

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2735

Wednesday, December 7, 2016, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Covey	Carnes	Foster	Ling, COT
Dix	Millikin	Hoyt	VanValkenburgh, Legal
Fretz	Walker	Miller	
Midget	Willis	Sawyer	
Reeds		Ulmer	
Shivel		Wilkerson	
Stirling			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, December 6, 2016 at 9:33 a.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: None

Director's Report:

Ms. Miller reported on City Council actions. Ms. Miller also reported work is continuing on the Subdivision Regulations and there is a scheduled meeting with both the Subdivision Regulations Work Group and the Technical Team tomorrow. Ms. Miller stated a work session will be held January 18, 2016 to discuss the Tulsa Urban Forest Master Plan and the Peoria Bus Rapid Transit Land Use recommendations.

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1. Minutes:

Minutes of November 16, 2016, Meeting No. 2734

Approval of the minutes of December 7, 2016 Meeting No. 2735

On **MOTION** of **DIX**, the TMAPC voted 6-0-1 (Covey, Fretz, Midget, Reeds, Shivel, Stirling “aye”; no “nays”; Dix, “abstaining”; Carnes, Millikin, Walker, Willis “absent”) to **APPROVE** the minutes of the meeting of November 16, 2016, Meeting No. 2734.

Items #7 and #10 were removed from consent agenda.

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-831** (Lot-Combination) (CD 8) – Location: Northeast corner of South Harvard Avenue and East 77th Place South
3. **LC-832** (Lot-Combination) (CD 9) – Location: West of the Northwest corner of South Sandusky Avenue and East 31st Street
4. **LC-833** (Lot-Combination) (CD 8) – Location: North of East 101st Street South and South Granite Avenue (related to LS-20943)
5. **LS-20943** (Lot-Split) (CD 8) – Location: North of East 101st Street South and South Granite Avenue (related to LC-833)
6. **LS-20940** (Lot-Split) (CD 3) – Location: East of the Northeast corner of South Sheridan Road and East Admiral Place
8. **LS-20942** (Lot-Split) (County) – Location: Northeast corner of South Peoria Avenue and East 181st Street South
9. **The Crossing at Battle Creek II** – Final Plat, Location: North of East 41st Street and east of South 145th East Avenue, (CD 6)
11. **Northern Territory** – Final Plat, Location: North of the northwest corner of East 176th Street North and North Garnett Road (County)

12. PUD-766-7 Cedar Creek Consulting (CD 9) Location: North of the Northwest corner of East 50th Street and South Yale Avenue, **PUD Minor Amendment** to increase the maximum building height from 55 feet to 82 feet and to increase the allowable floor area from 43,470 square feet to 54,500 square feet.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **APPROVE** Items 2 through 6, and items 8,9,11, and 12 per staff recommendation.

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

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CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

7. LS-20941 (Lot-Split) (CD 1) – Location: West of the Northwest corner of North Harvard Avenue and East Apache Street

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **APPROVE** LS-20941 per staff recommendation.

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10. Sunset Hills Estates (formerly known as Sunset Hills II) – Final Plat, Location: East of the southeast corner of East 41st Street and South 161st East Avenue, (CD 6)

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-1** (Covey, Dix, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; Fretz, "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **APPROVE** Final Plat Sunset Hills Estates (formerly known as Sunset Hills II)

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PUBLIC HEARINGS:

13. CZ-447 Stephen Schuller (County) Location: West of the Southwest corner of West 21st Street and South 49th West Avenue requesting rezoning from **RS to CG (Applicant requests continuance to December 21, 2016)**

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **CONTINUE CZ-447** to December 21, 2016.

15. Z-7354 AAB Engineering (CD 9) Location: East of the northeast corner of East 41st Street and South Utica Avenue requesting rezoning from **RS-2 to RS-3 with Optional Development Plan (Application was returned to Planning Commission from UED to include an Optional Development Plan)**

Applicant has withdrawn this application

16. Z-7361 Lou Reynolds (CD 9) Location: West of the southwest corner of South Peoria Avenue and East 37th Place requesting rezoning from **RS-3 to PK (Continued from October 5, 2016 and November 2, 2016) (Applicant requests continuance to January 18, 2017)**

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **CONTINUE Z-7361** to January 18, 2017.

14. SA-2 Tulsa City Council (CD 2) Location: South of the southwest corner of South Riverside Drive and East 71st Street requesting to apply supplemental RDO-1 zoning to 26 acres.

