proposed closed right-of-way of South 109th East Avenue. If the proposed sanitary sewer running between the proposed medical office building and the existing medical office building remains in the same alignment, and the same distance from the storm sewer, then it needs to be within a restricted sanitary sewer easement. If the proposed alignment for the sanitary sewer is going to be in a utility easement and not adjusted, then the utility easement it will need to be separated from the proposed storm sewer easement.
4. **Water:** Do not overlap the storm sewer and water line easements near "L 117 & L82" but separate them both inside their own easements. Use standard covenant language. On the off-site conceptual sheet 6 of 7 a 20-foot restrictive water line easement will be required for the ten-inch water main line existing along South 109th East Avenue from East 91st Street South instead of a 20-foot utility easement. Show sidewalk proposed at correct scale on conceptual drawings (eight-foot sidewalk).
5. **Storm Drainage:** Show and label the location of the two offsite "stormwater detention facility". Add a note stating that, "Additional stormwater detention for this platted area is being provided offsite, with separate instrument easements, at the locations shown on this page." All storm drainage systems which receive drainage runoff from offsite, and the systems that cross lot lines, will be public drainage systems and must be placed in easements with a minimum width of 15 feet. Please label the existing onsite "stormwater detention facility" with lettering that is a minimum of .10-inches in height and add "Reserve A" to that label. The owner must provide the City of Tulsa with a copy of the written agreement with KAMO electric cooperative, Inc. (now AEP) to allow the separate instrument stormwater detention easement to be placed and the facility to be constructed across their transmission line right-of-way easement. Use City of Tulsa standard language for Section D and Section 1 I. Section 1I should include the standard landscaping language, and should say "Saint Francis South" not Arrowhead Ridge. Each Stormwater detention facility and easement shown and labeled on pages 1, 3, 5, and 6 of 7 should be labeled as such. Please remove the words "proposed" and "pond" from the labels and spell stormwater as one word. On page 3 of 7 the larger (42" and 48") and deeper (more than 11' to flow line) storm sewers may require easements

that are wider than 15 feet (see Figure 301 in Tulsa Stormwater Management Manual for width requirements.)

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be necessary.
7. **Other: Fire:** Remove the word “propose” in front of “proposed emergency access easement by separate instrument.”

GIS: Thicken-up the boundary line of the plat (the boundary should be the boldest line on the plat). Put the boundary outline on every plat and plan sheet for reference. **General:** Reference to page 3 for the easement details is still too confusing. Recommend each easement on sheet 3 be numbered and then referenced on sheet. Clarify curve and tabulation lines. Underlying plat needs to be properly vacated.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their 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.

Mrs. Fernandez explained that this plat is very complex and is a replat and an extension of an old plat called Arrowhead Ridge. At this point the plat is ready to go and staff can recommend approval. Some old easements will be vacated and taken care of through the Public Works process.

TMAPC COMMENTS:

Ms. Wright asked Mrs. Fernandez why this plat was taken back to TAC three different times. In response, Mrs. Fernandez reiterated that the plat is very complex and is a replat of an existing plat. There was a new engineer involved and they have a consulting engineer in Tulsa. This is a part of the Saint Francis Complex and it is a part of a PUD. The applicant has done a Master Plan to redo it. The new plat will take care of some of the old easements and the site will be very large. Staff is happy to see this because it is a replat of the entire complex rather than plats for small lots here and there. Staff believes this is the right way to handle the subject property and they are replatting appropriately, although they didn't have to go this route.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **APPROVAL** of the preliminary plat for Saint Francis South per staff recommendation, subject to special conditions and standard conditions.

* * * * *

23. **Hunter Center** – (8321) Preliminary Plat (PD 18) (CD 8)
Southwest corner of East 91st Street and South Yale Avenue

STAFF RECOMMENDATION:

This plat consists of three lots, one block, on 11.2 acres.

