

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2577

Tuesday, May 4, 2010, 4:00 p.m.

City Council Chamber

One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
Cantrell	Carnes	Alberty	Boulden, Legal
Dix	McArtor	Bates	Steele, Sr. Eng.
Leighty		Fernandez	
Liotta		Huntsinger	
Marshall		Matthews	
Midget		Sansone	
Shivel			
Walker			
Wright			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, April 29, 2010 at 3:30 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 Cantrell called the meeting to order at 4:00 p.m.

REPORTS:

Comprehensive Plan Report:

Ms. Cantrell reported that the target date for the revised version is June 1, 2010. Check their website at www.planitulsa.org. The public hearings will resume on June 15, 2010 at 4:00 p.m., City Council Meeting Room, 2nd Floor of City Hall.

Director's Report:

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

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Audio difficult to hear due to sound system in the meeting room.

Minutes:

Approval of the minutes of April 6, 2010 Meeting No. 2575

On **MOTION** of **LEIGHTY**, the TMAPC voted 8-0-0 (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the minutes of the meeting of April 6, 2010, Meeting No. 2575.

Minutes:

Approval of the minutes of April 14, 2010 Special Meeting - PLANiTULSA

On **MOTION** of **LEIGHTY**, the TMAPC voted 8-0-0 (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the minutes of the meeting of April 14, 2010, Special Meeting - PLANiTULSA.

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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. **LS-20368** – Tanner Consulting (9317) (PD6) (CD9)
East of the Southeast corner of South Lewis Avenue
and East 21st Street South, 2624 East 21st Street South
(Related to Item 3)
3. **LC-239** – Tanner Consulting (9317) (PD6) (CD9)
East of the Southeast corner of South Lewis Avenue
and East 21st Street South, 2624 East 21st Street South
(Related to Item 2)
4. **LS-20369** – Mark E. Alwardt (6315) (County)
West of the Southwest corner of East 201st Street and
South Sheridan Road, 6168 East 201st Street South
8. **LC-243** – James E. Jones (0331) (PD2) (CD3)
West of the Northwest corner of East Oklahoma Place
and North Lewis Avenue, 2161 E. Oklahoma Place
9. **LC-244** – David Rogers (9306) (PD4) (CD4)
Southeast corner of South Xanthus Avenue and East 6th
Street South, 2002 East 6th Street South

10. **LC-245** – Chris Evertz (8211) (PD8) (CD2)
East of the Southeast corner of South Olympia Avenue
and West 71st Street South
11. **LC-246** – Matt Weinstock (9217) (PD9) (County)
North of the Northwest corner of West 25th Street and
South 57th Avenue, 2410 South 57th West Avenue
17. **PUD-312-A-11 – Walter P. Moore/Hollis Allen, Jr.** (PD-18C) (CD-6)
Northwest corner of East 51st Street South and South
Garnett Road (Minor Amendment to realign
development area boundaries and reallocate existing
floor area within Development Area F.)
18. **Z-7008-SP-1 – Bryan M. Burger, PE/Chick-Fil-A** (PD-8) (CD-2)
East of the southeast corner of West 71st Street South
and South Olympia Avenue (Corridor Detail Site Plan for
a 4,596 square foot restaurant.)
19. **PUD-557 – Mike Dwyer/Jackie Cooper Imports** (PD-18) (CD-8)
Northeast corner of South Memorial Drive and the
Creek Turnpike/U.S. 169 (Detail Site Plan for a 8,869
square foot addition to an existing 67,592 square foot
car dealership showroom and service department.)
24. **PUD-431-A-10 – Ryan McAdams** (PD-26) (CD-8)
Southwest corner of 101st Street South and South
Sheridan Road (Minor Amendment to increase the
permitted display surface area for wall signs on Lot 1,
Block 1 – May's No. 21.)

The following items were pulled from the consent agenda:

Items: 5, 6, 7, 12, 13, 14, 15, 16, 20, 21, 22, 23, 25, 26, 28.

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **APPROVE** the consent agenda Items 2-4, 8-11, 15, 17-19, and 24 per staff recommendation.

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

12. **LS-20367** – HRAOK (Dwayne Wilkerson) (0431) (Cont. (PD16) (CD6)
from 4/21/2010)

Southwest corner of East Independence Street and North Garnett Road
(Related to Item 13.) (**Applicant is requesting a continuance to May 19, 2010**)

13. **LC-236** – HRAOK (Dwayne Wilkerson) (0431) (Cont. (PD16) (CD6)
from 4/21/2010)

Southwest corner of East Independence Street and North Garnett Road
(Related to Item 12.) (**Applicant is requesting a continuance to May 19, 2010**)

Ms. Cantrell stated that Items 12 and 13 are related and need to be continued to May 19, 2010.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Midget "absent") to **CONTINUE** LS-20367 and LC-236 to May 19, 2010.

5. **LC-240** – Wallace Engineering (9201) (PD1) (CD4)

Northwest corner East Archer Street and North Cincinnati Avenue

6. **LC-241** – Wallace Engineering (9201) (PD1) (CD4)

Southeast corner East Brady Street and North Boston Avenue

7. **LC-242** – Wallace Engineering (9201) (PD1) (CD4)

Northwest corner East Brady Street and North Cincinnati

TMAPC COMMENTS:

Ms. Wright stated that she wanted clarification from the applicant.

STAFF RECOMMENDATION:

Mr. Bates stated that he specifically looks at the whether or not the request meets the Zoning Code requirements. The applicant is present and can answer any questions the Planning Commission may have regarding the plans for the subject properties.

Ms. Cantrell stated that she would like to remind the Planning Commission that these are lot-combinations and they meet the Zoning Code requirements.

