

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2240

Wednesday, May 24, 2000 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes	Boyle	Beach	Jackere, Legal
Collins	Westervelt	Bruce	Counsel
Harmon		Huntsinger	
Hill		Stump	
Horner			
Jackson			
Ledford			
Midget			
Pace			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, May 22, 2000 at 8:25 a.m., posted in the Office of the City Clerk at 7:32 a.m., as well as in the office of the County Clerk at 8:16 a.m.

After declaring a quorum present, 2<sup>nd</sup> Vice Chair Jackson called the meeting to order at 1:31 p.m.

### Minutes:

#### **Approval of the minutes of May 3, 2000 Meeting No. 2238**

On **MOTION** of **HORNER** the TMAPC voted **6-0-1** (Carnes, Collins, Hill, Horner, Jackson, Pace "aye"; no "nays"; Ledford "abstain"; Boyle, Harmon, Midget, Westervelt "absent") to **APPROVE** the minutes of the meeting of May 3, 2000 Meeting No. 2238.

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Mr. Harmon in at 1:32 p.m.

### SUBDIVISIONS

#### CHANGE OF ACCESS ON FINAL PLAT:

##### East Vue Center (2094)

Mazzio's 3975 South Garnett Road

(PD-17) (CD-6)

**Staff Recommendation:**

The proposal is to change the platted access along Garnett Road to provide a 40-foot access at the existing driveway of the Mazzio's Pizza restaurant.

The Traffic Engineer has reviewed and approved the changes.

Staff recommends **APPROVAL**.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Carnes, Collins, Harmon, Hill, Horner, Jackson, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Midget, Westervelt "absent") to **APPROVE** the change of access on final plat for East Vue Center as recommended by staff.

\* \* \* \* \*

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

**PLAT WAIVER:**

**BOA-18722 (383)**

(PD-18) (CD-7)

Southeast corner of East 61<sup>st</sup> Street and South Hudson Avenue

**Staff Recommendation:**

Trigger: Special Exception to allow Children's Nursery (U.U.5) on a lot in the OL district, approved by BOA 4/25/00.

**PURPOSE:**

To remodel an existing one-story brick office structure (approximately 6600 SF) for use as a children's nursery.

**GENERAL:**

The subject property is lot 1, block 1 of the amended plat of Warren Center East. It is located at the southeast corner of 61<sup>st</sup> and Hudson. The site is in an area of office, commercial and multifamily residential uses.

**STREETS:**

The site is bounded by 61<sup>st</sup> Street on the north and Hudson Avenue on the west. It is accessed off of 61<sup>st</sup> in the eastern portion of the site and off of Hudson in the southern portion of the site.

It appears that the existing access points off of 61<sup>st</sup> and Hudson do not coincide with the access as shown on the plat.

**SEWER:**

Sanitary sewer is present along the south side of 61<sup>st</sup> Street.

**WATER:**

Water is present along the east side of Hudson and the south side of 61<sup>st</sup> Street.

**Staff provides the following comments from the TAC meeting.**

**1. Streets:**

- Somdecerff, Streets: indicated that additional radius at the corner of 61<sup>st</sup> and Hudson would be required.
- French, Traffic: indicated that a change in access should be processed to line up the existing with the platted.

**Conclusions:**

TAC comments were limited to those noted above. The property is lot 1 of block 1 of Amended Plat for the Warren Center East Addition.

Based on the TAC discussion and the checklist, which reflects the policies of TMAPC. Staff recommends **APPROVAL** of the request for plat waiver ~~subject to additional radius return dedication and processing of change of access.~~

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

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

	YES	NO
1) Has property previously been platted?	✓	<input type="checkbox"/>
2) Are there restrictive covenants contained in a previously filed plat?	<input type="checkbox"/>	✓
3) Is property adequately described by surrounding platted properties or street R/W?	✓	<input type="checkbox"/>

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

4) Is right-of-way dedication required to comply with major street and highway plan?	<input type="checkbox"/>	✓
5) Will restrictive covenants be filed by separate instrument?	<input type="checkbox"/>	✓
6) Infrastructure requirements		
a) Water		
i) Is a main line water extension required?	<input type="checkbox"/>	✓
ii) Is an internal system or fire line required?	<input type="checkbox"/>	✓
iii) Are additional easements required?	<input type="checkbox"/>	✓

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

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

**Applicant's Comments:**

**Ted Sack**, 111 South Elgin, Tulsa, Oklahoma 74120, that the subject application is for an existing facility and there are no changes that would necessitate the additional right-of-way. He explained that the additional 30' radius required at 61<sup>st</sup> and Hudson would be an encroachment onto the parking lot. He commented that 61<sup>st</sup> Street has been widened to its potential. Hudson is a double 80' street with a median located on the west side of the subject property.

Mr. Sack indicated that the additional 30' radius is not needed by the City of Tulsa for widening purposes. He commented that the request is a matter of policy because it is a subdivision regulation at this point and time.

Mr. Sack requested that the plat waiver be approved and do not make the 30' radius a requirement.

Mr. Bruce informed the Planning Commission that Mr. Somdecerff stated that should 61<sup>st</sup> Street sometime in the future be widened to five-lanes, the 30' radius would be needed. Currently, the City of Tulsa does not need the 30' radius. Mr. Bruce stated that this is a Traffic Engineering issue and staff is presenting Traffic Engineering's request. This is a position that Traffic Engineering has taken to preserve potential for change in the future.