The following issues were discussed July 3, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD-275. All PUD requirements must be met and reflected in the covenants.
2. **Streets:** Add document number for mutual access easement along south side.
3. **Sewer:** On the preliminary plat, where does the 15-foot sanitary sewer easement end as it goes to the south? It appears that the sanitary sewer easement runs into the eleven foot utility easement without an end. Also, when you compare the preliminary plat to the conceptual plan, there is a segment of the sanitary sewer line that is outside the proposed and existing easement. If the existing line is indeed outside the easement then an easement needs to be dedicated at this time.
4. **Water:** No comment.
5. **Storm Drainage:** The term "drainage easement" should only be used where there is both overland drainage and underground storm sewer is in the same location throughout the easement area. Drainage and utility easement should not be used for any new utilities. Label both the existing and the proposed Vensel creek City of Tulsa Regulatory Floodplain. Only existing utility easements may be placed in the "overland drainage easement" for the floodplain. If the proposed storm sewer system will convey the 100-year runoff, and will remove the floodplain, then the area where that occurs should be storm sewer easement only. The area that contains only the overland drainage channel for the City of Tulsa Regulatory Floodplain should

be an "overland drainage easement" only and add Reserve A to the label. Please add storm sewer easement and overland drainage easement to, and remove drainage easement from, the legend. There needs to be a boundary line between the utility easement and the sanitary sewer easement along the north central area of the plat. The storm sewer should not be in the sanitary sewer easement. Detention may be required and, if so, will then need to be added. Remove Section IJ and add Reserve A to the title for Section II.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be necessary.
7. **Other: Fire:** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirements shall be 600 feet. 2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet. Provide looped water main extension with hydrants spaced within 400 feet of unsprinkled buildings and 600 feet of sprinkled buildings.

GIS: Add a written scale to the face of the plat. Give a basis of bearing for the plats survey using degrees, minutes and seconds.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department staff must be taken care of to their 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.

Interested Parties Comments:

Rhonda Deggendorf and Kellie Brown, 9247 South Urbana, 74137, stated that she is the manager of Benchmark Condominiums. She said the purpose of the letter is to make sure that the agreements between Benchmark and Mr. Ray Biery are followed. Ms. Deggendorf read the agreements that she has made with the applicant.

TMAPC COMMENTS:

Ms. Cantrell stated that these agreements wouldn't be in the plat. Today the Planning Commission is considering the plat and the plat sets the easements.

After discussion Mr. Ard directed staff to notify Benchmark Condominiums of any activity regarding the PUD.

Applicant's Comments:

Ted Sack, 111 South Elgin, 74120, stated that Mr. Biery stated is aware of the concerns of the neighborhood. Mr. Biery has met with the condominium association and these items will be addressed through the detail site plan review. He explained that he has been working with the City of Tulsa for the drainage project.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **APPROVE** the preliminary plat for Hunter Center per staff recommendation, subject to special conditions and standard conditions.

- 24. **BOA 20716** – (9214) Plat Waiver (PD 9) (CD 7)
 North of West 23rd and West of South Nogales Avenue

STAFF RECOMMENDATION:

The platting requirement is being triggered by Board of Adjustment case 20716 for community counseling and educational uses. Staff provides the following information from TAC at their July 3, 2008 meeting:

ZONING:

TMAPC Staff: Staff does not object to the plat waiver on the previously platted property.

STREETS:

Additional ten feet of right-of-way is needed along Nogales.

SEWER:

The existing sanitary sewer along the west property line is not shown to be in an easement. A 10-foot sanitary sewer easement will need to be dedicated.

WATER:

No comment.

STORM DRAIN:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff recommends **APPROVAL** of the plat waiver.

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

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

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **9-0-0** (Ard, Cantrell, Carnes, McArtor, Midget, Shivel, Sparks, Walker, Wright "aye"; no "nays"; none "abstaining"; Marshall, Miller "absent") to **APPROVE** the plat waiver for BOA-20716 per staff recommendation.

OTHER BUSINESS:

Commissioners' Comments

Mr. Ard stated that all of the Planning Commissioners are welcomed and encouraged to be involved in the Comprehensive Plan update process, organizational meetings, etc. He encouraged the Planning Commission to get everyone involved outside of the Planning Commission.

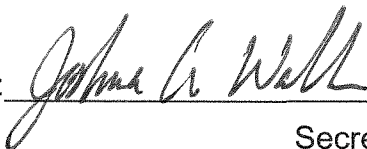
There being no further business, the Chair declared the meeting adjourned at 3:00 p.m.

Date Approved:

8/6/18



Chairman

ATTEST: 
Secretary