Applicant's Comments:

Jim Beach, 200 East Brady, 74103, stated that these are lot combinations and all three are related (LC-240, LC-241, and LC-242). He indicated that there are two blocks and Block 42 currently contains the Matthews Building and is bordered by Brady on the north, Archer on the south, Boston on the west, and Cincinnati on the east. The Matthews Building occupies the north half of the entire block and it will be the future home of a number of different uses, which are all art-related. Mr. Beach described the different types of art related uses that would be in the development. The building is being rehabilitated to accommodate the uses proposed.

Mr. Midget in at 4:11 p.m.

Mr. Beach explained that the lot combination is a mechanism to erase the internal lot-lines for the purpose of allowing one to create the building needed without having to worry about those technical separations. Mr. Beach explained that the existing freight building will be razed and the slab will be reduced for a new structure that will be an outdoor pavilion.

TMAPC Action; 9 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **9-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor "absent") to **APPROVE** LC-240, LC-241 and LC-242 per staff recommendation.

14. **NGP Business Complex – (8323) Final Plat** (PD 26) (CD 8)

North of the northwest corner of East 101st Street South
and South Memorial Drive

STAFF RECOMMENDATION:

This plat consists of six lots in one block, on 4.9 acres.

All release letters have been received and staff recommends **APPROVAL**.

TMAPC Action; 9 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-1** (Cantrell, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; no "nays"; Dix "abstaining"; Carnes, McArtor "absent") to **APPROVE** the final plat for NGP Business Complex per staff recommendation.

15. **PUD-648-A-3 – Lori Worthington/Hampton Inn Suites** (PD-8) (CD-2)

Northeast corner of West 71st Street South and South Olympia Avenue
(Minor Amendment to increase the aggregate display surface area from wall signs on north and south elevations from two square feet to 2.63 square feet.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to increase the aggregate display surface area for wall signs on the north and south elevations of the building only from two square feet (SF) 2.63 SF (see Exhibits A and B).

The PUD currently restricts wall signs to one (1) SF of display area per lineal foot of wall to which the sign is affixed. The underlying zoning of the lot is Corridor (CO) which would allow three square feet of display area per lineal foot of building wall. Also, the lot in question is immediately adjacent to US Highway 75.

On March 23, 2010 the City of Tulsa Board of Adjustment (BOA) in case #21039 approved a variance to increase the permitted wall signage on the north and south elevations to 2.63 SF. The BOA cited the size of the lot, proximity to the freeway and elevation of the site in relation to the elevation of the freeway entry/exit ramps as basis for approval (see Exhibit C).

Given the approval of the aforementioned variance, staff contends the approval of this minor amendment will not substantially alter the signage requirements for PUD-648-A. Staff supports the variance approval by the BOA and therefore recommends **APPROVAL** of minor amendment PUD-648-A-3 increasing the wall sign allotment to 2.63 SF per lineal foot of building wall for the north and south elevations only of the building located on Lot 2, Block 1 – Olympia Medical Park.

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

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 **LEIGHTY**, TMAPC voted **8-0-1** (Cantrell, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; no "nays"; Dix "abstaining"; Carnes, McArtor "absent") to **APPROVE** the minor amendment for PUD-648-A-3 increasing the wall sign allotment to 2.63 SF per lineal foot of building wall for the north and south elevations only of the building located on Lot 2, Block 1 – Olympia Medical Park per staff recommendation.

16. **PUD-776-1 – Jake Sutton/QuikTrip Corporation**

(PD-10) (CD-1)

Northwest corner of West Brady Street and North Gilcrease Museum Road (Minor Amendment to increase the permitted display surface area for a ground sign located in a freeway sign corridor.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to increase the permitted display surface area for a ground sign located in a freeway sign corridor. Specifically, the applicant seeks to amend the allotment for the sign to be located at the southwest corner of the site (see Exhibit "Sheet C1").

PUD-776 currently allows at the southwest corner of the site:

One double-faced ground sign shall be permitted at the Southwest corner of the Development Area (along the Brady Street frontage, which parallels and abuts the Keystone Expressway/U.S. Highway 412) with a maximum display surface area of 130 square feet and a maximum height of 50 feet. This sign may, at QuikTrip's option, be located within the utility easement along the Brady Street frontage.

The applicant is requesting that the display area for the sign be modified from 130 square feet (SF) to 195 SF (see Exhibit A). With a street frontage along West Brady of 299.59 lineal feet, the underlying zoning would permit a sign with 299 SF of display area if more than one ground sign is erected on the lot.

Since the underlying zoning on the lot would permit a much larger sign and the site location within a freeway sign corridor staff can support this request. Therefore, staff recommends **APPROVAL** of minor amendment PUD-776-1 allowing the sign at the southwest corner of the site to have 195 SF of display area.

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

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 **LEIGHTY**, TMAPC voted **8-0-1** (Cantrell, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; no "nays"; Dix "abstaining"; Carnes, McArtor "absent") to **APPROVE** the minor amendment for PUD-776-1 allowing the sign at the southwest corner of the site to have 195 SF of display area per staff recommendation.

20. **PUD-705-2 – Wallace Engineering/Greenwood Development Corp.**

(PD-2) (CD-3)

Northeast corner of North Peoria Avenue and East Reading Street (Minor Amendment to reduce the required parking for the entire development from 174 required spaces to 157 required spaces, which represents a ten percent reduction in overall parking.) (Related to Item 21.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reduce the required parking for the entire development from 174 required spaces to 157 required spaces, which represents a 10% reduction in over-all parking.

