

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2683**

Wednesday, October 1, 2014, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes		Fernandez	Duke, COT
Covey		Foster	VanValkenburgh, Legal
Dix		Hoyt	
Fretz		Huntsinger	
Liotta		Miller	
Midget		Wilkerson	
Millikin			
Reeds			
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, September 25, 2014 at 2:37 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 Covey called the meeting to order at 1:30 p.m.

**REPORTS:**

**Chairman’s Report:**

Mr. Covey expressed the TMAPC’s condolences to Nikki White and her family as her husband passed away last weekend. Mr. Covey stated that he wants Nikki to know that her and her family will be in our thoughts and prayers.

**Director’s Report:**

Ms. Miller reported on the City Council and Board of County Commissioner’s agendas.

Mr. Miller reported on upcoming projects and where they are in the review process.

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1. **Minutes:**

**Approval of the minutes of September 17, 2014 Meeting No. 2682**

On **MOTION** of **CARNES**, the TMAPC voted 9-0-1 (Carnes, Covey, Dix, Liotta, Millikin, Reeds, Shivel, Stirling, Walker “aye”; no “nays”; Fretz “abstaining”; Midget “absent”) to **APPROVE** the minutes of the meeting of September 17, 2014, Meeting No. 2682.

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Mr. Covey announced that Item 13 will be removed from the consent agenda.

Ms. Millikin stated that she would like to pull Item 12 because she believes it was supposed to have a landscape plan with a 3-D drawing accompanying it. Mr. Covey stated that he would remove Item 12 as well.

**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. **LC-611** (Lot-Combination) (CD-9) – Location: North and east of the northeast corner of East 41<sup>st</sup> Street South and South Utica Avenue
3. **LC-613** (Lot-Combination) (CD-1) – Location: North and east of the northeast corner of East 46<sup>th</sup> Street North and North Hartford Avenue
4. **LS-20722** (Lot-Split) (CD-4) – Location: East of the northeast corner of East 20<sup>th</sup> Street South and South Lewis Avenue (Related to LC-614)
5. **LC-614** (Lot-Combination) (CD-4) – Location: Northeast corner of East 20<sup>th</sup> Street South and South Lewis Avenue (Related to LS-20722)
6. **LS-20723** (Lot-Split) (County) – Location: South of the southwest corner of West 22<sup>nd</sup> Street South and South 65<sup>th</sup> West Avenue (Related to: LC-615)
7. **LC-615** (Lot-Combination) (County) – Location: Southwest corner of West 22<sup>nd</sup> Street South and South 65<sup>th</sup> West Avenue (Related to LS-20723)
8. **PUD-411-12 – Sack & Associates, Inc./Ted Sack**, Location: Southeast corner of East 98<sup>th</sup> Street South and South Memorial Drive, requesting a PUD Minor Amendment to reduce building setback line along centerline of South 98<sup>th</sup> Street East by four feet on the south side of street, **CO/PUD-411**, (CD-7)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to reduce building setback line along centerline of South 98<sup>th</sup> Street East by four feet on the South side of street.

Current Development Standards require a 90-foot setback from the centerline of East 98<sup>th</sup> Street South. The applicant proposes to reduce this by four feet to 86 feet.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-411 shall remain in effect.

With considerations listed above, staff recommends **APPROVAL** of the minor amendment request to reduce building setback line along centerline of South 98<sup>th</sup> Street East by four feet on the South side of street.

9. **PUD-726-2 – Alan R. Staab**, Location: Northeast corner of East 118<sup>th</sup> Street South and South New Haven Avenue, requesting a PUD Minor Amendment to increase allowable coverage of front yard for off-street parking from 32% to 40.2%, **RS-2/PUD-726**, (CD-8)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to increase allowable coverage of front yard for off street parking for Lot 11, Block 5 from 32% to 40.2%.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-726 shall remain in effect.

With considerations listed above, staff recommends **APPROVAL** of the minor amendment request to increase allowable coverage of front yard for off street parking for Lot 11, Block 5 from 32% to 40.2%.

10. **PUD-738-2 – Architects Collective/Mark Thomas**, Location: Southwest corner of West 71<sup>st</sup> Street South and South Elwood Avenue, requesting a PUD Minor Amendment to reallocate land area between Development Areas A & B and modify the maximum building areas, **CS/RM-0/RS-3/PUD-738**, (CD-2)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to reallocate land area between Development Areas A & B, modify the maximum building areas in A & B and decrease dwelling units allowed in B.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”*

*As well as Section 1107.H.1:*

*“Adjustment of internal development area boundaries provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-738 shall remain in effect.

With considerations listed above, staff recommends **APPROVAL** of the minor amendment request to reallocate land area between Development Areas A & B, modify the maximum building areas in A & B and decrease dwelling units allowed in B.

11. **PUD-405-23 – Chad Chastain**, Location: South of the southwest corner of East 91<sup>st</sup> Street and South Memorial Drive, requesting a PUD Minor Amendment to modify display, landscape and building finish requirements, **CS/PUD-405**, (CD-8)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD Development Standards for Lots 1, 2 and 4, to reduce the setback from 40 ft to 10 ft for display of merchandise, modify the requirement of the number of automobiles allowed on display between the front and side lot-lines, modify the landscape requirements and to modify the exterior finish material restrictions.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-405 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **APPROVAL** of the minor amendment request for Lots 1, 2 and 4 to reduce the setback from 40 ft to 10 ft for display of merchandise, modify the requirement of the number of automobiles allowed on display between the front and side lot lines, modify the landscape requirements and to modify the exterior finish material restrictions.

12. **PUD-815 – Costco Wholesale/Michael Okuma**, Location: Northwest corner of East 103<sup>rd</sup> Street and South Memorial Drive, requesting a Detail Site Plan for a new retail building and gas station within the PUD, **CS/PUD-815**, (CD-8)

**STAFF RECOMMENDATION:**

This Item has been removed from the consent agenda.

13. **PUD-761-B – Sisemore Weisz & Associates, Inc./Mark Capron**, Location: South of the southeast corner of East 41<sup>st</sup> Street South and South Harvard Avenue, requesting a Detail Site Plan for a new retail building within the PUD, **CS/PUD-761-B**, (CD-9)

**STAFF RECOMMENDATION:**

This item has been removed from the consent agenda.

**The Planning Commission considered the consent agenda.**

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

**TMAPC Action; 10 members present:**

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the consent agenda Items 2 through 11 per staff recommendation.

