

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2170

Wednesday, August 12, 1998, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Carnes	Dunlap	Romig, Legal
Harmon	Gray	Huntsinger	Counsel
Horner		Stump	
Jackson			
Ledford			
Midget			
Pace			
Selph			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, August 10, 1998 at 9:56 a.m., posted in the Office of the City Clerk at 9:41 a.m., as well as in the office of the County Clerk at 9:35 a.m.

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

Minutes:

Approval of the minutes of July 22, 1998, Meeting No. 2168:

On **MOTION** of **WESTERVELT** the TMAPC voted **6-0-1** (Boyle, Harmon, Horner, Jackson, Ledford, Selph, Westervelt "aye"; no "nays"; Pace "abstaining"; Carnes, Gray, Midget "absent") to **APPROVE** the minutes of the meeting of July 22, 1998 Meeting No. 2168.

REPORTS:

Chairman's Report:

Mr. Boyle stated he appreciated staff's written report on the status of the infill study. He commented he would like to have a status report on a regular basis.

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford reported that there was a Comprehensive Plan Committee work session prior to this meeting. He explained that the meeting was an initial meeting as part of the Infill Task Force and part of the Comprehensive Plan Committee regarding the Major Street and Highway Plan. He commented that this will be an ongoing committee and will try to resolve the right-of-way guidelines in the downtown area.

Director's Report:

Mr. Stump stated that there are three zoning items on the City Council agenda and Mr. Jim Dunlap will be representing the staff.

Mr. Stump stated that the Utilities and Infrastructure Committee of the Infill Task Force will be meeting August 27, 1998.

Mr. Boyle stated that Mr. Horner will be representing the Planning Commission at the City Council meeting.

Continued Items:

PUD-360-A-3 – Adrian Smith

(PD-18) (CD-8)

West of northwest corner East 91st Street and South Memorial
(Minor Amendment) (Applicant has requested a **continuance** to August 26, 1998

in order to re-notice.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **8-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray, Midget, "absent") to **CONTINUE** PUD-360-A-3 to August 26, 1998 in order to give a re-notice as requested by applicant.

Midget in at 1:35 p.m.

Z-6650 – Ricky Jones

East of southeast corner East 81st Street and South Sheridan
(Applicant has made a timely request for a continuance.)

RM-O to OL
(PD-18) (CD-8)

AND

PUD-593 – Ricky Jones

CS, RM-O, RS-3 TO PUD

Southeast corner East 81st Street and South Sheridan.
(Applicant has made a timely request for a continuance.)

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **CONTINUE** Z-6650 and PUD-593 to October 7, 1998 as requested by the applicant.

PUD-585-2 – Charles Norman

(PD-18) (CD-8)

South of southwest corner East 61st Street and South Memorial Drive
(Minor Amendment)

AND

PUD-585 – Charles Norman

(PD-18) (CD-8)

South of southwest corner East 61st Street and South Memorial Drive
(Detail Site Plan)

AND

AC-038 – Charles Norman

(PD-18) (CD-8)

South of southwest corner East 61st Street and South Memorial Drive
(Alternative Landscape Plan)

Staff Recommendation:

Mr. Stump stated that these applications cannot be heard due to an incorrect legal description.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **CONTINUE** PUD-585-2/PUD-585/AC-038 to August 19, 1998.

Subdivisions:

Change of Access on Recorded Plat:

Lot 1, Block 1, Ceid 2nd Amended (3413)

(PD-15) (County)

Southeast corner East 76th Street North and Whirlpool Drive

Staff Recommendation:

Mr. Stump stated that this is a change of access, which was to accommodate the Whirlpool Corporation's redesign. He indicated that Traffic Engineering has approved a new location and staff recommends approval.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **APPROVE** the Change Of Access on Recorded Plat for Lot 1, Block 1, Ceid 2nd Amended as recommended by staff.

Zoning Public Hearings:

Z-6651 – William LaFortune

RS-1 to IL

South of southwest corner East Pine and North Garnett

(PD-16) (CD-6)

Staff Recommendation:

Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 2 – No Specific Land Use.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 4.5 acres in size and is located south of the southwest corner of East Pine Street and North Garnett Road. The property is flat, partially wooded, contains two single-family dwellings, and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by a single-family dwelling, zoned RS-3; to the south, by vacant land, zoned IL; to the east by single-family dwellings, zoned RS-3 and to the west by a large manufacturing company, zoned IL.

Zoning and BOA Historical Summary: The property adjoining the subject tract on the south was rezoned from RS-3 to IL in 1982 and a ten-acre tract located southeast of the subject tract and on the east side of N. Garnett Road was approved for IL zoning from RS-3 in 1989.

Conclusion: Based on the Comprehensive Plan this area is primarily planned for industrial uses due to the ideal location relative to transportation, the physical characteristics of the soil, and slope. Based on the Comprehensive Plan and the existing development in the area, staff recommends **APPROVAL** of IL zoning for Z-6651.

