

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2691

Wednesday, February 4, 2015, 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		Foster	VanValkenburgh, Legal
Covey		Hoyt	
Dix		Huntsinger	
Fretz		Miller	
Liotta		Wilkerson	
Midget			
Millikin			
Reeds			
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Wednesday, January 28, 2015 at 3:00 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:**

**Work Session Report:** Mr. Covey reported that there will be a work session immediately following today's meeting to discuss and review requests for the selection for the City of Tulsa's next small area plan. There will be a work session held February 18, 2015 at 11:00 a.m. to discuss the Zoning Code update.

### **Director's Report:**

Ms. Miller reported on the City Council and Board of County Commissioner's agendas. Ms. Miller further reported on the work session immediately following today's meeting regarding the selection for the next small area plan. Ms. Miller stated that February 18, 2015 there will be a work session at 11:00 a.m., 10<sup>th</sup>

Floor, South Conference Room in City Hall to discuss the Zoning Code update. Ms. Miller stated that there are several projects for the Comprehensive Plan five year progress report, TMAPC's Policies & Procedures, and staff is expecting the application for the outlet mall this week.

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1. **Minutes:**

**Approval of the minutes of January 7, 2015 Meeting No. 2689**

On **MOTION** of **CARNES**, the TMAPC voted 10-0-1 (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; Stirling "abstaining"; none "absent") to **APPROVE** the minutes of the meeting of January 7, 2015, Meeting No. 2689.

2. **Minutes:**

**Approval of the minutes of January 21, 2015 Meeting No. 2690**

On **MOTION** of **CARNES**, the 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 minutes of the meeting of January 21, 2015, Meeting No. 2690.

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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.

3. **LS-20753** (Lot-Split) (CD-7) – Location: North of the northeast corner of East 61<sup>st</sup> Street South and South Garnett Road
4. **LS-20754** (Lot-Split) (CD-1) – Location: East of the northeast corner of East Independence Street and North Rockford Avenue (Related to LC-642)
5. **LC-642** (Lot-Combination) (CD-1) – Location: East of the northeast corner of East Independence Street and North Rockford Avenue (Related to LS-20754)

6. **Costco** – Final Plat, Location: South of southwest corner of South Memorial Drive and 101<sup>st</sup> Street South, (CD-8)

**STAFF RECOMMENDATION:**

This plat consists of two lots, one block on 18 acres.

Staff has received release letters for this plat with the exception of the Development Services release letters. If the Development Services release letter is received before the Planning Commission meeting, then staff can recommend **APPROVAL**.

7. **Z-7164-SP-1 – Cedar Creek Consulting/Jason Emmett**, Location: Southeast corner of West of 81<sup>st</sup> Street South and Olympia Avenue, requesting a Detail Site Plan for two new retail buildings in a Corridor District, **CO/Z-7164-SP-1**, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 2.65 Acre site in a Corridor District for new retail buildings including two, one story buildings.

**PERMITTED USES:**

Uses permitted as a matter of right are Use Units 1, Area Wide Uses by Right; 10, Off Street Parking; 11, Offices and Studies, Including Drive-Thru Banking Facilities; 12, Entertainment and Eating Establishments, Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 15, Other Trade and Services, Limited to Dry Cleaning, Computer Repair, Data Processing Machine Repair and Electrical Repair Service; 18, Drive-In Restaurants; 19, Hotel, Motel and Recreational Facilities, Limited to Gymnasium, Motion Picture Theater (Enclosed) Health Club/Spa and Swimming Pool; 21, Limited to Private Streets, Service Roads, Storm Water Drainage, Storm Detention Facilities, Water Cisterns, Water Features, Wind Turbines and Open Spaces. The retail buildings proposed for this project are allowed by 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 Corridor Development Plan are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Corridor Development Plan.

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

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Corridor Development Plan.

**LIGHTING:**

Site lighting plans are provided. Site lighting, including building mounted shall not exceed 35 feet in height. All site lighting shall be hooded and directed downward and away from the east and south boundaries of the project to the extent that light producing elements and reflectors will not be visible to a person standing at ground level within abutting residential districts or residentially used property.

**SIGNAGE:**

The site plan illustrates ground sign location. The ground sign shown has previously been approved. Any new signage will require a separate permit. All signage will be required to meet the Corridor Development Plan 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 Corridor Development Plan 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 sidewalks along West 81<sup>st</sup> Street, Maybelle Avenue and Olympia Avenue as well as internal pedestrian paths from West 81<sup>st</sup> Street and Olympia Avenue to the proposed buildings and also adjacent to the proposed buildings.

**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 **Z-7164-SP-1**. The site plan submittal meets or exceeds the minimum requirements of the Corridor Development Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Development Plan, and the stated purposes of the Corridor Development Plan section of the Zoning Code.