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

## **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:**

12. **PUD-815 – Costco Wholesale/Michael Okuma**, Location: Northwest corner of East 103<sup>rd</sup> Street and South Memorial Drive, requesting a Detail Site Plan for a new retail building and gas station within the PUD, **CS/PUD-815**, (CD-8)

### **STAFF RECOMMENDATION:**

#### **CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on an 18.18 Acre site in a Planned Unit Development for a new Retail Building including one, one story building and one Gas Station.

#### **PERMITTED USES:**

Use Unit 11 - Offices studio and Support Services: Offices, studios, medical and certain other compatible or supporting services. Unit 13 - Convenience Goods and Services: Retail trade and service establishments. Unit 14 - Shopping Goods and Services- Retail establishments engaged in the merchandising of shopping goods and services. The proposed Retail Building and Gas Station are allowed as a matter of right.

#### **DIMENSIONAL REQUIREMENTS:**

The submitted site plan meets all applicable building height, floor area, density, open space, and setback limitations. No modifications of the previously approved Planned Unit Development are required for approval of this site plan.

#### **ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Planned Unit Development.

#### **OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development.

#### **LIGHTING:**

Site lighting plans are provided. Lighting used to illuminate the parking lot shall be arranged to shield and direct light away from property within an R district. Shielding of such light shall be designed to prevent the light producing element from being visible to a person standing in an R district. Maximum mounting height for site lighting shall be 40 feet. Maximum mounting height for wall mounted lighting shall be 14 feet. Full cutoff light fixtures are required along the residential neighborhoods to the west and north as illustrated on the photometric plan included.

**SIGNAGE:**

The site plan does not illustrate new signage. Any new signage will require a separate permit. All signage will be required to meet the Planned Unit Development Standards. Any ground or monument signs placed in an easement will require a license agreement with the City prior to receiving a sign permit. This staff report does not remove the requirement for a separate sign plan review process.

**SITE SCREENING AND LANDSCAPING:**

The open space, landscape area and screening are consistent with the Planned Unit Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays existing sidewalks along South Memorial Drive. A Pedestrian walkway is also shown to be provided from the sidewalk along South Memorial Drive to the building entrance.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-815**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new retail building and gas station.

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

Mr. Wilkerson stated that there may have been some confusion and he knows that there was some conversation back and forth about the landscaping. In the Planned Unit Development it was very specific about the plant materials and the landscape plan that would actually be submitted. The applicant has actually submitted a landscape plan to staff, but normally it is not brought back to the Planning Commission for review. The landscape plan submitted matches what was in the PUD originally. The detail site plan and the landscape plan match what was in the PUD. Mr. Wilkerson stated that if the Planning Commission would like to look at



the landscape plan he could bring it back to the next Planning Commission meeting. Mr. Covey asked Mr. Wilkerson to check the minutes on this case and see if there was a condition to see the landscape plan. Mr. Covey confirmed that the Planning Commission's approval on the detail site plan would have nothing to do with the landscape plan.

Ms. Millikin indicated that she would be satisfied with the landscape plan coming back at a later date.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the detail site plan for PUD-815 and specifically not including the landscape plan, subject to the landscape plan being brought forward at the October 15, 2014 meeting.

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13. **PUD-761-B – Sisemore Weisz & Associates, Inc./Mark Capron,**  
Location: South of the southeast corner of East 41<sup>st</sup> Street South and South Harvard Avenue, requesting a Detail Site Plan for a new retail building within the PUD, **CS/PUD-761-B**, (CD-9)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 0.693 Acre site in a Planned Unit Development for a new Retail Building including one, one story building.

**PERMITTED USES:**

Uses permitted as a matter of right in Use units 10, Off-Street Parking; 11, Office Studios and Support Services; 12, Eating Establishments, Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services and Uses Customarily Accessory to Permitted Principal Uses. The following Uses are excluded: Pawn Shops, Pay Day Loan Offices, Tobacco Stores, Tattoo Parlors, Body Piercing Parlors, Self-Serve Laundromats, Apartments, Auto Alarms Installation, Auto Parts and Accessories, Auto Radio and Stereo Installation, Auto Window Tinting, Bail Bond Office, Bars, Building Materials, Dance Halls, Day Labor Hiring, Electrical Supply, Gasoline Service Station, Gunsmith, Locksmith, Massage Parlor, Multi-Family Dwellings, Nightclubs, Oil & Lubrication

Service, Plumbing Fixtures, Pool Halls, Second Hand Store, Shoe Repair, Taverns, Tune-Up Services and Video Rentals. Drive-Thru Restaurants not allowed without a Major Amendment to the PUD. The proposed Retail Building is allowed as a matter of right.

**DIMENSIONAL REQUIREMENTS:**

The submitted site plan meets all applicable building height, floor area, density, open space, and setback limitations. No modifications of the previously approved Planned Unit Development are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Planned Unit Development.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development.

**LIGHTING:**

Site lighting plans are provided. Light Standards shall not exceed 25 FT in height. All light standards including building mounted shall be hooded and directed downward and away from the boundaries of the Project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula or other Illuminating Engineering Society of North America (IESNA) recommended practice which will verify compliance with the Tulsa Zoning Code lighting standards. Consideration of topography must be considered in the calculations.

**SIGNAGE:**

The site plan does not illustrate new signage. Any new signage will require a separate permit. All signage will be required to meet the Planned Unit Development Standards. Any ground or monument signs placed in an easement will require a license agreement with the City prior to receiving a sign permit. This staff report does not remove the requirement for a separate sign plan review process.

**SITE SCREENING AND LANDSCAPING:**

The open space, landscape area and screening are consistent with the Planned Unit Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays existing sidewalks along South Harvard Avenue. Internal circulation pathways are also shown to be provided on the site adjacent to the building.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-761-B**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new retail building.

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

**Applicant's Comments:**

**Mark Capron**, Sisemore Weisz and Associates, 6111 East 32<sup>nd</sup> Place, 74135, stated that this is the last piece of property at Harvard Square. Mr. Capron cited the history of previous developments which currently exists within the development. He explained that the difference in this development is that it is the first one that has a detail site plan without asking for any amendments. Mr. Capron stated that there several requirements with the subject property that has nothing to do with the TMAPC, which are private restrictions, but they do not conflict with the PUD requirements. Mr. Capron indicated that the architect is present to answer questions. Mr. Capron stated that he is in agreement with staff's recommendation for approval.

**INTERESTED PARTIES COMMENTS:**

**Toni Graber**, President of the Patrick Henry HOA, 4562 S. Jamestown Avenue, 74135, submitted photographs, Patrick Henry HOA Polls, emails, etc (Exhibits A-1, A-2, and A-3). Ms. Graber stated that this development started in 2008 and she discussed the architectural details and how the façade of the buildings are supposed to look. Ms. Graber commented that the developer didn't meet with the neighbors with his proposal and she had to contact the INCOG offices to get his contact information. Ms. Graber expressed her concern for the proposed building and that it will not look like the agreed architectural details when the PUD first started

developing. Ms. Graber requested that the detail site plan be continued in order to allow the neighbors and the developer to work out an agreement.