Please refer to the applicant's attached parking count and site plan. On April 27, 2010 the City of Tulsa Board of Adjustment (BOA), in case number BOA 21064, approved a variance reducing the parking for the development to 157 spaces (see attached BOA case report).

Staff contends that approval of the minor amendment for a 10% parking reduction will not substantially alter the character and intent of the PUD. There is a commercial center immediately adjacent to the south of this development. Many site visits have found the commercial center's parking lot never more than ½ utilized at various times of the week and day with consideration given to the existing grocery store. Should the need arise the commercial center can provide ample over-flow parking.

Staff supports the BOA approval of case #21064 and therefore, recommends **APPROVAL** of minor amendment PUD-705-2.

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

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 **LEIGHTY**, TMAPC voted **8-1-0** (Cantrell, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; Dix "nay"; none "abstaining"; Carnes, McArtor "absent") to **APPROVE** the minor amendment for PUD-705-2 per staff recommendation.

21. **PUD-705 – Wallace Engineering/The Shoppes on Peoria**

(PD-2) (CD-3)

Northeast corner of North Peoria Avenue and East Reading Street (Detail Site Plan for 23,900 square foot mixed use retail building.) (Related to Item 20.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for 23,900 square foot mixed use retail building. The proposed uses, Use Units 11, 12, 13, 14 and Dry Cleaning/Laundry only as permitted within Use Unit 15 are permitted uses in this development area of PUD-705.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site is provided from Seminole and Reading Streets. Parking has been provided per Board of Adjustment variance (BOA #21064 – 4/27/10) and includes arrangement for cross-parking. Trash enclosures have been provided as required by the PUD. Sidewalks will be provided along Seminole and Reading Streets per compromise sidewalk plan as approved by the Tulsa City Council in appeal of minor amendment PUD-705-1.

Staff recommends **APPROVAL** of the detail site plan for Development Area B/Lot 2, Block 1 – The Shoppes on Peoria.

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

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 **LEIGHTY**, TMAPC voted **8-1-0** (Cantrell, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; Dix "nay"; none "abstaining"; Carnes, McArtor "absent") to **APPROVE** the detail site plan for PUD-705 for Development Area B/Lot 2, Block 1, The Shoppes on Peoria per staff recommendation.

22. **PUD-617-1 – Randy Federick/Dr. Gene McCormick**

East of the southeast corner of 21st Street South and South Lewis Avenue (Minor Amendment to allow one 17.83 square foot non-illuminated wall sign to be placed on the north-facing elevation of an office building located on Lot 1, Block 1 of the Claremont Park Office Park.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to allow one 17.83 square foot (SF) non-illuminated wall sign to be placed on the north-facing elevation of an office building located on Lot 1, Block 1 of the Claremont Park Office Park. The office park is generally referred to as "21 Atlanta Place" (see attached exhibits).

PUD-617 currently allows:

One ground sign is permitted in the PUD, not exceeding 12 feet in height and 32 square feet of display surface area erected on the 21st (Street) frontage. Building directories and tenant identification signs may be attached to building walls if not visible from a public street.

Dr. McCormick's office fronts the arterial street, 21st Street South, which by PUD standards does not allow an office ID sign since the building walls to which a sign would be affixed are visible from a public street. Since the developer chose to utilize the sign allotment to identify the development and not the tenant as was intended, the applicant wishes to be allowed what is permitted for the other lots in the development by the PUD in addition to what the underlying zoning would permit.

Staff contends that approval of one, 17.83 SF non-illuminated wall sign facing an arterial street on Lot 1, Block 1 only would not substantially alter the character and intent of the PUD sign allotment and will provide the identification the tenant seeks for his new clients.

Therefore, staff recommends **APPROVAL** of one 17' 10" x 12" (17.83 SF) non-illuminated wall sign for the north facing wall of the building located on Lot 1, Block 1 – Claremont Park only.

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

TMAPC COMMENTS:

Ms. Wright stated that she visited the site and there are currently two signs installed. Mr. Sansone stated that one of the signs will be removed. Mr. Sansone further stated that the PUD allows wall signs as long as they are not visible from a public street.

Applicant's Comments:

Christopher Kimsul, 502 West 6th Street, 74119, representing Mr. Federick and Dr. McCormick, stated that this was brought to the attention of his client by way of a Zoning Code violation and he would like to correct that situation.

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 **LEIGHTY**, TMAPC voted **9-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor "absent") to **APPROVE** the minor amendment for PUD-617-1 for one 17' 10" x 12" (17.83 SF) non-illuminated wall sign for the north facing wall of the building located on Lot 1, Block 1 – Claremont Park only per staff recommendation.

Mr. Walker out at 4:25 p.m.

23. Z-7115-SP-1 – Tulsa Engineering & Planning/Tim Terral

Southeast corner of West 81st Street South and South Union Avenue
(Corridor Detail Site Plan for 274-unit apartment complex.)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a 274-unit apartment complex. The proposed use, Use Unit 8 – Multi-family and Similar Uses is a permitted use within this Corridor District Plan. The plan was originally approved by the TMAPC for 320 units and was modified by the City Council to 275 units.

The submitted site plan is within all applicable density, open space, building height and setback limitations. Access to the site is limited to one point along the corridor collector street stemming from West 81st Street with an emergency only access point along Union Avenue. Parking has been provided per the applicable Use Unit of the Zoning Code. All site lighting, including building-mounted, is limited to 25-feet in height and will be directed down and away from adjoining residential properties. A chain linked fence not less than 6' in height with three strands of barb-wire will be constructed along the south boundary of the development as required per City Council approval. Trash enclosures have been provided as required by the Corridor District Development Plan. Sidewalks will be provided along West 81st Street, Union Avenue and the corridor collector street continuing along the entirety of the eastern boundary as required by CO District Development Standards and Subdivision regulations. A pedestrian circulation has been submitted as required by the Corridor Site Plan.