SECTION I: SA-2

BACKGROUND: In 2016, during the map amendment process to assign RDO-1, RDO-2 and RDO-3 to certain properties along the river, several members of the public made comments during the public process regarding Helmerich Park and

if it should be designated RDO-2 (as originally proposed) or if it should receive an RDO-1 designation. The City Council identified this portion of Helmerich Park (the subject site) which includes an existing improved park, access road and parking lot and voted to remove it from the area considered for the overlay at that time and bring back at a later date. On October 12, 2016, the City Council voted to initiate applying supplemental zoning of RDO-1 to approximately 25 acres located south of southwest corner of S. Riverside Drive and E. 71st St. South.

The **River Design Overlay (RDO)** is the first Special Area (SA) overlay district incorporated into the City of Tulsa's Zoning Code. Section 20.050 was added into the Zoning Code (effective on July 11, 2016), to establish the regulations of a Special Area Overlay district (River Design Overlay - RDO) pertaining to uses and site and building design for RDO zoned properties. The zoning map amendments to assign RDO-1, RDO-2 and RDO-3 designations to properties along the river became effective on October 26, 2016.

1. *Purpose and Intent*

The RDO, River Design Overlay regulations of this section establish regulations governing form, function, design and use for properties located within the boundaries of the River Design Overlay district. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life. The regulations are also intended to:

- a. Support and enhance the river corridor as a lively people-oriented destination, connecting nodes of high-quality development with parks and open spaces;*
- b. Protect the city's investment as well as the investments of property owners, developers and others who enjoy the benefits of the Arkansas River corridor;*
- c. Encourage development that enhances the appearance of the Arkansas River corridor and the surrounding area;*
- d. Ensure development and redevelopment that is sensitive to the area's natural resources and environmental qualities;*
- e. Establish the area as an interconnected, pedestrian-oriented, cultural and recreational destination, attracting both residents and visitors to the Arkansas River; and*
- f. Foster a sense of community and civic pride.*

2. *Districts*

Three RDO districts are established, as follows:

- a. The RDO-1 district is primarily intended to apply to park, recreation and open space uses adjacent to the river. RDO-1 regulations help promote development that is compatible with public parks and green space and that complements park uses.*

- b. The RDO-2 district is primarily intended to apply to other (non-RDO-1) properties with direct access to the river. RDO-2 regulations help to ensure safe, attractive and activated pedestrian areas by requiring that new development is oriented to the river and abutting streets. The regulations also promote integration with the River Parks trail system and avoidance of adverse environmental impacts.*
- c. The RDO-3 district is primarily intended to apply to properties that do not have direct access to the river but that are visible from riverfront areas. These areas benefit from proximity to the river and contribute to the overall visual environment of the riverfront area.*

There are minor, although important, differences in the RDO-1, RDO-2 & RDO-3 district regulations.

- There are minor differences in prohibited uses in RDO-1, RDO-2 and RDO-3;
- RDO-1 and RDO-2 have a river build-to zone; RDO-3 does not since it has no trail or river frontage;
- RDO-2 envisions greater density of development than RDO-1 by requiring river-facing façade occupy at least 70% of the build-to zone length and street-facing façade occupy at least 50% of the build-to zone length prior to building outside of the build-to zone;
- Since RDO-3 does not have trail or river frontage, only street-facing façades must occupy at least 50% of the build-to zone length prior to building outside of the build-to zone;
- RDO-1 and RDO-2 require building entrances facing the river and the parking/common open space area, RDO-3 does not; and
- No more than one driveway is allowed per 300 linear feet of public right-of-way in RDO-1 and RDO-2.

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of SA-2 to apply supplemental RDO-1 (River Design Overlay) zoning to the property as depicted on the attached maps based on the following:

The proposed River Design Overlay began at the direction of the Mayor and City Council and has been a collaborative process, with multiple steering committee meetings and subsequent public meetings;

The properties and land uses along the river corridor were carefully evaluated to determine the most relevant and appropriate boundary for the overlay;

The properties within the proposed overlay boundary are key development and park sites that will contribute to protecting public and private investments along the river corridor through the implementation of regulations contained in Section 20.050 of the City of Tulsa Zoning Code;

The proposed River Design Overlay zoning is constant with the vision for the river in the Arkansas River Corridor Master Plan;

The proposed River Design Overlay zoning is consistent with the Land Use vision of Arkansas River Corridor and Parks assigned to this property in the Tulsa Comprehensive Plan; and

The abandonment of PUD 128-I on this site in 2015 removed the park approval for Helmerich Park, leaving the site as a legally nonconforming use. Staff recommends follow up action with the City of Tulsa Board of Adjustment to request a special exception for parks and recreation on this 25 acre site.