**TMAPC COMMENTS:**

Mr. Shivel asked Ms. Graber if she has discussed these issues with the applicant. Ms. Graber stated that she emailed the applicant after receiving his contact information from INCOG. Ms. Graber further stated that the applicant emailed her a more detailed architectural drawing specifying the brick colors and paint colors. Ms. Graber explained how active she has been in helping the neighborhood accept this development and the agreements made between the owners and neighbors. Ms. Graber commented that she feels that the neighborhood has gone to the extreme to find common ground with the Manley's and promises were made. Ms. Graber further commented that the promises may not be on paper, but they were made and she would like for them to uphold those promises.

Mr. Reed stated that he applauds Ms. Graber for standing up to the fact that they just want to throw something up there to be in anywhere USA. The stretch between 41<sup>st</sup> and 51<sup>st</sup> has a history of really good commercial and professional buildings. Ms. Graber stated that the neighborhood appreciates that the TMAPC has been willing to work with the neighborhood. Ms. Graber further stated that it is important that the neighborhood supports the development and if the neighborhood doesn't support it then it will be difficult to maintain any retail business.

Mr. Carnes stated that he recalls that it was agreed that the development on the subject property would be compatible with the neighborhood. Mr. Carnes suggested that this should be continued in order to allow the neighbors and the developer to meet.

**Cindy Paul**, 4132 East 43<sup>rd</sup> Street, 74135, stated that she is in agreement with Ms. Graber. She commented that the proposed building should look similar to the promised architectural details that the neighborhood agreed on.

**Applicant's Rebuttal:**

Mr. Capron stated that the proposed building meets the requirements. This is a detail site plan submittal and it shows compliance with the PUD. Mr. Capron introduced Mr. Campbell, the architect of the subject building.

**James Campbell**, 1216 East Kenosha, Broken Arrow, 74012, stated that architects love pyramids on top of roof changes, peaks, etc. However, there is CC&R condition. Mr. Campbell read the Section 11, Paragraph B of the CC&R (Exhibit A-4), which stated that any building located on the Harvard Tract shall not A: exceed 4,000 square feet of aggregate floor area or B: exceed a maximum building height measured to any

unoccupied architectural features of 17 feet. The subject building cannot be built any higher than 17 feet and it can't comply with the architectural features that the neighborhood would like.

Mr. Dix asked Mr. Capron if the existing buildings area taller than 17 feet. In response, Mr. Capron stated that the restrictions are different for the subject tract and the PUD has different types of restrictions for each type of building. Mr. Capron explained that a restriction Mr. Campbell was reading is not within the PUD, but a requirement from a private agreement between Sprouts and CVS. Mr. Capron stated that Mr. Reeves is present and he can speak to the reasoning behind some of the agreements that Mr. Manley agreed to several years. Mr. Dix asked if Mr. Manley still owns the subject property. In response, Mr. Capron stated that Mr. Manley's company still owns the subject property and Mr. Manley has passed away.

**Jerry Reeves**, 4601 South Zunis, 74105, stated that he is the Asset Manager for all of the Manley entities and real estate. Mr. Reeves explained that he has been involved in the subject project during Mr. Manley's life when Yale Cleaners and Sprouts was being proposed and after the CVS Pharmacy had been done. Mr. Reeves stated that Mr. Manley never met with anyone personally during the Sprouts development because he was not in health that would allow that. Mr. Reeves stated that he did meet with the neighborhood at Whiteside Park and had personal meetings with the representatives of the neighborhood in his office. Mr. Reeves stated that to his knowledge Mr. Manley never made any promises that had to do with the Sprout parcel and Mr. Carnes may be remembering the site plan that was done for the entire site as speculative and had no particular client in mind at that time. Mr. Reeves explained that Manley properties sold everything that is currently occupied by Sprouts to Armstrong development and in that sale Sprouts and Armstrong Development restricted our use of the subject lot to 4,000 SF and specifically ask that it not exceed 17 feet in height because they didn't feel it would be fair to the buildings behind it to have a 43-foot tall building sitting out in front and shadowing all of the other buildings in the back. Mr. Reeves commented that personally he believes it would be tasteless to put a crown on the small building that is being proposed and he doesn't believe anyone is here to dictate taste. Mr. Reeves explained that the company would be sued and in violation of the Sprouts lease if the architectural features were put on the proposed building. Mr. Reeves stated that he believes that the proposal is in compliance with the PUD and the requirements that are in place and requested that it be approved as submitted.

Mr. Walker stated that he suspects that the CC&R is in place to protect the visibility of the tenants in the rear. Mr. Walker further stated that it is pretty cut and dry. Mr. Reeves agreed that it is to protect the visibility of the

tenants in the rear. Mr. Reeves stated that there are no drive-through windows proposed.

Mr. Dix asked what could be done to try to better fit into the development. Mr. Dix further asked Mr. Campbell if this is his final product after deliberation. Mr. Campbell stated that the floor up to the roof structure is 13 feet and that is minimal for a small retail. There is approximately 2.5 to 3 feet between structure and roof. There is a very small parapet on top and that brings it up to 17 feet all around the building. Mr. Campbell stated that he is matching the brick, colors are matching, texture is matching and that is what he used as guidelines. Mr. Campbell pointed out the bands, columns that are presently on the proposed renderings.

In response to Mr. Reeds, Mr. Campbell stated that the CC&R stands for conditions, covenants and restrictions. Mr. Reeds asked if there are shielding requirements within these covenants to shield the HVAC system. Mr. Campbell stated that he hasn't seen anything like that, but it is 17 feet and the HVAC can't be seen from any of the property lines. Mr. Reeds stated that there is more than can be done with the site; Mr. Reeds indicated that he is an architect as well and he is not questioning the design because it is handsome into itself. Mr. Reeds stated that very simply Mr. Campbell could modify his awnings to strengthen that horizontal to begin reflect what has already been done on the other four buildings. Mr. Reeds stated that he not going to redesign it for him, but there are probably five or six different things that he personally could do in ten minutes and get it to look a lot better than this. Mr. Reeds commented that the proposal is good but it doesn't work with what is behind it. Mr. Reeds stated that he understands the height restrictions and he deals with those all of the time. In response to Mr. Reeds, Mr. Campbell explained that there is no room to install HVAC on the ground. Mr. Capron stated that the PUD requires the HVAC units to be screened. Mr. Reeds stated that architecturally there is a lot that could be done to this and mainly with the awnings, corners and the band could be strengthened with more detail and it is not tough to do. Mr. Campbell thanked Mr. Reeds for his comments.