Staff recommends **APPROVAL** of the detail site plan for the 274 unit apartment complex being constructed as part of Corridor District Site Plan Z-7115-SP-1.

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

TMAPC COMMENTS:

In response to Mr. Leighty, Mr. Sansone addressed the elevations and explained that staff doesn't require that topography maps be resubmitted at the detail site plan level.

Ms. Cantrell questioned the barbed-wire that was mentioned in the staff recommendation. Mr. Sansone stated that he isn't sure that the Planning Commission has any authority to overturn something that the City Council actually approved. Mr. Sansone commented that he would have to defer to Legal regarding this issue. Mr. Sansone stated that the Zoning Code doesn't prohibit barbed-wire.

In response to Ms. Wright, Mr. Sansone stated that the barbed-wire was allowed due to the nature of the business and storage on the adjacent neighbor's property, which is an X-ray business. The neighbor wanted the barbed-wire for security reasons.

INTERESTED PARTIES COMMENTS:

John Shafer, 2 West 6th Street, Suite 308, 74119, representing Beverly and Tony Osmond, stated that his clients live immediately to the south of the subject property. Mr. Osmond owns Globe X-Ray Services and he was concerned with security and the City Council approved the barbed-wire. The landscaping does alleviate the esthetics. He expressed concerns with the stormwater detention and that this is being approved in phases. Mr. Shafer was concerned that previously approved standards and conditions of the PUD would not be enforced since it is being developed in phases. Mr. Shafer fears that what is on the present site plan is what his clients end up with and is concerned that the runoff will not be properly addressed.

TMAPC COMMENTS:

In response to Ms. Cantrell, Mr. Alberty stated that the subject property is currently being platted and will be platted after the site plan. He assured Mr. Shafer and the Planning Commission that the City of Tulsa will not allow a development to occur or a plat to be approved if there were any deficiencies in the stormwater management. There will be no permits issued until the plat has been approved, final and released.

Ms. Wright informed Mr. Shafer that she strongly objects to the barbed-wire fencing. Ms. Cantrell stated that this is already approved by the City Council and

an agreement reached between the two property owners. Mr. Shafer stated that it is a chain-linked fence with some barbed-wire strands at the top and it is less than eight feet in height.

Applicant's Comments:

Tim Terral, Tulsa Engineering & Planning, 6737 South 85th East Avenue, 74133, stated that he would like to clarify that the proposed hotel will four stories with a maximum building height of 65 feet. Stormwater will be handled and the site couldn't be developed if the stormwater wasn't addressed. Mr. Terral stated that Mr. Alberty explained the process very well. The plats are in process and currently working on the deed-of-dedication. Mr. Terral explained that the fence issue was something that his client had to agree with and the landscaping should soften it somewhat.

TMAPC COMMENTS:

Mr. Marshall requested Mr. Steele to come forward and comment on the stormwater management. Mr. David Steele, Senior Engineer, City of Tulsa, stated that at this stage he doesn't normally have detailed stormwater plans. The subject property is not in a floodplain, but it is in the upper reaches of Nickel Creek and there is development planned. The City will assure that the plans for this will accommodate the 100-year runoff for a fully developed watershed to include whatever else is planned. The detention area that is planned for the southeast portion will contain and pass the 100-year flood without harming itself or neighbors downstream.

Ms. Wright stated that she had requested a map of the subject area and all of the different PUDs that are being done in this corridor. Mr. Sansone submitted a map made by staff showing all of the PUDs in the corridor (Exhibit A-1). Mr. Sansone explained to the Planning Commission that the map required two and half hours of work. Ms. Wright thanked Mr. Sansone and reminded him that the Planning Commission has asked for this before and she appreciates the map. Mr. Sansone summarized the map.

Ms. Cantrell thanked Mr. Sansone for the map and requested that the Planning Commission get back to the detail site plan, which has already been approved for the use.

Ms. Wright requested Mr. Sansone to point out the major arterial streets for TV land.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **7-1-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel "aye"; Wright "nay"; none "abstaining"; Carnes, McArtor, Walker "absent") to **APPROVE** the detail site plan for Z-7115-SP-1 per staff recommendation.

25. **AC-097 – HRAOK/Dwayne Wilkerson/QuikTrip**

(PD-5) (CD-3)

Northeast corner of East Admiral Place and North Yale Avenue
(Alternative Compliance Landscape Plan because six parking spaces are not within 50 feet of a required landscaped area as required by Section 1002, B-1 of the Zoning Code.)

STAFF RECOMMENDATION:

The applicant is requesting TMAPC approval of an alternative compliance landscape plan for the QuikTrip® located at the northeast corner of North Yale Avenue and East Admiral Place. The applicant seeks alternative compliance approval because six (6) parking spaces are not within 50' of a required landscaped area as required by Section 1002, B-1 of the Code (see attached exhibit).

The landscape alternative compliance section of the code states that the Planning Commission may determine that, although not meeting the technical requirements of Chapter 10 the submitted plan is equivalent to or better than the requirements of Chapter 10 of the code.

Section 1002, A-5 of the code waives street yard landscaping on lots that have no street yard. This lot is zoned CH where there is no building setback requirement and therefore by definition no street yard. Note on the attached plan that the platted lot does not include the grass areas along Yale and Admiral. These areas are street right-of-way (ROW).