After a lengthy discussion it was determined that the 30' radius was not necessary and would encroach onto the existing parking lot.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Collins, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Westervelt "absent") to **APPROVE** the plat waiver for BOA-18722 per staff recommendation; except with deletion of the requirement for additional right-of-way dedication for curb radii at the intersection with 61<sup>st</sup> Street South.

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**CONTINUED ZONING PUBLIC HEARING**

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

**MAJOR AMENDMENT**

**Applicant:** Wayne Alberty

(PD-18) (CD-8)

**Location:** South of the southwest corner of East 91<sup>st</sup> Street and South Memorial Drive

**Staff Recommendation:**

The subject tract contains 5.25 acres and is located south of the southwest corner of East 91<sup>st</sup> Street and South Memorial Drive. The tract is described as Lots 5 and 6, Block 2, 9100 Memorial.

South Pointe Chevrolet has been operating its dealership on Lot 5 for over six years. It expanded its operation to the south onto Lot 2 in July of 1994 for a parking lot for display of new and pre-owned automobiles. South Pointe Chevrolet currently proposes to expand its operation in the service area.

The proposed amendment is to add 16,000 SF to the existing facility on Lot 5. The additional building square footage would include a new service write-up area for 24 service bays. The new addition would be extending into Lot 6.

The new additions would displace existing parking spaces. This would necessitate a reconfiguration of the existing parking areas and the addition of 62 parking spaces on the undeveloped portion of Lot 6.

As a result of the reconfiguration of the parking areas, 10,551 SF of landscaped area would be lost. The result will leave 28,125 SF of landscaped area for Lots 5 and 6. The landscaped area will be 12.3% of net land area, exceeding the 7% requirement established in PUD-405 approval in November 1985.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-405-H, as modified by staff, to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-405-H subject to the following conditions:

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

Land Area (net)	5.25 Acres
Maximum Building Floor Area	48,051 SF
Maximum Building Height	35 FT or Two-stories
Minimum Parking Spaces	374
Net Landscaped Area	28,125 SF or 12.3%

Except as above modified, the development standards of PUD-405, as amended, shall remain applicable.

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

**Applicant's Comments:**

**Mr. Wayne Alberty**, 201 West 5<sup>th</sup> Street, Tulsa, Oklahoma 74103, stated that he is in agreement with the staff recommendation.

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Carnes, Collins, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Westervelt "absent") to recommend **APPROVAL** of the major amendment for PUD-405-H as recommended by staff.

**Legal Description for PUD-405-H:**

Lots 5 and 6, Block 2, 9100 Memorial Addition, an addition to the City of Tulsa, County of Tulsa, State of Oklahoma, **from PUD-405-G to PUD-405-H (Planned Unit Development).**

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**ZONING PUBLIC HEARING**

**APPLICATION NO.: PUD-355-B**

**MAJOR AMENDMENT**

**Applicant:** Ricky Jones

(PD-18) (CD-8)

**Location:** North and west of the northwest corner of East 91<sup>st</sup> Street and South Yale Avenue

**Staff Recommendation:**

Mr. Stump informed the Planning Commission that the applicant has requested a continuance to June 7, 2000. Staff had no objection to the continuance.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Carnes, Collins, Harmon, Hill, Horner, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Westervelt "absent") to **CONTINUE** the major amendment for PUD-355-B to June 7, 2000 at 1:30 p.m.

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**OTHER BUSINESS:**

**APPLICATION NO.: PUD-360-A**

**DETAIL SITE PLAN**

**Applicant:** Jerry Ledford, Jr.

(PD-18) (CD-8)

**Location:** West and north of the northwest corner of 91<sup>st</sup> Street South and Memorial Drive

**Staff Recommendation:**

The Detail Site Plan is for an 8,250 SF Dollar General Store in Development Area 2-C. Staff has reviewed the site plan and finds that it complies with the PUD development standards. Therefore, staff recommends **APPROVAL** of the Detail Site Plan for PUD-360-A, subject to the following condition:

An acceptable detail of the screening surrounding the bulk trash container is provided.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

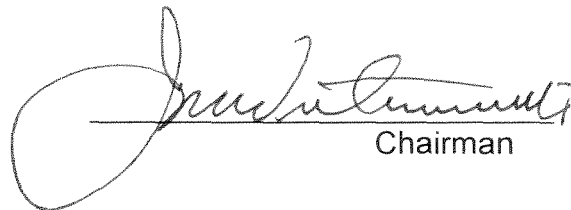
**TMAPC Action; 9 members present:**


On **MOTION** of **CARNES**, the TMAPC voted **8-0-1** (Carnes, Collins, Harmon, Hill, Horner, Jackson, Midget, Pace "aye"; no "nays"; Ledford "abstaining"; Boyle, Westervelt "absent") to **APPROVE** the detail site plan for PUD-360-A subject to conditions as recommended by staff.

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There being no further business, the 2<sup>nd</sup> Vice Chairman declared the meeting adjourned at 1:45 p.m.

Date approved: 06/07/00

  
Chairman

ATTEST:   
Secretary