Applicant was present and indicated his agreement with the staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray, "absent") to recommend **APPROVAL** of the IL zoning for Z-6651 as recommended by staff.

Legal Description for Z-6651:

Lots 5 and 6, Lakeside Gardens, an Addition to the City of Tulsa, Tulsa County, and State of Oklahoma.

Z-6652 – Anthony Plank
5840 South Mingo Road

RS-3 to IL
(PD-18) (CD-7)

Staff Recommendation:

Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 1 – Development Sensitive.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 100' x 268' in size and is located south of the southwest corner of East 58th Street South and South Mingo Road. The property is flat, partially wooded, contains one single-family dwelling, and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by vacant property, zoned RS-3; to the south by an office, zoned IL; to the west by vacant floodway property, zoned RS-3; and to the east by a vacant lot and a mini-storage facility, zoned IL.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicate that non-residential zonings have been approved north of E. 58th Street S. and south of the subject tract along S. Mingo Road.

Conclusion: The subject property is identified as being within a future industrial development area. The Comprehensive Plan recommends detailed functional plans and development criteria for each development in accordance with the industrial development policies of the City. Based on the Comprehensive Plan, the existing development and existing uses in this area, staff recommends **APPROVAL** of IL zoning for Z-6652.

There were no interested parties wishing to speak.

Applicant was present and indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray, "absent") to recommend **APPROVAL** of IL zoning for Z-6652 as recommended by staff.

Legal Description for Z-6652:

Lot 3, Block 2, Andersen Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Z-6653 – Mary Jane Harris
5880 South Mingo Road

RS-3 to IL
(PD-18) (CD-7)

Staff Recommendation:

Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 1 – Development Sensitive.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 100' x 240' in size and is located south of the southwest corner of East 58th Street South and South Mingo Road. The property is flat, partially wooded, contains one single-family dwelling, and is zoned RS-3.

Surrounding Area Analysis: The subject property is abutted on the north and south by single-family dwellings, zoned RS-3; to the west by vacant floodway property, zoned RS-3; and to the east by an equipment and machinery rental business, zoned IL.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicate that non-residential zonings have been approved north of E. 58th Street S. and south of the subject tract along S. Mingo Road.

Conclusion: The subject property is identified as being within a future industrial development area. The Comprehensive Plan recommends detailed functional plans and development criteria for each development in accordance with the industrial development policies of the City. Based on the Comprehensive Plan, the existing development and existing uses in this area, staff recommends **APPROVAL** of IL zoning for Z-6653.

Applicant was present and indicated her agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray, "absent") to recommend **APPROVAL** of IL zoning for Z-6653 as recommended by staff.

Legal Description for Z-6653:

Lot 7, Block 2, Andersen Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

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PUD-488-2 – Eric P. Nelson

(PD-18) (CD-8)

East of southeast corner East 71st Street and South Mingo Road
(Minor Amendment to reduce the required east boundary building setback.)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to reduce the required east boundary building setback from 17.5 feet to 11 feet.

Staff has examined the land title survey submitted with the application, the recorded plat, the minutes of the original approval and a minor amendment combining development areas and the approved standards and finds a discrepancy in the description and representation of the east building setback.

The plat and the minutes reflect an 11-foot building setback, which corresponds to an 11-foot utility easement. The land title survey indicates the actual setback as built at 13.5 feet. The east boundary setback standard was amended when combining development areas in 1995 and anticipated a 17.5-foot utility easement and the possible development of residential uses to the east. During the platting process only an 11-foot utility easement was required by Public Works and the land to the east has developed as a commercial use.

Staff is of the opinion that the request will not alter the original approval, will reflect what is actually built and does not encroach on the 11-foot utility easement. The applicant is attempting to clear the title for the purposes of conveyance of the property.

In order to clear the title and eliminate the discrepancy between the approved PUD standards and the plat, staff recommends **APPROVAL** of the Minor Amendment as submitted reducing the building setback on the easterly boundary from 17.5 feet to 11 feet.

Staff Comments:

Mr. Stump explained that the originally there was a 17.5 feet utility easement along the boundary and later staff found that there would only be 11 feet.

Applicant indicated his agreement with the staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **SELPH** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt “aye”; no “nays”; none “abstaining”; Carnes, Gray, “absent”) to recommend **APPROVAL** of the Minor Amendment for PUD-498-2 as recommended by staff.

PUD-179S-5 – Don Dishon, AIC

(PD-18) (CD-8)

9310 East 71st Street

(Minor Amendment to reduce the minimum canopy setback.)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to reduce the minimum canopy setback from 50 feet to 43 feet to allow architectural/design modifications to an existing restaurant. Sonic is totally revising all signage, building exteriors, and landscaping.

Staff has reviewed the application and finds the proposed modification to the canopy setback distance from the north property boundary does not alter the character or intent of the original approval. The extension of the canopy does not alter the drive-in parking configuration or change any drives or access lanes. Staff is of the opinion the proposed modification to the canopy setback is minor in nature.