In addition to the three (3) required parking area trees the applicant is proposing to plant six (6) Crepe Myrtles in the Yale Avenue ROW, although not required. Crepe Myrtles appear on the City of Tulsa's approved tree list for planting in City of Tulsa right-of-way (ROW) (see attached City of Tulsa approved tree list).

Staff contends that this alternative meets or exceeds the requirements of Chapter 10 of the code and therefore recommends **APPROVAL** of AC-097.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-1** (Cantrell, Leighty, Liotta, Marshall, Midget, Shivel, Wright "aye"; no "nays"; Dix "abstaining"; Carnes, McArtor, Walker "absent") to **APPROVE** the landscape alternative compliance for AC-097 per staff recommendation.

26. **PUD-364-6 – Architects Collective/Plaza Del Sol**

(PD-18) (CD-8)

Northeast corner of South Mingo Road and 101st Street South (Minor Amendment to increase the wall sign allotment in PUD-364 from 1.5 square feet of display area per lineal foot to 3.5 square feet of display area per lineal foot.)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to increase the wall sign allotment in PUD-364. Specifically, the increase request is from 1.5 square feet (SF) of display area per lineal foot of building wall (da/lfbw) to 2.5 SF in some places and 3.5 SF in others (see attached Exhibit 1).

Please refer to the attached Exhibit 1. For the areas represented on the site plan by the number "1" the wall sign allotment would remain the PUD approved 1.5 SF of da/lfbw. For areas labeled "2" the requested increase would be to 2.5 SF of da/lfbw. In areas labeled "3" the increase would be to 3.5 SF of da/lfbw. As outlined in Exhibit 1-A, the applicant cites the odd shape of the building and how restricted the width of some of the leased fronts are, as well as, the 400 to 500 foot distance the building sits from the street (see attached site photographs).

On April 27, 2010 the City of Tulsa Board of Adjustment (BOA) in case #21063 granted a variance increasing the wall signage from 2 SF of da/lfbw to 3.5 SF of da/lfbw, per the attached BOA exhibits 6.8 and 6.9. The BOA stated the total square footage for wall signs in the PUD will not exceed 2,165 SF in the aggregate, which on average is less than three (3) SF of da/lfbw.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-364-6 per the attached Exhibit 1.

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **7-0-1** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel "aye"; no "nays"; Wright "abstaining"; Carnes, McArtor, Walker "absent") to **APPROVE** the minor amendment for PUD-364-6 per staff recommendation.

* * * * *

Ms. Cantrell read the opening statement and rules of conduct for the TMAPC meeting.

PUBLIC HEARING

27. Z-7153 – Sack & Associates

RS-3 to CS

Southwest of southwest corner of South Memorial Drive (PD-5) (CD-5)
and East 11th Street

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-21080 (Pending) May 25, 2010: There is a request to the Board of Adjustment for a Special Exception to permit boat and RV storage (Use Unit 16) in a CS district; and a Variance of the frontage requirement in a CS district to permit additional storage space to utilize an existing 15 ft. frontage on S. Memorial Drive. This request is pending the decisions of the TMAPC and City Council for the rezoning of this property, located at 1137 South 79th Avenue and the subject property.

Z-6957 November 2004: All concurred in approval of a request for rezoning a 1± acre tract of land from RS-3 to CS for commercial uses on property located north of northeast corner of East 14th Street and South Memorial Drive.

Z-6626 May 1998: A request to rezone a lot located on the southeast corner of East 11th Street and South 83rd East Avenue from RS-1 to CG was filed. The CG zoning was denied and CS was approved for commercial uses.

BOA-10295 January 8, 1979: The Board of Adjustment approved a Variance of the frontage requirements in a CS district to permit a lot-split, on property located south and west of East 11th Street and South Memorial Drive and abutting east of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .568± acres in size and is located southwest of the southwest corner of South Memorial Drive and East 11th Street. The property appears to be in residential use, partially vacant and is zoned RS-3.

STREETS:

Exist. Access

There is no apparent dedicated access; however, the most proximate access would be from Memorial Drive.

*See note regarding access.

MSHP Design

Primary arterial*

MSHP R/W

120'

Exist. # Lanes

4*

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by apartments or duplexes zoned RM-2; on the north by vacant land, zoned RS-3; on the south by automotive and related uses, zoned CS; and on the west by single-family residential uses, zoned RS-3 and farther to the southwest by duplexes in various conditions, zoned RD.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 5 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Medium Intensity-Residential land use. According to the Zoning Matrix, the requested CS zoning **is not** in accord with the Plan. Note that if the Plan Map had designated this property as Medium Intensity – No Specific land use, the proposed CS zoning would be in accord. Staff also notes that if this rezoning is approved, the developer will be required to screen on the north, east and west sides, where the site abuts R-zoned uses. The only access, lacking BOA approval, would be from the southern property.

STAFF RECOMMENDATION:

Given the Zoning Code requirements for screening, setback and open air storage adjacent to R zoned districts, staff can support this rezoning request. This request is a logical extension of the established zoning pattern in the area and uses that exist south of the subject property. The applicant must apply to the BOA for a Special Exception approval for a Use Unit 16 use in a CS zoned designation, if approved by the TMAPC, and must meet platting requirements. Therefore, staff recommends **APPROVAL** of CS zoning for Z-7153, with the proviso that the Plan Map be amended at some future time to remove the Residential overlay from this Medium Intensity property.

There were no interested parties wishing to speak.

Applicant's Comments:

Eric Sack, 111 South Elgin, 74120, stated that this would be an expansion of the existing storage use to the south. The storage is used for RV and boat storage.

TMAPC COMMENTS:

In response to Mr. Marshall, Mr. Sack stated that they are purchasing the subject property from the resident currently on the lot. His client is purchasing the east half of the residential lot to expand on.