Mr. Midget stated that he believes Mr. Carnes indicated that this should be continued. Mr. Carnes stated that he didn't make a motion, but now that the TMAPC is in review he would make a motion that this be continued to work a few of these details out.

Mr. Reeds stated that site-wise this works and he is present for a detail site plan and why can't the motion be tailored to approve the site, but return with a new rendering that addresses what is already on the site.

Mr. Carnes withdrew his motion.

Mr. Covey stated that from his standpoint he believes that some revelations have been made today and now that the interested parties realize that they will not get any peaks or valleys he is not sure it needs to be returned. Mr. Reeds stated that he agrees with Mr. Covey, except that his concern is what it looks like. Mr. Covey stated that the looks are for each person to interpret. Mr. Reeds stated that he understands, but it was promised, it is not in writing, but it means something.

Mr. Dix stated that he specifically asked the question to find out if they had gone back and looked at this more architecturally that would be compatible with the surrounding buildings in order to give them the option of doing that and it appears that they have. It is not the Planning Commission's position to redesign their building for them and we are not in that business. The TMAPC is here for site plan review and if we are okay with the site plan and the building meets the owners desires and meets compatibly with, as far as the owner has tried, to meet the surrounding buildings then the Planning Commission needs to act on the site plan review and leave the architectural administration alone if it is restricted by a CC&R. Mr. Dix reiterated that Mr. Walker stated that the CC&R makes it pretty cut and dry. Mr. Dix concluded that he doesn't believe the Planning Commission has any choice but to act on the site plan alone.

Mr. Midget stated that the restriction is to the height and not the way it looks and he understands that the Planning Commission is not here to redesign their building. Mr. Midget further stated that if there are options to make it look more compatible to what the rest of the buildings and create an even flow to the development. Mr. Midget explained that although it is not in writing it is a goal that has been pushed with this development. Mr. Midget stated that he doesn't see why this building would be exempt from providing the same quality and continuity of the development that is there today. Mr. Midget commented that if the applicant could come back with something that looks more even and more integrated that would be good.

**TMAPC Action; 11 members present:**

On **MOTION** of **WALKER**, TMAPC voted **9-2-0** (Covey, Dix, Fretz, Liotta, Midget, Millikin, Shivel, Stirling, Walker "aye"; Carnes, Reeds "nays"; none "abstaining"; none "absent") to **APPROVE** the detail site plan for PUD-761-B per staff recommendation.

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**PUBLIC HEARINGS:**

14. **LS-20724** (Lot-Split) (County) – Location: South of the southeast corner of East 191<sup>st</sup> Street South and South Harvard Avenue

**STAFF RECOMMENDATION:**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will meet the Bulk and Area Requirements of the Tulsa County Zoning Code.

Technical Advisory Committee met on September 18, 2014 and had no comments.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three-side lot-lines.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the lot-split and the waiver of the Subdivision Regulations that no lot have more than three-side lot-lines for LS-20724 per staff recommendation.

\* \* \* \* \*

15. **LS-20726** (Lot-Split) (County) – Location: Northwest corner of West 51<sup>st</sup> Street South and South 229<sup>th</sup> West Avenue

**STAFF RECOMMENDATION:**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will meet the Bulk and Area Requirements of the Tulsa County Zoning Code.

Technical Advisory Committee met on September 18, 2014 and had no comments.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split



and the waiver of the Subdivision Regulations that no lot have more than three-side lot-lines.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the lot-split and the waiver of the Subdivision Regulations that no lot have more than three-side lot-lines for LS-20726 per staff recommendation.

\* \* \* \* \*

16. **Battle Creek Park** – Preliminary Plat, Location: South of East 31<sup>st</sup> Street South, east of South 145<sup>th</sup> East Avenue, (CD-6)

**STAFF RECOMMENDATION:**

This plat consists of 269 lots, 9 blocks, 5 reserve areas, on 73.7 acres.

The following issues were discussed September 18, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-3 (residential single family). Additional stub streets will be needed to provide adequate connectivity.
2. **Streets:** Provide reference for 50-foot right-of-way along 41<sup>st</sup> Street or call out as "dedicated by this plat". Move label C21 to a legible area close to the curve. Use standard sidewalk language.
3. **Sewer:** Section III refers to an "FL/E" located along the north boundary of the subdivision. However, there is not one shown there on the plat. If an FL/E is added along the north boundary, then additional easement width will be required and the sanitary sewer line must be moved further away from the property line.
4. **Water:** Make the proposed 10-foot utility easement along the public roadway a 17.5-foot utility easement. The extension of water mainline is required for serving the tract and lots.
5. **Storm Drainage:** No comment.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Cox Cable will need additional side easements. Other additional easements may be needed.
7. **Other: Fire:** Fire hydrants will need to meet the spacing requirements of the International Fire Code 2009 ed., Appendix C and Section 507.5. this includes the frontage along 41<sup>st</sup> Street. If this development is gated then Knox access will be required.
8. **Other: GIS:** In the location map, show only the subdivision boundary, remove lot lines for clarity. Per subdivision regulations: spell out "Woodland Hills Center" in location map. Show point of beginning. Legal description does not match the plat. Label southwest corner of section and dimension from the section corner to the southwest corner of plat. Final plat will need proposed street names, addresses and area of each lot and reserve, along with address disclaimer. Do not show entrance islands in a reserve. These will need to be within the public right-of-way, with any permanent improvements completed under license agreement with the City of Tulsa. Remove reference to walls in last sentence of Section IA. Remove reference to trees in Section IE. Remove Section IF. Endorsement of preliminary plat is pending further review and discussion requested concerning connectivity and additional street stubs.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.

2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the preliminary plat for Battle Creek Park per staff recommendation, subject to special conditions and standard conditions.

\* \* \* \* \*

17. **PUD-819 – AAB Engineering, LLC/Alan Betchan**, Location: Northeast corner of East 11<sup>th</sup> Street and South Garnett Road, Requesting a PUD for an existing hotel structure and new convenience store with integrated sign and landscape standards including shared access for a lot with no frontage on a public street, from **CS to CS/PUD-819**, (CD-3)

**STAFF RECOMMENDATION:**

**APPLICANTS DEVELOPMENT CONCEPT:**

PUD-819 is a Planned Unit Development overlay of existing CS zoned parcels (see Exhibit A for existing zoning map) located on the northeast corner of 11<sup>th</sup> & Garnett. The PUD is bounded by a City of Tulsa regional detention facility on the north and east along with commercial developments on the opposing sides of both 11<sup>th</sup> Street and Garnett Road. The comprehensive plan designates the site as a Town Center which provides “retail, dining, and services and employment” that serve “a larger area of neighborhoods than Neighborhood centers”. The plan further designates the PUD as an “Area of Growth” which emphasizes new and redevelopment of parcels. Both 11<sup>th</sup> Street and Garnett Road are classified as Secondary Arterial Multi-Model Streets on the Major Street and Highway Plan. Interstate 44 crosses both 11<sup>th</sup> Street and Garnett Road within 850 feet of the intersection.