SECTION II: Supporting Documentation

There is extensive background leading to the development of the proposed River Design Overlay. Initially design guidelines for development along the river were recommended in the Arkansas River Corridor Master Plan, which was adopted over 10 years ago (2004). In 2010, the City of Tulsa Comprehensive Plan, or PlaniTulsa, was adopted and contained policies regarding enhancing the Arkansas River, orienting new development toward the river & creating design guidelines.

In February, 2015, a joint Mayor and City Council retreat was held where they identified a shared goal of “drafting regulatory tools to guide river development” and “adopting river corridor design guidelines.” As a result, a steering committee was established in early 2015 to begin working on design guidelines for the area surrounding the Arkansas River.

Concurrently with the adoption of the RDO into the Zoning Code in 2016, the Comprehensive Plan was amended to include a new land use category, Arkansas River Corridor. The Land Use and Areas of Stability and Growth Maps were also amended to align with proposed RDO designations. Following adoption of the RDO into the Zoning Code and the Comprehensive Plan amendments, the zoning map was amended to apply RDO-1, RDO-2 and RDO-3 to certain properties along the Arkansas River corridor. The map amendments became effective on October 26, 2016.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** The other areas assigned RDO-1 on the zoning map are represented on the Land Use Map with a Parks and Open Space category and are shown on the Stability and Growth Map as an Area of Stability. RDO-2 and RDO-3 districts were designated as Arkansas River Corridor and an Area of Growth since it was envisioned that properties in these districts may experience redevelopment over time and, as they do, it is important that they adhere to design standards that respect the built and natural environment that surrounds the river corridor.*

*Since this site was originally proposed for RDO-2, the land use designation is **Arkansas River Corridor** and the Area of Stability and Growth designation is **Area of Growth**. This is not significantly incompatible and can be resolved through the 2017 housekeeping amendment process.*

Land Use Vision:

Land Use Plan map designation: Arkansas River Corridor

The **Arkansas River Corridor** is located along the Arkansas River and scenic roadways running parallel and adjacent to the river. The Arkansas River Corridor is comprised of a mix of uses - residential, commercial, recreation and entertainment – that are well connected and primarily designed for the pedestrian. Visitors from outside the surrounding neighborhoods can access the corridor by all modes of transportation.

This Corridor is characterized by a set of design standards that support and enhance the Arkansas River Corridor as a lively people-oriented destination. The Corridor connects nodes of high quality development with parks and open spaces. The natural habitat and unique environmental qualities are amenities and are respected and integrated as development and redevelopment occur. The future development of this Corridor is intended to complement the residential character of adjacent thriving neighborhoods by providing appropriate transitions and connections to the Arkansas River.

Areas of Stability and Growth designation: Area of Growth

The purpose of **Areas 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 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.

Shaping Tulsa's future involves more than deciding where and how new development will take place. It is equally important to enhance those qualities that attracted people here in the first place. In recognition of how strongly Tulsa's citizens feel about their neighborhoods, the comprehensive plan includes tools for the maintenance of valued community characteristics in older and stable neighborhoods. These new measures provide tools that address rehabilitation of property and help shape where and how redevelopment occurs.

Transportation Vision:

Major Street and Highway Plan: Parkway / Multi Modal corridor

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal 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.

Trail System Master Plan Considerations:

The existing river trail is an integral part of the trail system along the banks of the Arkansas River. Future development will be subject to the River Design Overlay (RDO-1) standards which will provide an opportunity to integrate stronger design components that consider the river, the trail system and the transportation system.