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

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

8. **PUD-684 – Russell McDarris**, Location: Southwest corner of East 83<sup>rd</sup> Street South and South Lewis Avenue, requesting a Detail Site Plan for a new multifamily development within the PUD, **CS/OM/RM-1/PUD-684**, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 9.5 Acre site in a Planned Unit Development for a multifamily development including one, one-story building, six, two-story buildings, two, three-story buildings, and four, four-story buildings.

**PERMITTED USES:**

Multifamily dwellings as set forth within Use Unit 8 and customary accessory uses. The multifamily development proposed for this project is allowed by 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 shall be so arranged as to shield and direct the light away from properties within an R District which do not contain uses for which the parking is being provided. Shielding of such light shall be so designed as to prevent the light producing element of the light fixture from being visible to a person standing in an R district.

**SIGNAGE:**

The site plan illustrates wall and ground sign locations. 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 sidewalks along South Lewis Avenue. Pedestrian paths adjacent to the proposed buildings and internal to the development are shown.

**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-684**. 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 multifamily development.

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

**TMAPC COMMENTS:**

Mr. Fretz asked if the release letter from Development Services has been received by staff. Mr. Wilkerson confirmed that the release letter from Development Services has been received for Costco final plat.

**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 consent agenda per staff recommendation for Items 3 through 8.

\* \* \* \* \*

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

**PUBLIC HEARINGS:**

9. **LS-20733** (Lot-Split) (County) – Location: West of the southwest corner of East 161<sup>st</sup> Street South and South 161<sup>st</sup> East Avenue (continued from 11/19/14, 12/3/14, 12/17/2014 and 1/7/15)

**STAFF RECOMMENDATION:**

The lot-split proposal is to split an existing AG (Agriculture) tract into four tracts. Three of the resulting tracts will meet the Bulk and Area Requirements of the Tulsa County Zoning Code. The fourth tract will exceed the Bulk and Area requirements of the Tulsa County Zoning Code.

Technical Advisory Committee met on November 6, 2014. The County Engineer stated the smaller three tracts were only two acres and should be 2.1 acres per the Zoning Code. The applicant made appropriate changes to increase the tract sizes.

There was significant discussion at the January 7, 2015 TMAPC meeting regarding water provision for this site. Staff received correspondence dated January 8, 2015, from the Public Works Director at the City of Bixby confirming the four water taps Mr. Kelly applied for in 2005 will be allowed. Additionally, the property will have fire protection from the Bixby Fire Department.

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.

Ms. Miller cited the history of the continuations and the questions regarding water availability for the subject property. After speaking with the County Engineer and looking at past files to see what type of proof

was required in the past and it was determined that the water issue would be handled in permitting.

The applicant indicated his agreement with staff's recommendation.

**INTERESTED PARTIES COMMENTS OPPOSING THE LOT-SPLIT:**

**Patricia Morgan**, 15488 East 161<sup>st</sup> Street South, Bixby, 74008; **Ron Shanks**, 15303 East 161<sup>st</sup> Street South, Bixby, 74008.

**INTERESTED PARTIES COMMENTS:**

Concerned with the water availability, water pressure, and do not want mobile homes moved onto the subject property. Not opposed to development of homes, but they do need to be aware of the cost of the taps. Neighbors are confused that Bixby is willing to grant Mr. Kelly taps when they wrote an email in December 2014 that states there would be no new taps allowed in the subject area. Everyone in the subject area has nice houses and do not want trailer homes.

In response to Mr. Shivel, Ms. Miller stated that staff has received an email from the Director of Public Works for the City of Bixby stating that the four water taps that the applicant was approved for in 2005 are valid. Ms. Miller stated that she can't speak to the letter written by Mr. Caudle, but Ms. Aamodt is the Director of Public Works and her email indicates the taps are still valid.

**Applicant's Rebuttal:**

**Dennis Kelly**, 9216 East 119<sup>th</sup> Place, Bixby, 74008, stated that the water taps are available for the subject property and had been confirmed by the Bea Aamodt, Public Works Director, City of Bixby. Mr. Kelly confirmed that there are no more taps allowed on the smaller line, but his taps are approved for the six-inch water line. Mr. Kelly stated that Ms. Aamodt stated that once they issue water taps, they don't rescind them.

**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 lot-split and the waiver of the Subdivision Regulations that no lot have more than three-side lot lines for LS-20733 per staff recommendation.

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**OTHER BUSINESS**

**10. Commissioners' Comments: None.**

**TMAPC Action; 11 members present:**

On **MOTION** of **WALKER**, 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 2691.

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**ADJOURN**

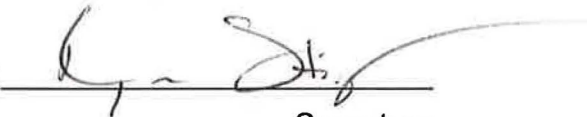
There being no further business, the Chair declared the meeting adjourned at 1:51 p.m.

Date Approved:

02-18-2015

  
Chairman

ATTEST:

  
Secretary