Two hotels occupy the northern half of the PUD and will remain in place post development. The hotels are branded separately and will likely be owned and operated by different entities. A vacant restaurant currently occupies the southern half of the PUD and will be razed and replaced with a new QuikTrip convenience store. The parking for the store will extend easterly along 11<sup>th</sup> street covering a portion of the adjacent vacant parcel. The conceptual site plan for the project can be seen in the attached Exhibit B.

The purpose of this PUD is to allow the development of the QuikTrip convenience store in harmony with the surrounding development without creating nonconformities within the adjacent established parcels. The PUD consists of three development areas matching the above described development configuration (see the attached Exhibit C for development areas).

**PUD-819 DEVELOPMENT STANDARDS:**

This PUD will consist of three development areas subject to the following development standards:

**Land Area**

Development Area A	
Gross Lot Area	83,703 SF (1.922 ac)
Net Lot Area	66,811 SF (1.534 ac)
Development Area B	
Gross Lot Area	27,134 SF (0.623 ac)
Net Lot Area	27,134 SF (0.623 ac)
Development Area C	
Gross Lot Area	128,496 SF (2.950 ac)
Net Lot Area	76,659 SF (1.760 ac)
Total	
Gross Lot Area	239,332 SF (5.495 ac)
Net Lot Area	170,604 SF (3.917 ac)

**Permitted Uses**

Uses permitted by right (including all uses customarily accessory thereto) within the following Use Units:

- Use Unit 10: Off-Street Parking
- Use Unit 12: Eating Establishments other than Drive-ins
- Use Unit 13: Convenience Goods and Services
- Use Unit 14: Shopping Goods and Services
- Use Unit 19: Hotel, Motel and Recreational Facilities (Development Areas A & B only)

**Maximum Building Area**

Development Area A	35,000 SF (FAR 0.42)
Development Area B	15,000 SF (FAR 0.55)
Development Area C	6,500 SF (FAR 0.05)
Total	56,500 SF (FAR 0.24)

**Minimum Building Setbacks**

From centerline of 11 <sup>th</sup> Street	108 FT
From centerline of Garnett Road	100 FT

For the purposes of interpreting this PUD building setbacks will not be applied to fuel canopies.

**Maximum Building Height**

Development Area A	40 FT (2 Story)
Development Area B	40 FT (2 Story)
Development Area C	35 FT (1 Story)

## **Parking**

Within Development Areas A & B off street parking as required by a Use Unit 19 shall be 0.8 parking spaces for each sleeping room. All other uses within any development area shall provide off street parking as required by the zoning code.

The parking requirements may be shared within the boundary of the PUD regardless of their location relative to the use, development area boundaries or lot-lines.

## **Lighting**

All lighting standards shall be constructed in a manner that prevents visibility of the light emitting element from adjacent residentially zoned properties. No lighting standard shall exceed 30'.

## **Signage**

Signage shall be limited to the following:

### Sign Description

1. One double faced ground sign not exceeding 20' in height or 100 square feet of display surface area per side shall be permitted along Garnett Road within Development Area C. This sign shall be for the exclusive use of Development Area C.
2. One double faced ground sign not exceeding 20' in height or 100 square feet of display surface area per side shall be permitted along 11<sup>th</sup> Street. This sign shall be for the exclusive use of Development Area C.
3. One double-sided pole sign not exceeding 45' in height shall be permitted along Garnett Road within Development Area A, provided it does not exceed 300 square feet of display surface area per side. This sign shall be for the exclusive use of Development Area A.
4. One double-sided pole sign not exceeding 60' in height or 360 square feet of display surface area per side, shall be permitted within the eastern 50 feet of Development Area C. This sign shall be for the exclusive use of Development Area C. This sign will replace the existing sign that was approved by the Board of Adjustment in 1965.
5. One double-sided pole sign not exceeding 50' in height or 540 square feet of display surface area per side, shall be permitted within the eastern 30 feet of Development Area C. This sign shall be for the exclusive use of Development Areas A & B.

6. Wall and canopy signs shall be limited to 2 square feet per linear foot of building or canopy wall to which the signs are affixed.
7. No roof or projecting signs shall be permitted.
8. Directional signage shall be allowed within adjacent development areas provided any such signs are less than 5' in height and less than 25 square feet of display surface area per side. Such signage shall not be counted toward the above signage requirements.

**Screening**

All trash and mechanical areas (excluding utility service pedestals, transformers and equipment provided by franchise utility providers) shall be screened from public view. A fabric mesh with a minimum opacity of 95% shall be allowed on enclosure doors.

**Landscaping**

The following landscape standards shall govern within this PUD:

*Minimum internal landscaped space*

Development Areas A & B	15%
Development Area C	9%

*Street Yard Requirements:*

The minimum building setbacks defined above will be used for street yard calculations.

Garnett Avenue:

Minimum Landscape Width:	
Development Area A	0 FT
Development Area C	5 FT
(Except at areas of vehicular access)	

Minimum Landscape Percentage	
Development Area A	15%
Development Area C	30%

Minimum Number of Trees	
Development Area A	1/1,200 SF
Development Area C	1/1,000 SF



11 <sup>th</sup> Street	
Minimum Landscape Width (Except at areas of vehicular access)	5 FT
Minimum Landscape Percentage	20%
Minimum Number of Trees	1/750 SF

*Parking Tree Requirements:*

A landscaped island shall not be required within any prescribed distance of a parking space provided 1 tree be provided outside of the street yard for every ten parking spaces.

**VEHICULAR ACCESS AND CIRCULATION:**

Vehicular access to the property will be provided by one 35' access drive and one 30' access drive on 11<sup>th</sup> Street and one 35' access drive to Garnett Road. The 11<sup>th</sup> Street median will be modified to accommodate a left turn lane for the southeast drive onto 11<sup>th</sup> Street and improve the vehicular circulation to the site. The drive onto Garnett Road will be constructed at approximately the same location as the existing drive onto the hotel properties. This drive will provide a common access point for all the development areas and will be memorialized by a mutual access easement. A mutual access easement will also be provided from the southeast access drive along 11<sup>th</sup> Street north to Development Area B. A portion of this drive will encroach on the City owned property currently used for a detention facility to the east of the PUD. A perpetual easement accommodating this drive will be acquired from the City of Tulsa.