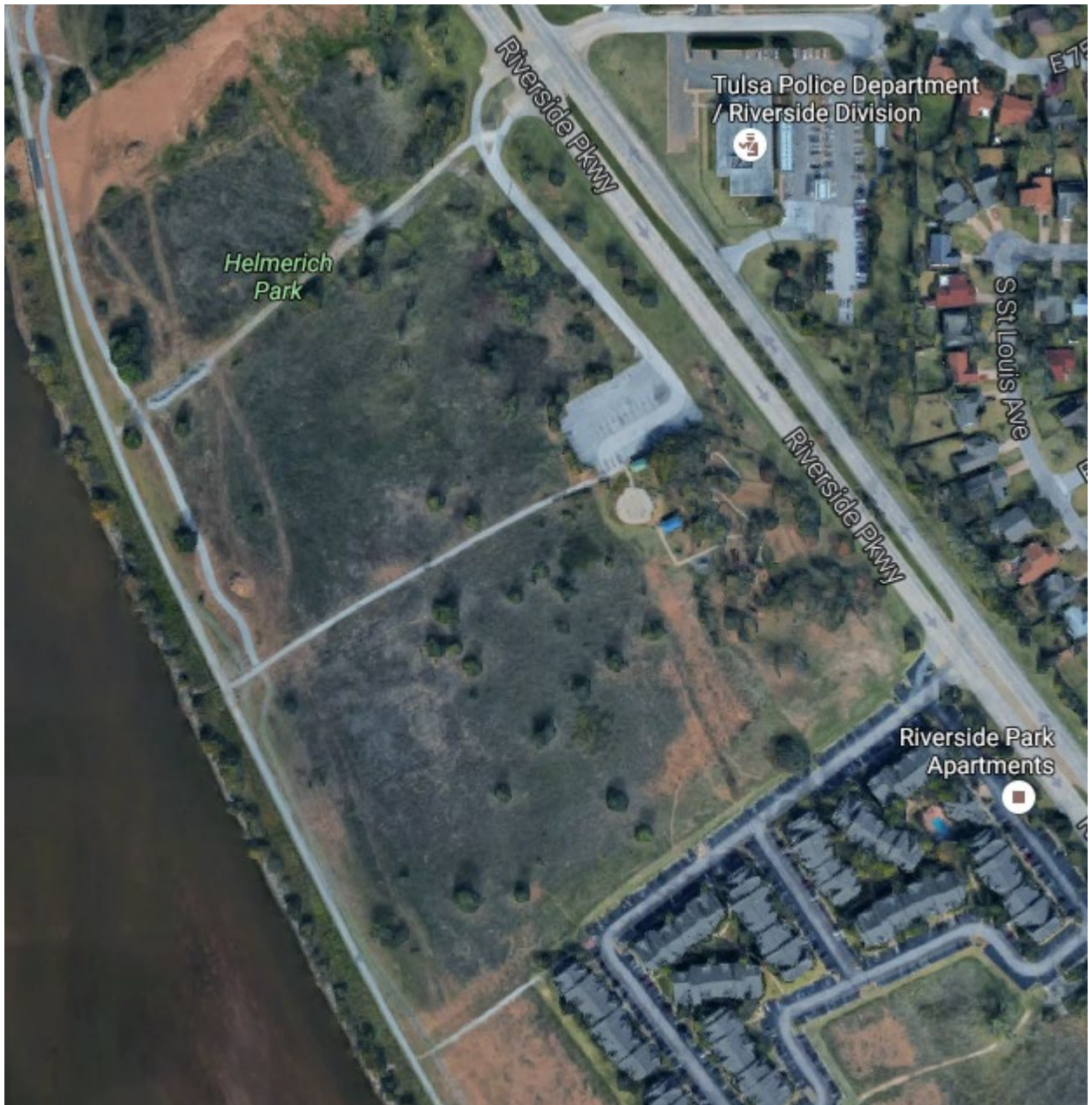
Small Area Plan: Arkansas River Corridor Master Plan

Special District Considerations: Arkansas River Corridor

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject site contains an improved park, access drive and parking lot. The balance of the 25 acres is open space.



Environmental Considerations: Arkansas River

Streets:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Arkansas River Corridor	Area of Growth	open space
South	RM-2, AG	Arkansas River Corridor	Area of Growth	open space, multi-family
East	RM-1, RM-2, OM	Arkansas River Corridor, Existing Neighborhood	Area of Growth, Area of Stability	Riverside Parkway, police station & single family residential
West	AG	None	Area of Growth	Arkansas River

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Riverside Drive	Parkway	150 feet	4+

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 23405 dated November 17, 2015, established zoning for the subject property.

Subject Property:

Z-7314 November 2015: All concurred in approval of a request for rezoning a 54± acre tract of land from RS-4/ RM-2/ PUD-128E to AG for park and open space, on property located south of southwest corner of S. Riverside Dr. and E. 71st St. S. and also known as a part of the subject property.

PUD-128-I November 2015: All concurred in approval of a proposed Major Amendment to Abandon PUD-128-E on a 54± acre tract of land for park and open space, on property located south of southwest corner of S. Riverside Dr. and E. 71st St. S. and also known as a part of the subject property.

PUD-128-E-4 August 1997: All concurred in **approval** for a Minor Amendment to PUD-128-E, to allow public park and related facilities use in Development

Areas A through E and H, on a 67± acre tract located west and south of East 71st Street and South Riverside Drive.