Mr. Sack stated that the boats and RVs are stored inside buildings and the screening will be handled by a screening fence along the perimeter or request through the Board of Adjustment to allow the structures themselves to be the screening. The current owner of the subject property is very aware that they are selling the property for RV and boat storage. Notice was mailed for the request to rezone the subject property.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Walker "absent") to recommend **APPROVAL** of the CS zoning for Z-7153 per staff recommendation.

Legal Description for Z-7153:

A TRACT OF LAND THAT IS PART OF THE S/2 OF THE SW/4 OF THE NE/4 OF THE NE/4 OF THE NE/4 OF SECTION 11, T-19-N, R-13-E OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT THAT IS THE SOUTHWEST CORNER OF SAID S/2 OF THE SW/4 OF THE NE/4 OF THE NE/4 OF THE NE/4; THENCE N 89°38'43" E ALONG THE SOUTHERLY LINE THEREOF FOR 30.00 FEET TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 2 IN BLOCK 1 OF "TORN TERRACE ADDITION", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT NUMBER 3383; THENCE N 00°11'27" W ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 79TH EAST AVENUE AND PARALLEL WITH THE WESTERLY LINE OF SAID S/2 FOR 165.15 FEET TO A POINT ON THE NORTHERLY LINE THEREOF; THENCE N 89°38'50" E ALONG SAID NORTHERLY LINE FOR 300.37 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 00°11'13" E ALONG THE EASTERLY LINE OF THE S/2 FOR 165.14 FEET TO THE SOUTHEAST CORNER THEREOF, SAID POINT ALSO BEING THE MOST NORTHERLY NORTHEAST CORNER OF LOT 1 IN BLOCK 1 OF SAID "TORN TERRACE ADDITION"; THENCE S 89°38'43" W ALONG THE SOUTHERLY LINE OF THE S/2 AND THE MOST NORTHERLY LINE OF SAID BLOCK 1 FOR 300.36 FEET TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 49,603 SQUARE FEET OR 1.1387 ACRES. THE BEARINGS USED IN THE ABOVE LEGAL DESCRIPTION ARE BASED ON THE RECORDED PLAT OF "TORN TERRACE ADDITION", PLAT NUMBER 3383.

28. **Z-7139-SP-1/Z-6254-SP-2 – H Design Group/Todd Bolin/Metro Appliance & More** (PD-18c) (CD-7)

South of the southeast corner of East 61st Street and South Mingo Road (Corridor District Site Plan proposes a 24,600 SF mixed use lawn and garden/appliance retailer with warehouse, appliance parts and service components.)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 17230 dated October 13, 1989, and 22115 dated September 14, 2009, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-21018 January 12, 2010: The Board of Adjustment approved a Variance of the maximum permitted land coverage of a building in the CO district from 30% to 35% (Section 803); a Variance of the requirement that any corridor development's access shall be principally from internal collector service streets (Section 804); and a modification of a previously approved plan and conditions related to the building setback from an arterial street (BOA-15242) modified to 100 ft., per the plan submitted on January 26, 2010; finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, being the narrowness and unique shape of the lot, the literal enforcement of the terms of the Code would result in unnecessary hardship, on property located at the northeast corner of South Mingo Road and East 63rd Street and the subject property.

Z-7139 September 2009: All concurred in approval of a request for rezoning a 1.17± acre tract of land from RS-3 to CO for Metro Builders –Outdoor business, on property located east of the northeast corner of South Mingo Road and East 63rd Street and a part of the subject property.

Z-7080 January 2008: A request was made to rezone a 4.7+ acre tract of land from CO to OM. All concurred in denial of the OM and approval of OL for Public school play fields, on property located at the southeast corner of East 62nd Street and South Mingo Road and north of subject property.

Z-7035 September 2007: All concurred in approval of a request for rezoning a 2± acre tract of land from RS-3 to CS for retail sales, on property located south of southeast corner of South Mingo Road and East 61st Street.

Z-7061 August 2007: All concurred in approval of a request for rezoning a .87± acre tract of land from RS-3 to OL for office use, on property located on the southeast corner of East 63rd Street and South Mingo Road.

Z-6882 March 2003: All concurred in approval of a request for rezoning a 2.9± acre tract of land from OL to CO for church athletic fields, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-5903-SP-4 March 2003: All concurred in approval of a proposed Corridor Site Plan on 6.3± acre tract for church athletic fields, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-5903-SP-3 November 2002: All concurred in approval of a proposed Corridor Site Plan on 1.1± acre tract for a two-story office building, on property located southeast of southeast corner of East 63rd Street and South Mingo Road.

Z-6840/PUD-656 November 2001: A request to rezone a 2.37± acre tract from CO to IL/PUD on property located south of southeast corner of East 61st Street South and South Mingo Road and abutting north of subject property, for uses permitted by right and exception in an IL district excluding Use Unit 12A. Staff recommended denial of IL zoning and for the PUD but the TMAPC recommended approval per modifications. The City Council approved the rezoning and PUD per modifications.

Z-5903-SP-2 April 1995: All concurred in approval of a proposed Corridor Site Plan on 6.3± acre tract for Miller Swim School, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-5903-SP-1 April 1995: All concurred in approval of a proposed Corridor Site Plan on 3.25± acre tract for indoor and outdoor skating rinks, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-6254/Z-6254-SP-1 September 1989: All concurred in approval of rezoning a .4± acre tract of land from RS-3 to CO and approval of a proposed Corridor Site Plan for a small appliance business in the existing building located on the northeast corner of East 63rd Street South and South Mingo Road and a part of the subject property.