The attached Exhibit E depicts the vehicular and pedestrian access points and circulation anticipated by the conceptual site plan.

**PEDESTRIAN ACCESS:**

Sidewalks will be constructed or maintained along the streets abutting the PUD. A new 5' sidewalk will be constructed along the south side of Development Area C in the 11<sup>th</sup> Street right of way. A dedicated and fully ADA compliant sidewalk connection will be constructed from the western QuikTrip entrances to the newly constructed Garnett Road sidewalk.

**PLATTING REQUIREMENT:**

The property has been previously platted however a new plat is being prepared for convenience of the owner. A building permit may be issued prior to filing the new plat.

No building permit shall be issued until a detailed site plan and a detailed landscape plan is submitted to and approved by the Tulsa Metropolitan Area Planning Commission.

No sign permit shall be issued until a detailed sign plan is submitted to and approved by the Tulsa Metropolitan Area Planning Commission.

**EXPECTED SCHEDULE OF DEVELOPMENT:**

Development is expected to begin mid fall of 2014 with construction complete roughly ten months thereafter.

**DETAILED STAFF RECOMMENDATION:**

PUD-819 is consistent with the Town Center Designation of the Comprehensive Plan, and

The proposed redevelopment is in harmony with the existing and expected development of the surrounding area, and

The PUD provides a unified treatment of the development possibilities of the project site; and

PUD-819 is consistent with the stated purposes and standards of Chapter 11 of the Tulsa Zoning Code; therefore

Staff recommends **APPROVAL** of PUD-819 as outlined in Section I above.

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The combination of these properties into a common PUD will provide a mixed use opportunity for the future and will provide sign guidance and development standards that will allow future redevelopment that is consistent with the Town Center designation of the Comprehensive Plan. The proposed convenience store will provide retail, services and employment opportunities.*

Land Use Vision:

*Land Use Plan map designation: Town Center*

Town Centers are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single-family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for

markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

*Areas of Stability and Growth designation: Area of Growth:*

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

*Staff Comment: The development both Secondary Arterial Streets has reached is anticipated maximum pavement width. The street right-of-way exceeds the anticipated maximum width defined in the Major Street and Highway Plan. The future development of this street as a multi-modal corridor is not compromised by this PUD and in fact will encourage multi-modal uses as this part of Tulsa continues to evolve and become denser in population.*

*Major Street and Highway Plan:* Both Garnett and East 11<sup>th</sup> Street South are considered Multi-modal Corridors in the Major Street and Highway Plan.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multi-modal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the

number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

*Trail System Master Plan Considerations:* None:

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is a redevelopment of an existing hotel and restaurant site. There are no existing conditions that significantly affect the redevelopment of the site that have not been addressed in this PUD. One existing 60 foot tall sign on site was allowed by the Board of Adjustment in 1965. This sign is not allowed by our existing code however the permission was granted and this PUD*

Environmental Considerations: None.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 11 <sup>th</sup> Street	Secondary Arterial with Multi-modal Overlay	100 feet	6+
South Garnett Road	Secondary Arterial with Multi modal overlay	100 feet	6

Utilities:

Water service will be provided by an existing 12" City of Tulsa waterline located within the Garnett Road right of way. An existing 8" line also lies along the northern and eastern boundary lines of the PUD and provides fire protection coverage for the development.

An existing eight-inch sanitary sewer line exists along the western boundary of Development Area A. This existing line crosses Development Area A toward the south and then parallels 11<sup>th</sup> Street. The portion of the line crossing Development Area A will be relocated north and east of the

proposed QuikTrip building with the existing line being removed prior to construction. This relocated line will also provide sanitary sewer service to Development Area A.

Other utility services are currently provided to the PUD and will continue to be provided via underground or overhead services. See attached Exhibit F for the conceptual improvements plan which depicts the proposed utility routings.

Surrounding Properties: The subject tract is abutted on all sides by previously developed commercial property and a stormwater detention facility. There is no significant impact to abutting properties.

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11817 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**BOA-5262 November 9, 1966:** The Board of Adjustment approved a 60 ft. pole sign, on the subject property, located on the northeast corner of E. 11<sup>th</sup> St. and S. Garnett Rd.

***Surrounding Property:***

**BOA-17995 April 14, 1998:** The Board of Adjustment approved a Variance to allow a replacement sign on a nonconforming sign of 57 ft., no change in location or display surface area, on property located at 1115 S. Garnett Rd.; also known as the southeast corner of E. 11<sup>th</sup> St. and S. Garnett Rd.

**BOA-15964 March 10, 1992:** The Board of Adjustment approved a Variance of the allowed signage from 672 sq. ft. to 794 sq. ft. to add additional signs, per plot plan, on property located at 1130 S. Garnett Rd.; also known as the southwest corner of E. 11<sup>th</sup> St. and S. Garnett Rd.

**BOA-5843 May 7, 1968:** A request was made for 57 ft. high pole sign. The Board of Adjustment approved a Variance to increase the permitted sign height from 30 ft. to 50 ft. for a pole sign, on property located at on the southeast corner of E. 11<sup>th</sup> St. and S. Garnett Rd.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of PUD-819 per staff recommendation.

**Legal Description for PUD-819:**

ALL OF LOT ONE (1), BLOCK ONE (1) OF MOTEL 6 FIRST, A SUBDIVISION TO THE CITY OF TULSA, ACCORDING TO THE RECORD PLAT THEREOF, PLAT NO. 4200; AND A PART OF LOT ONE (1), BLOCK ONE (1) OF CROSSROADS MALL ADDITION TO THE CITY OF TULSA, ACCORDING TO THE RECORD PLAT THEREOF, PLAT NO. 2957, AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4-SW/4) OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; ALL IN TULSA COUNTY, STATE OF OKLAHOMA, AND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4-SW/4) OF SAID SECTION 5; THENCE DUE NORTH ALONG THE WEST LINE OF SAID SW/4-SW/4 FOR A DISTANCE OF 568.47 FEET; THENCE LEAVING SAID WEST LINE, DUE EAST FOR 50.00 FEET TO THE NORTHWEST QUARTER OF SAID LOT ONE (1), BLOCK ONE (1) OF MOTEL 6 FIRST; THENCE ALONG THE NORTH LINE OF SAID MOTEL 6 FIRST, S89°46'00"E FOR A DISTANCE OF 315.00 FEET TO THE NORTHEAST CORNER OF SAID MOTEL 6 FIRST; THENCE DUE SOUTH ALONG THE EAST LINE OF SAID MOTEL 6 FIRST FOR A DISTANCE OF 362.52 FEET TO A POINT; THENCE LEAVING SAID EAST LINE S89°46'00"E FOR A DISTANCE OF 154.29 FEET; THENCE DUE SOUTH FOR A DISTANCE OF 126.15 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST 11<sup>TH</sup> STREET SOUTH; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE S00°14'00"W FOR A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SW/4 OF THE SW/4 OF SECTION 5; THENCE ALONG SAID SOUTH LINE N89°46'00"W FOR A DISTANCE OF 518.96 FEET TO THE POINT OF BEGINNING, CONTAINING 5.50 ACRES MORE OR LESS., City of Tulsa, Tulsa County, State of Oklahoma