Mr. Dix asked staff who owns this 25 acres.

Staff answered Tulsa Public Facilities Authority is the owner of record on this property.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to Recommend **APPROVAL** of supplemental RDO-1 zoning to 26 acres in Helmerich Park.

Legal Description of SA-2:

A tract of land approximately 25.5 acres situated in the west half of Section 7, Township 18 North, Range 13 East, Tulsa County, Oklahoma described as follows: Beginning at the northeast corner of 7700 Riverside Park plat; thence northeasterly and perpendicular to the east boundary of said 7700 Riverside Park plat a distance of approximately 70 feet to the centerline of Riverside Parkway; thence northwesterly along the centerline of Riverside Parkway a distance of approximately 1,070 feet to a point; thence southwesterly a distance of approximately 155 feet to the eastern end of a small gravel road; thence southwesterly along said gravel road a distance of approximately 820 feet to the east bank of the Arkansas River; thence southeasterly along said east bank of the Arkansas River a distance of approximately 1,010 feet to a point; thence northeasterly a distance of approximately 315 feet to the northwest corner of 7700 Riverside Park plat; thence continuing northeast along the northern boundary of said 7700 Riverside Park plat a distance of approximately 800 feet to the northeast corner of said 7700 Riverside Park plat, being the Point of Beginning.

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17.Z-7366 Dr. John Day (CD 2) Location: South of the Southeast corner of South Elwood Avenue and West 71st Street requesting rezoning from **AG to CG** with **Optional Development Plan (continued from November 16, 2016)**

Mr. Covey asked staff if breeding would be allowed under the use category.

Staff stated "no"

Mr. Covey asked if it would be boarding or shelter, grooming and veterinary services.

Staff said yes training isn't something specifically identified in the zoning code but animal services would include that as a use.

Mr. Covey asked if there were others things that are a sub service of animal services that isn't being included.

Mr. Wilkerson stated it would include anything you would see in a veterinary clinic.

Mr. Covey stated this case is strange because it is divided between Employment land use and a New Neighborhood land use.

Applicant's Comments:

Dr. John Day 5407 South Lewis Avenue, Tulsa, OK 74105

Dr. Day stated he is going to build his house on the property abutting the subject property. Dr. Day submitted pictures to show the distance from neighboring properties. Dr. Day stated on the east side of the property he moved the fence back 52 feet from the property line. Dr. Day stated the fence will be coated chain link fence.

Mr. Dix asked if the housing for the dogs is all internally and if the dogs only go outside to play during the day.

Dr. Day answered "yes".

Mr. Reeds asked Dr. Day, about the pond that encroaches 36 feet on to Dr. Day's property and how will he manage that.

Dr. Day answered he would have to talk with the neighbor who owns the south side of property about pushing the dam back to the property line or if the owner wants to remove the pond entirely it will be filled in with dirt.

Mr. Reeds stated the pond doesn't appear to be used as a runoff.

Dr. Day stated the pond was a cow pond and mostly dry.

Mr. Dix asked could Dr. Day just give the neighbor an easement for the side of pond.

Dr. Day answered that would be a consideration.

Mr. Dix stated the current fence on the property is completely within the applicant's property line and applicant could tear it out.

Dr. Day stated the neighbor to the south referred to the fence at the last meeting.

Mr. Dix asked if the neighbor was opposed to Dr. Day removing the fence.

Dr. Day stated he didn't ask him if he was opposed to the removal of the fence.

Mr. Covey asked Dr. Day if moving the fence back 52 feet reduces the training area or if there is a minimum requirement.

Dr. Day stated "no".

Mr. Midget asked Dr. Day if he intended to expand his facility.

Dr. Day stated "no".

Merit Day 5407 South Lewis Avenue, Tulsa, OK 74105

Ms. Day stated the courtyard area is where 90% of the activities with dogs occur. The facility will look similar to a ranch setting with a drive through area not necessarily a parking lot. There is not a need for a lot of parking because customers drive through and drop their dog off and move on. Ms. Day stated there will be a small area for employee parking. Ms. Day stated the indoor kennels are more luxury instead of loud and echoing. The kennel will try and maintain quiet for the health of the dogs. The dogs will be happy and tired by the time they go into their kennels to sleep. There will be an indoor dog play area also. Ms. Day stated there will always be employees with the dogs. Ms. Day stated there will be artificial turf in the play area and that all the messes will be picked up and the turf sanitized. There will be onsite veterinarian services but business wise these two will be separate.