BOA-15242 September 7 1989 the Board approved a Variance of the required 200 ft. setback from Mingo Rd. to 74 ft. to permit an existing building; per plot plan submitted; finding that the structure that already exists is a small structure (1,500 sq. ft.); on the subject property

Z-5908-SP-1 February 1989: All concurred in approval of a request for rezoning a 3.24± acre tract of land for a softball and baseball hitting arena and building for video games, concessions, control area for batting machines and restrooms with conditions that no lights shall be placed in the north 150' of the east 200' and all lights in east half of property shall be turned off by 11pm; limit to one-story height of any structure; and no gravel for parking area on property located on the southeast corner of East 62nd Street South and South Mingo Road.

BOA-14324 December 18, 1986 the Board approved a Special Exception to allow a day care center in an RS-3 district; per plan submitted; subject to a maximum of 30 children being cared for at the center; subject to the hours of operation being from 6:30am to 11:30pm; finding that there are multiple zoning classifications in the vicinity and many business already in operation; on the subject property

Z-6044 June 1985: All concurred in approval a request for rezoning a .6± acre tract of land from RS-3 to CO for mixed use on property located south of southeast corner of South Mingo Road and East 62nd Street South. No corridor site plan was ever approved for the property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.62± acres in size and is located south of the southeast corner of East 61st Street and South Mingo Road. The property appears to be -- and is zoned CO.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Mingo Road	Secondary Arterial	100'	4 + center turn
East 63 rd Street South	Residential Collector	50'	2

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by Union Gardens, zoned RS-3; on the north by unplatted property, zoned OL and Newhart-Hudson Addition, zoned IL/PUD-656; on the south by unplatted property, zoned OL and Union Gardens, Zoned RS-3; and on the west by Mingo Road and then unplatted AG zoned property.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being within a Corridor and if not developed to that intensity, Low Intensity-No Specific land use. According to the Zoning Matrix, the CO zoning is in accord with the Plan.

STAFF RECOMMENDATION:

Corridor District Plan Z-7139-SP-1 is a flat 1.61 acre/79,592 gross square foot (SF) site located on the northeast corner of Mingo Road and East 63rd Street South. The lot is zoned CO and there is an existing vacant appliance shop on the portion of the lot fronting Mingo Road with three aging residential structures on the rear of the lot (see attached photographs). All will be removed for this infill

development proposal and the lot will be re-platted as a single lot and block subdivision.

There is no zoning change request with this application. Corridor zoning of the property was approved by the Tulsa City Council in September 1989 and September 2009.

In January 2010, the Board of Adjustment (BOA) approved a variance of the maximum permitted land coverage of a building in the CO district from 30% to 35%; a variance of the requirement that any corridor development access be principally from an internal collector service street; and a modification of a building setback from an arterial street to 100' (BOA case minutes included as Exhibit B).

The Corridor Site Plan is now submitted to establish a conceptual site plan with allocation of uses and intensity of those uses and to establish development standards and conditions to be followed during detailed corridor district site plan review submitted to and approved by the TMAPC.

Z-7139-SP-1 proposes a 24,600 SF mixed use lawn and garden/appliance retailer with warehouse and appliance parts and service components (see attached Exhibit C1.1). Structure height will be limited to 24'. The concept plan includes excessive landscaping and masonry type screening along the east boundary of the property as a buffer for the residential structure to the east. Site lighting limitations will also be placed on the east and southern facing portion of the building to further protect abutting property owners. There will be no outside display, storage, or service of any kind.

With the Corridor zoning in place, relief in the form of variances for site development provided by the BOA, and other development restrictions and buffering mechanisms as outlined below in 'development standards' staff can support the request.

Staff finds the uses and intensities of the development proposed to be in harmony with the spirit and intent of the Code and development trends in the area. Staff finds Z-7139-SP-1/Z-6254-SP-2 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 CO Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Corridor District Site Plan, Z-7139-SP-1/Z-6254-SP-2 subject to the following conditions as amended by staff:

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

LAND AREA: 1.82 gross acres 1.61 net acres

PERMITTED USES:

Those uses permitted as a matter of right within Use Unit 14; Appliance Repair only within Use Unit 15; Warehousing only within Use Unit 23 and customary accessory uses to principal permitted uses.

MAXIMUM BUILDING FLOOR AREA:

24,600 sf/.3 FAR (per BOA #21018 - 1/26/10)

MAXIMUM LOT COVERAGE BY BUILDINGS:

35% (per BOA #21018 - 1/26/10)

MINIMUM BUILDING SETBACKS:

From centerline S Mingo Road:	100'-0"
From South property line:	25'-0"
From East boundary:	25'-0"
From North boundary:	0'-0"

MAXIMUM BUILDING HEIGHT:

24'-0"

OFF STREET PARKING:

Per applicable Use Unit within the Tulsa Zoning Code and shall be based on the square footage dedicated to each use within the building.

LANDSCAPING AND SCREENING:

Landscaping shall meet the requirements of Chapter 10 of the Tulsa Zoning Code. In addition, a landscaped area shall be established and maintained which is not less than five feet in width and which extends along the entirety of the abutting street right of way, except at points of vehicular access. The required perimeter landscaping shall include plant materials designed to achieve an attractive street view and screening for nearby residential areas.

An eight-foot masonry type wall is required along the east property line. On the west side of the wall there shall be a landscape strip of no less than 20' with landscaping in the form of trees planted in such a manner as to provide further buffering in substantial conformance with Exhibit C1.1.

SIDEWALKS:

Sidewalks will be maintained where existing and constructed where not existing along Mingo Road and 63rd Street as required by Tulsa Subdivision Regulations.