\* \* \* \* \*

18. **1100 Garnett Center** – Preliminary Plat, Location: East of northeast corner of East 11<sup>th</sup> Street South and South Garnett Road East, Related to PUD-819 (CD-3)

**STAFF RECOMMENDATION:**

This plat consists of three lots, one block, on 3.9 acres.

The following issues were discussed September 18, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 819 pending (CS underlying). All PUD standards must be met and put in the plat covenants.
2. **Streets:** Provide a 30-foot radius at intersection of 11<sup>th</sup> and Garnett. At the southeast corner of Lot 2, it is not clear where the north line of mutual access easement is on Lot 3.
3. **Sewer:** Add a 17.5-foot perimeter easement along the south, west and north boundary line of the plat. Also, add a 17.5-foot perimeter utility easement along the east line of Lots 1 and 2 and extend the easement to the south across Lot 3 until it intersects with the southernmost line of the proposed 15-foot utility easement. Add dimension arrows for both sides of the 15-foot utility easement where the sanitary sewer line is located.
4. **Water:** Label the size of the waterline easement shared by property boundary lines along the north and east sides for the existing eight-inch water main line. A 17.5-foot perimeter utility easement is recommended for this tract. The existing water meter vault was installed in a grassy area not a paved area which makes the vault non-traffic rated; the vault must be replaced if paved over.
5. **Storm Drainage:** A drainage easement is required for the pipe in the southwest corner.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be required especially around perimeter of property.
7. **Other: Fire:** Site will need the mutual access easement on the north side of Lot 2 to connect to the mutual access easement of Lot 1 on the north side to eliminate the dead end roads or provide an approved turnaround for both Lots 1 and 2.

8. **Other: GIS:** Project site is larger than shown on location map. Show all subdivisions in location map. Label all unplatted parcels in location map. Show scale both written and graphically. Legal description does not match plat. Label adjacent properties to the plat. Subdivision data sheet is required. Final plat will need addresses and area of each lot and reserve, along with address disclaimer. Show any existing easements by book and page. Also, additional easements may be required per Development Services staff.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

**Standard Conditions:**

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



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

3.6.5 Subdivision Regulations.)

- 21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
- 22. All other Subdivision Regulations shall be met prior to release of final plat.
- 23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
- 24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the preliminary plat for 1100 Garnett Center per staff recommendation, subject to special conditions and standard conditions.

\* \* \* \* \*

- 19. **Z-7270 – 120 Development Group, LLC**, Location: Northwest corner of West Haskell Place and North Cheyenne Avenue, Requesting rezoning from **RS-4 to RM-2**, (CD-1) (**Applicant is requesting a continuance to 10/15/14 in order to be heard with accompanying PUD.**)

**STAFF RECOMMENDATION:**

The applicant is requesting a continuance to October 15, 2014 to allow the zoning case to be heard with the accompanying PUD.

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

**TMAPC Action; 11 members present:**

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** Z-7270 to October 15, 2014.

\* \* \* \* \*

20. **Z-7280 – Milton Berry**, Location: South of southwest corner of South Mingo Road and East 51<sup>st</sup> Street, Requesting a rezoning from **CS to IL**, (CD-7)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

The existing site is surrounded by fully developed property on the west, south and east with Industrial uses and zoning. North of the site is also fully developed however it is an area of CS. A large drainage channel has proven to be a physical barrier for commercial expansion into this site. The industrial use will be a consistent with the surrounding properties south and east of the drainage channel.

**DETAILED STAFF RECOMMENDATION:**

The zoning request is consistent with the Tulsa Comprehensive Plan; and

The IL zoning request harmonizes with the existing and expected development of the surrounding areas; therefore

Staff recommends **APPROVAL** of Z-7280 to rezone property from CS to IL.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The request for IL zoning is consistent with the Employment vision of the comprehensive plan. The rezoning request will allow use of significant City infrastructure that is already in place. The anticipated increased density and business opportunities allowed in an IL district will provide employment opportunities that are anticipated in this area.*

**Land Use Vision:**

*Land Use Plan map designation: Employment*

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential

*Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

*Major Street and Highway Plan:* South Mingo is a secondary arterial. There is no multi-modal designation for this section of Mingo.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: This site is surrounded on the west and north with a large drainage channel which contains the 100 year flood plain but limits any connection options to the existing industrial uses west or the existing commercial uses north of the site. The center of the site is flat and appears to have been filled with anticipation of future development but has never been commercially developed.*

Environmental Considerations: Other than the surrounding drainage channel the site is not limited by any known environmental considerations. The topography is nearly flat with no known obstacles for future development.

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 lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by light industrial and commercial property zoned CS and IL; on the north by a variety of small commercial uses zoned CS; on the south and west by a variety of light industrial uses all zoned IL.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 13147 dated April 23, 1974, established zoning for the subject property.

**Surrounding Property:**

**Z-7007 January 2006:** All concurred in approval of a request for rezoning a 2± acre tract of land from CS to IL for warehouse and print shop, on property located south of the southeast corner East 51<sup>st</sup> Street South and South 95<sup>th</sup> East Avenue.

**Z-6554 September 1996:** All concurred in approval of a request to rezone a 1± acre lot from CS to IL for warehousing and light manufacturing, on property located south of southwest corner of South 95<sup>th</sup> East Avenue and East 51<sup>st</sup> Street.

**Z-6354 May 1992:** All concurred in approval of a request to rezone the 1± acre tract from CS to IL for warehouse and warehouse supply, on property located south of southwest corner of South 95<sup>th</sup> East Avenue and East 51<sup>st</sup> Street.

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

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of Z-7280 per staff recommendation.