Mr. Dix asked Ms. Day how the dog feces are handled.

Ms. Day stated right now it is shoveled up and put into trash bags and it goes out with the trash. Ms. Day stated she would like to do a composting option where there is a septic tank system in the facility that you put the feces in.

INTERESTED PARTIES COMMENTS:

Steve Lauterwasser 7325 South Elwood Avenue, Tulsa, OK 74132

Mr. Lauterwasser stated he has the property to the north. Mr. Lauterwasser stated he has been here 26 years and built his house to allow a buffer between his house and Elwood Avenue. Mr. Lauterwasser stated he talked to all the neighbors from the power plant to the school and none of them are in favor of this project. Most of the neighbors bought land here and plan to retire here. They are not looking to sell. Mr. Lauterwasser stated there are no privacy fences in the neighborhood it is all open and truthfully Mr. Lauterwasser stated he did not want to look at a fence. Mr. Lauterwasser stated the hours of the facility will be

7:00 a.m. to 9:00 p.m. every day and it will be very noisy. Mr. Lautererwasser further stated there is no city sewage so the facility will have to be on septic. Mr. Lautererwasser stated this project will affect his way of life.

Mr. Covey asked Mr. Lautererwasser if his house faced the south.

Mr. Lautererwasser answered his house faces the south.

Mr. Covey asked Mr. Lautererwasser if Dr. Day built his house on this property would he be facing Dr. Day's house.

Mr. Lautererwasser stated yes.

Mr. Stirling asked Mr. Lautererwasser if he was aware of the Small Area Plan for that area.

Mr. Lautererwasser stated no one he talked to knew about the changes.

Mr. Stirling stated it was very well publicized in the newspaper and signs.

Mr. Lautererwasser asked if it was about ten years ago.

Mr. Stirling stated it was three to four years ago.

Mr. Lautererwasser stated he didn't recall being told about it.

Ms. Miller stated the employment area was established during the PlaniTulsa Comprehensive plan process.

Rustan Schwichtenberg 7405 S Elwood Avenue, Tulsa, OK 74132

Mr. Schwichtenberg stated his property is the house to the south of the subject property. Mr. Schwichtenberg stated since the last TMAPC meeting he has put his house up for sale due to wife's health problems. Mr. Schwichtenberg stated the buyer of his house could not be here so Mr. Schwichtenberg is speaking for him. Mr. Schwichtenberg stated this area is saturated with businesses of this same type and does not need another one. Mr. Schwichtenberg stated most of things could be resolved with communication and a lot of misunderstanding could have been avoided if Dr. Day would have talked to Mr. Schwichtenberg. Mr. Schwichtenberg stated the pond on his property is stocked with black bass and is a great pond. Mr. Schwichtenberg stated Mr. Lautererwasser is a great neighbor and suggests Dr. Day communicate better with his neighbors. Mr. Schwichtenberg is concerned that because Dr. Day didn't communicate with him that this is what it will be like living next to a commercial enterprise. Mr. Schwichtenberg other concerns are the visual implications and the noise implications with having 150 dogs. Mr. Schwichtenberg stated in this instance he doesn't think residential and commercial mix well. Mr. Schwichtenberg stated that

Mr. Covey brought up at the last TMAPC meeting that change to this area is inevitable and residents need to get on board with it and that this was going to happen whether you like it or not. Mr. Schwichtenberg stated in the TMAPC planning documents it states the highest priority of the Planning Commission is to ensure that current residents are not displaced by changes so which is it not displacing residents or progress.

Applicant's Rebuttal:

Dr. Day stated when you have a boarding facility you don't have 150 dogs out at the same time. You may have 15 to 20 dogs out at the same time and little dogs are together and big dogs are together. Dr. Day stated he would be willing to talk to the new neighbor about the pond issue.

Mr. Dix asked if the old barn was going to remain on the property.

Dr. Day answered until Dr. Day starts to build his house and then it will be torn down.

Mr. Reeds stated to Dr. Day in your opening statements you stated you tried to contact the neighbors to the south and that there was a for sale sign, did you try to get in touch with him.

Dr. Day stated he went by Mr. Schwichtenberg's house and he was not there. After that Dr. Day stated he did not try because the house was for sale and Dr. Day did not know if he should talk to owner or new buyer.

Mr. Reeds asked Dr. Day if he will have access to sewer or will he have to put in a septic system.

Dr. Day answered a septic system of some kind maybe an aerobic or septic system when Elwood Avenue is widened the city will bring in sewer.