LIGHTING:

All exterior lighting, including building mounted, shall be limited to shielded fixtures designed to direct light downward and away from adjoining residential properties. No light standard shall exceed 16 feet in height. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area or residential street right-of-way. Compliance with section 1303-C of the Zoning Code will be by submittal of a detailed photometric plan complete with manufacturers cut-sheets for each type of lighting unit and will be verified at detail site plan review.

SIGNS:

Signs shall be per Section 802, B-3 of the Tulsa Zoning Code. Also, flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

TRASH, MECHANICAL AND EQUIPMENT AREAS:

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.

3. No zoning clearance permit shall be issued until a detail site plan for the lot, which includes all buildings, parking, lighting and landscaping areas has been submitted to the TMAPC and approved as being in compliance with the approved CO District Plan development standards.
4. A detail landscape plan for each development area and/or lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the City of Tulsa zoning officer that all required landscaping and screening fences will be installed by a specific date 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.

5. No sign permits shall be issued for erection of a sign on a lot within the development until a detail sign plan has been submitted to the TMAPC and approved as being in compliance with the approved CO District Site Plan development standards.
6. The Department of Public Works 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 the lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
7. No building permit shall be issued until the requirements of Section 1107-F 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 CO District Plan conditions of approval and making the City beneficiary to said covenants that relate to CO District Plan terms and conditions.
8. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
9. Approval of the CO District Plan is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
10. 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 CO District Site Plan area except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the CO District Site Plan area.

TAC COMMENTS:

General: No comments.

Water: No comments.

Fire: Fire hydrants shall be placed to comply with International Fire Code Section 508.5.1.

Stormwater: The adjacent public drainage system must have sufficient capacity to convey the additional fully-urbanized runoff from this site, and all other sites currently flowing to it, in a 100-Year Rainfall Event. The runoff must be conveyed by the Public Drainage System to the Glen Eagles Regional Stormwater Detention Facility.

Wastewater: No comment concerning the Corridor Site Plan. When the property is platted, a 17.5' wide Utility Easement will be required along the South and East property line.

Transportation: Mingo is a secondary arterial and 50' ROW is required. Currently only 40' ROW is available at that location. 10' of ROW will have to be

dedicated during the platting stage. The two driveways along 63rd street appear to be too close to each other. Sidewalks will be required along 63rd and Mingo Rd.

INCOG Transportation:

- **MSHP:** S. Mingo Road is a designated secondary arterial.
- **LRTP:** S. Mingo Rd, between 61st St. S. and 71st St. S., existing 4 lanes. Per TMAPC subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing.
- **TMP:** No comments
- **Transit:** No service provided in this area.

Traffic: No comments.

GIS: No comments.

Street Addressing: No comments.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Walker "absent") to recommend **APPROVAL** of the corridor district site plan for Z-7139-SP-1/Z-6254-SP-2 per staff recommendation.

Legal Description for Z-7139-SP-1/Z-6254-SP-2:

TRACT I: THE SOUTH SEVENTY-NINE (79) FEET OF THE WEST TWO HUNDRED THIRTY SIX (236) FEET OF LOT FIVE (5), BLOCK FOUR (4), UNION GARDENS, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO.971, LESS THE NORTH 7.5 FEET THEREOF.

TRACT II: THE NORTH SEVEN AND ONE HALF (7.5) FEET OF THE SOUTH SEVENTY-NINE (79) FEET OF THE WEST TWO HUNDRED THIRTY-SIX (236) FEET OF LOT FIVE (5) AND THE EAST ONE HUNDRED TEN (110) FEET OF THE WEST THREE HUNDREDFORTY-SIX (346) FEET OF LOT FIVE (5), BLOCK FOUR (4), UNION GARDENS, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAN NO. 971.

TRACT III: THE WEST 110 FEET OF THE EAST ONE HUNDRED FIFTEEN (225) FEET OF LOT FIVE (5), BLOCK FOUR (4), UNION GARDENS, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAN NO. 971.

TRACT IV: THE EAST ONE HUNDRED FIFTEEN (115) FEET OF LOT FIVE (5), BLOCK FOUR (4), UNION GARDENS, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAN NO. 971.

OTHER BUSINESS:

29. PUD-482-B – Tanner Consultants/Venture Properties

Refund Request (Major Amendment for Abandonment,
staff error in calculation of fees.)

STAFF RECOMMENDATION:

Mr. Alberty stated that staff made an error in calculation of fees and recommends a refund of \$500.00 to the applicant.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Walker "absent") to **APPROVE** the refund request of \$500.00 to the applicant.

30. *TMAPC's Appointee to the River Parks Authority

TMAPC COMMENTS:

Ms. Cantrell stated that the River Parks Authority has requested that the Planning Commission appoint a representative to the Board. Ms. Cantrell indicated that she would recommend Andie Doyle, who is someone that the River Parks Authority has recommended as well.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, Midget, Shivel, Wright "aye"; no "nays"; none "abstaining"; Carnes, McArtor, Walker "absent") to **APPROVE** the appointment of Andie Doyle as the TMAPC liaison to the Board of Trustees for the River Parks Authority.

Commissioners' Comments

Mr. Boulden introduced Mr. Mark Swinney from the Legal Department. He explained that Mr. Swinney will be helping him out in the future and attending some of the meetings. Mr. Swinney has been with the City of Tulsa for 25 years.

There being no further business, the Chair declared the meeting adjourned at 5:14 p.m.

Date Approved:

6/1/10

Michelle Cantrell

Chairman

ATTEST:

Joshua A. Walker

Secretary