**Legal Description for Z-7280:**

Reserve "A", 51<sup>st</sup> and Mingo Commercial Center, to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat no. 3803, less and except the following to-wit: Beginning at the Northeast corner of said Reserve "A"; thence due South along the East line thereof a distance of 72.00 feet to a point; thence due west a distance of 116.70 feet to a point of curve; thence along said curve to the left, said curve having a radius of 220 feet and a central angle of 2°09'44" a distance of 8.30 feet to a point; thence due north a distance of 72.16 feet to a point on the North line of said Reserve "A"; thence due East along said North line a distance of 125 feet to the point of beginning. 4.283 acre tract, City of Tulsa, Tulsa County, State of Oklahoma.

\* \* \* \* \*

21. **Z-7281 – Nancy Carter**, Location: Multiple properties between East 15<sup>th</sup> Street and East 12<sup>th</sup> Street, also between South 169<sup>th</sup> East Avenue and South 177<sup>th</sup> East Avenue, Requesting rezoning from **RS-1 to AG**, (CD-6)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

The applicant has requested rezoning several parcels of property at the owner's request. Everyone in Z-7281 has requested rezoning from RS-1 to AG. This rezoning request will help provide stability to the small scale agricultural character of the neighborhood that was subdivided in 1929 without City or County services.

**DETAILED STAFF RECOMMENDATION:**

Rezoning request Z-7281 is not consistent with the new neighborhood vision for redevelopment on vacant land. This is not vacant land but is very low density single family residential development; and

Rezoning from RS-1 to AG is consistent with the concept that providing stability to an existing neighborhood is important. In Areas of Growth, as

steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority; and

Sanitary sewer availability and a poor street network will limit density in this area for the remainder of the neighborhood for years to come so it is unlikely that the zoning change will affect the visual character of the land; and

Rezoning from RS-1 to AG will support the existing character of the neighborhood and allow agricultural uses that have been part of the neighborhood since it was subdivided; therefore

Staff recommends **APPROVAL** of Z-7281 to rezone property from RS-1 to AG.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The Tulsa Comprehensive Plan considers this a new neighborhood area and an area of growth. Rezoning the site from RS-1 to AG is not consistent with that vision. The large lot agricultural area was developed in Radio Heights Plat filed in Tulsa County in 1929.*

*This plat did not develop by current standards and it is unlikely that any future infill can be expected without sanitary sewer service. Normally zoning to a lower density would be a deterrent to future growth and infill and would not be a sustainable use for existing infrastructure. In this instance a lack of sanitary sewer will prohibit a desirable density expected in a new neighborhood vision. When sanitary sewer service is available it will be appropriate to reconsider a higher density zoning but now the residential zoning actually seems to be in conflict with the uses of the majority of the land owners. Agricultural zoning will stabilize the historic character of the neighborhood and will reduce pressure on the City of Tulsa to make street improvements or to provide sanitary sewer service.*

### Land Use Vision:

#### *Land Use Plan map designation: New Neighborhood*

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums.

These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

*Major Street and Highway Plan:* None except that any single family subdivision at this location would be required to provide a residential collector near East 15<sup>th</sup> street south.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* This area of Tulsa was developed long before annexation by the City. The street and drainage system is not developed to meet City standards. Most of the homes in this area



are on large tracts that can support individual septic systems. Many of the residences maintain their homes with some agricultural component including animals that are not allowed in RS-1 districts.

Environmental Considerations:

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 173 <sup>rd</sup> East Avenue	None	50 feet	2 lane with side ditches
East 15 <sup>th</sup> Street	None	50 feet	2 lane with side ditches
East 14 <sup>th</sup> Street	None	50 feet	2 lane with side ditches
East 13 <sup>th</sup> Street	None	50 feet	2 lane with side ditches and sections with no pavement
East 12 <sup>th</sup> Street	None	50 feet	No pavement

Utilities:

The subject tract **has** municipal water however sanitary sewer is not available.

Surrounding Properties: The subject tract is abutted on all sides by large lot single-family residential properties which are all zoned RS-1.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

***No relevant history.***

**TMAPC COMMENTS:**

Mr. Dix asked if there is any effect on setbacks or uses on the adjacent property owners as a result of this rezoning. Mr. Wilkerson stated that it wouldn't have any effect on their setbacks and uses, but it does allow some agricultural uses.

In response to Mr. Fretz, Mr. Wilkerson stated that the lots average 2.5 acres.

Mr. Liotta commended Mr. Wilkerson for his description of the situation, because it is very fair and respectful of the realities on the ground. Mr. Liotta commented that there are times everyone needs to be reminded of the realities on the ground.

Mr. Covey asked if the recommendation is to rezone to AG and keep the New Neighborhood designation. Mr. Wilkerson answered affirmatively.

Mr. Covey asked if there is a different description that it could be since it is not a new neighborhood. Mr. Wilkerson stated that it could be called an existing neighborhood, but he doesn't believe it should be changed because if sanitary sewer and utilities do come to the site it could evolve into something different.

Mr. Covey asked what is agricultural usually labeled. Mr. Wilkerson stated that a lot of the AG-zoned properties are labeled as new neighborhood.

Mr. Covey asked if sheep will be allowed on the newly AG-zoned property. Mr. Wilkerson stated that there are limitations on how many and how much agricultural use one can have on an acreage.

Mr. Carnes cited the limestone issues in the subject area, which prevents development in the subject area.

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

**All of the applicants indicated their agreement with staff's recommendation.**

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of Z-7281 per staff recommendation.

**Legal Description for Z-7281:**

LTS 3 THRU 6 BLK 6; N 273 LT 4 BLK 9; LT 3 BLK 8; LT 4 LESS S148 & LESS W5 THEREOF BLK 8; LT 1 BLK 8; LTS 3 & 4 BLK 5; LT 5 BLK 5; LT 6 BLK 4; LT 7 BLK 4; LT 8 BLK 7; LT 1 BLK 4, LYNN LANE ESTATES, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

**OTHER BUSINESS**

22. **LC-612 – Wallace Engineering/Jim Beach**, Refund request for \$100 – Applicant withdrew application before processing.

**STAFF RECOMMENDATION:**

Ms. Miller stated that the applicant is requesting a refund for \$100.00. The application was withdrawn before processing.

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

**TMAPC Action; 11 members present:**

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the refund of \$100.00 for LC-612 per staff recommendation.

\* \* \* \* \*

23. **Commissioners' Comments: None.**

\* \* \* \* \*

**TMAPC Action; 11 members present:**

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **ADJOURN** TMAPC meeting 2683.

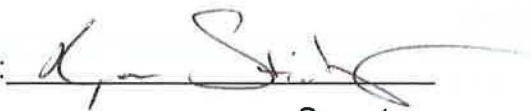
**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 2:46 p.m.

Date Approved:

10-15-2014

  
Chairman

ATTEST:   
Secretary