Mr. Covey stated being a resident of Tulsa he gets disappointed in the PlaniTulsa process and it seems like land use designations were studied and in some instances just thrown down for no apparent reason. In regards to how you didn't know PlaniTulsa was going on some people didn't, but Tulsa Hills Small Area Plan some people did not receive notices. Mr. Covey believes the issue of notification is resolved now.

Mr. Midget stated he doesn't think this project is a good idea for the neighborhood.

Mr. Reeds stated it does appear that someone wanted to put the color blue for employment designation on the map. Mr. Reeds stated can see it on the north along 71st Street and to the south towards Riverside Airport. PlaniTulsa was never meant to be comprehensive it was an overall plan.

Mr. Covey asked Mr. Midget if he did not support the project based on the application before him or do you think the area should remain residential.

Mr. Midget stated he thinks parts of the area should be reexamined; some of the areas closer to the intersections could be employment center. Mr. Midget thinks we need to be able to protect the interests of everyone.

Mr. Dix stated if this project was further north on Elwood Avenue towards 71st Street and adjacent to one on the commercial centers or parking lots he would have no problem approving this, but being in the middle of the houses with a commercial operation even if the applicant is going to live on the property and be a neighbor concerns Mr. Dix and he believes he will oppose.

Ms. VanValkenburgh stated after communication with the permit department they confirmed that breeding would be categorized under animal services. So if Planning Commission wanted to approve this application and wanted to prevent breeding the motion would need to say something about that.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, to approve Z-7366 rezoning from AG to CG with optional development plan (per staff recommendation but prohibiting breeding) TMAPC voted 1-6-0 (Reeds “aye”; Covey, Dix, Fretz, Midget, Shivel, Stirling “nays”; none “abstaining”; Carnes, Millikin, Walker, Willis “absent”) (**Motion Denied.**)

* * * * *

18. Z-7368 Mark Capron (CD 5) Location: Southeast corner of South 77th East Avenue and East 11th Street South requesting rezoning from **RS-3/OL to CH/CS**

Mr. Covey asked what is on the property currently.

Applicant stated an empty structure.

INTERESTED PARTIES COMMENTS:

Nancy Kerr 1210 South 77th East Ave, Tulsa, OK 74112

Ms Kerr stated the previous car lot on this property was on 11th Street. Ms Kerr stated she has spoken with all the neighbors and has petition with signatures of neighbors who do not want this project because there is nothing but car lots all down 11th Street.

Mr. Dix asked Ms Kerr if her residence was on the south side of 12th Street.

Ms. Kerr answered yes, she was second house from the corner.

Mr. Dix stated that would be a little further south than where the project will be.

Ms. Kerr stated "yes".

Mr. Capron stated the residents that his client spoke with were the ones just around the property. Mr. Capron stated he took a call from someone on the north side of 11th Street just wanting to know what was going on.

Staff stated they received some last minute correspondence, a letter from a residence just south of the property opposing this project. There was also a letter from an attorney representing a property owner who is in opposition.

Mr. Covey stated he was unclear why the area to the south is designated New Neighborhood. Apparently someone wanted a New Neighborhood there, because it looks like an Existing Neighborhood.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **APPROVE** Z-7368 rezoning from RS-3/OL to CH/CS per staff recommendation.

Legal Description of Z-7368:

**TOTAL PROPERTY
LEGAL DESCRIPTION**

THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (W/2 W/2 NW/4 NE/4 NE/4) LESS THE SOUTH 75 FEET AND LESS THE NORTH 50 FEET AND LESS THE WEST 30 FEET OF SECTION ELEVEN (11), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.
THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 72,225 SQUARE FEET OR 1.658 ACRES, MORE OR LESS.

* * * * *

19. Z-7369 Amos Baker (CD 7) Location: East of the northeast corner of East 61st Street and South Memorial Drive requesting rezoning from **OL to RM-3 with Optional Development Plan**

SECTION I: Z-7369 With Oprional Development Plan

DEVELOPMENT CONCEPT:

The planned project will entail the construction of a new multifamily development with related parking and trash facilities, planned to conform to the physical features of the Subject Property and provide the needed open spaces. The planned project will also take advantage of the ability to walk or bike to the nearby retail uses.

To the knowledge of the Applicant, the Subject Property has never been developed except for a stormwater drainage system. The Subject Property is bordered on the north and east with existing duplexes and on the west by an existing garden apartment project and on the south by a church. The property has approximately 331.25 feet of frontage on East 61st Street and is roughly one mile from Woodland Hills Mall.