Staff, therefore, recommends **APPROVAL** of Minor Amendment 179-S-5 per the submitted Site Plan with the following condition:

This is approval modifies the canopy setback standard from 50 feet to 43 feet on the north property boundary only; canopy setbacks for all other property boundaries and building setback distances remain the same.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt “aye”; no “nays”; none “abstaining”; Carnes, Gray, “absent”) to recommend **APPROVAL** of the Minor Amendment for 179-S-5, subject to the conditions as recommended by the staff.

Other Business:

PUD-559 – William Brown

(PD-18) (CD-8)

Northwest corner East 91st Street and Mingo Valley Expressway
(Detail Site Plan for 40,776 SF three-story medical office building in
Development Area A.)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 40,776 square foot three story medical office building on an 8.93-acre portion of Development Area A.

A 180-bed hospital and outpatient center received Site Plan approval for a 20-acre portion of Development Area A in 1997.

Staff has reviewed the site plan and finds it conforms to the bulk and area, setback, building square footage, building height, parking, lighting, trash area screening, access, circulation and total landscaped area standards approved for Development Area A.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-559, Development Area A as submitted.

Note: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

Applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **APPROVE** the Detail Site Plan for PUD-559 Development Area A as recommended by staff.

PUD-567-A – Darin Akerman

(PD-18) (CD-8)

Southwest corner East 71st Street South and South 109th East Avenue
(Detail Site Plan)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for 21,776 SF of retail space containing four businesses on three acres within the eastern portion of Development Area A. PUD-567 A modified the original standards for PUD-567 to allow motorcycles sales and service only within Use Unit 17 ~~Use Unit 14~~ within Lot 2 of Development Area A.

Staff has reviewed the site plan and finds conformance to area and bulk, building height and square footage by uses, setback, parking, access and mutual access, circulation and total landscaped area standards of the PUD.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-567-A, Development Area A, as submitted.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **APPROVE** the Detail Site Plan for PUD-567-A, Development Area A as recommended by staff. (Language deleted is shown as strikeout type, language added or substituted is underline type.)

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PUD-567 – Dana Hutson

(PD-18) (CD-8)

South of southwest corner East 61st Street and South Memorial Drive
(Detail Site Plan)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 4,250 square foot dry cleaning store on a 53,520 square foot (net) parcel that constitutes Development Area E of the PUD 567.

Staff has reviewed the request and finds conformance to area and bulk, building square footage and height, setback, parking, access, signage, lighting and total landscaped area standards of Development Area E.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-567 Development Area E as submitted.

Note: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

Applicant was present and indicated her agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **HORNER** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **APPROVE** the Detail Site Plan for PUD-567 as recommended by staff.

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PUD-550 – Sack and Associates

(PD-5) (CD-5)

Northwest corner of 91st East Avenue and Skelly Drive Service Road

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a two-story 122,000 square foot office and warehouse facility on 23.33 acres (net) within Development Area C.

Staff has reviewed the request and finds the site plan conforms to bulk and area, building square footage and height, setback, parking, access, lighting, circulation and total landscaped area standards as approved.

The applicant has requested that the screening details for the west boundary be deferred until Detail Landscape Plan review. The applicant will be meeting with residential property owners along the west boundary of the PUD to determine the most acceptable and effective screening method. Staff notes that the original PUD approval included the condition to "defer consideration of the height of the screening fence and screening of mechanical equipment until the Detail Site Plan Process."

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-550, Development Area C, subject to the following condition:

That the Detail Landscape Plan, including the screening details along the west boundary and the north 132.5 feet of the out-parcel, be reviewed and approved at a TMAPC meeting with notification to abutting residential property owners.

NOTE: Detail Site Plan approval does not constitute Sign or Landscape Plan approval.

Applicant was present and indicated his agreement of staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

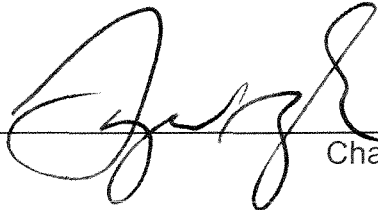
On **MOTION** of **MIDGET** the TMAPC voted **9-0-0** (Boyle, Harmon, Horner, Jackson, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Gray "absent") to **APPROVE** the Detail Site Plan for PUD-550, subject to conditions as recommended by staff.

Staff Comments:

Mr. Stump stated that the subject property is a landmark, which was the old Indian Acres tract that was sold in small lots at the fair. He explained that there were never any improvements made and this is a good example of why subdivision regulations were needed. He stated that the subject property has been idle for approximately 50 years and now through Urban Renewal it is being reassembled.

There being no further business, the Chairman declared the meeting adjourned at 1:47 p.m.

Date approved: 8-19-98



Chairman

ATTEST: Brendon I. Jahn
Secretary