The development is currently design to contain approximately 54 Dwelling Units, the optional development plan limits the number of dwelling units to 60, RM-3 zoning would allow up to 133 dwelling units. The development will feature open and covered parking. The covered parking will be under the building. The building height and shapes will maintain architectural interest and the design will allow it to conform to the sloping topography.

The existing height of the land above the neighboring properties to the North and East will offer residents outstanding views above the adjacent residential properties north and east.

The Optional Development Plan is being voluntarily imposed by the proposed owner to lessen the perceived impact of the development of those residentially zoned properties adjacent to the north and east edges of the site.

Although the conceptual site plan submitted herewith depicts the general massing and architectural style currently contemplated by the owner and its architect, the final product may vary from the conceptual site plan.

SECTION II: Z-7369 Optional Development Plan Standards

Z-7369 with the optional development plan will conform to the provisions of the Tulsa Zoning Code for development in an RM-3 zoning district except as further refined below:

Permitted uses:

The only use category, subcategory and specific use are allowed as follows:

1. Permitted Uses Categories:
 - a. Residential
2. Permitted Subcategories:
 - a. Household Living
3. Permitted Specific Uses

- a. Townhouse
- b. Duplex
- c. Multi Unit House
- d. Apartments/condo

Maximum Number of Dwelling Units.

Z-7369 shall be limited to a maximum of 60 dwelling units.

Height Limitations:

The maximum building height shall not exceed 55 feet as measured from the first floor elevation.

Lighting:

1. Light fixtures mounted on the building or ground may not exceed 16 feet above the ground level immediately below the light.
2. All lights must be pointed down.
3. Parking lot lighting must be further than 20 feet from the northeast boundary of the site.
4. Lighting that may be in the parking area under the building must be recessed or shielded so the fixture is not visible from the perimeter of the site.

Dumpsters and Recyclable Material Enclosures:

1. Material:
The enclosure must be masonry and complimentary to the materials used on the main building.
2. Location:
The dumpster enclosure may not be closer than 50 feet to the northeastern parcel line identified on the attached exhibits.

DETAILED STAFF RECOMMENDATION:

Z-7369 requesting RM-3 zoning with the optional development plan is consistent with the Existing Neighborhood Land Use designation of the Comprehensive Plan and;

The site is isolated from the surrounding neighborhood and vehicular access will be provided from East 61st Street South. The RM-3 zoning with the limited uses and development standards identified in Section II are not injurious to the surrounding proximate properties and;

The proposed residential density is an efficient use of existing utility and street infrastructure and;

The requested zoning is consistent with the anticipated future development pattern at this location therefore:

Staff recommends Approval of Z-7369 to rezone property from OL to RM-3 with the Optional Development Plan as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed optional development plan and zoning request provides clear infill development standards that are consistent with appropriate infill standards at this location.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas 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 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: Multi Modal Streets

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal 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 that affect the site

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is vacant however significant stormwater considerations will affect site development. The properties north of the site are at a slightly higher elevation than the subject property and are not expected to be adversely affected by construction of a multi story building. The proposed construction will create a visual and sound barrier for the adjacent duplexes from the traffic on East 61st Street South.

Street view near southeast corner of the site looking northwest:



Environmental Considerations: None that would affect site development.

Streets:

<u>Existing Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 61 st Street	Secondary Arterial with Multi modal Corridor Overlay	100 feet	4 with Center Turn Lane

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North/East	RS-3	Existing Neighborhood	Area of Stability	Duplex
South across 61st	RS-3 / PUD 112A	Neighborhood Center	Area of Growth	Church with school
West	CS	Town Center	Area of Growth	Multifamily and shopping center

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 21462 dated February 21, 2007, established zoning for the subject property.

Subject Property:

Z-7043 February 2007: Staff recommended denial of a request for *rezoning* a 1± acre tract of land, which is a part of a drainage easement as dedicated within the Woodland View Park South subdivision plat, from RS-3 to OL for light office use, on property located west of northwest corner of East 61st and South 89th Avenue and also known as the subject property. TMAPC and City Council concurred in **approval** of the request.

Surrounding Property:

PUD-390-B March 2003: All concurred in **approval** of a *major amendment to PUD* to allow a barber and beauty shop and to amend the development standards for Development Area B on a 1.15± acre tract located on the northeast corner of East 61st Street and South 89th East Avenue.

PUD-390-A January 2002: All concurred in **approval** of a *major amendment to the PUD* to allow a drive-through bank with the underlying OL zoning, on a tract located on the northeast corner of East 61st Street and South 89th East Avenue.

PUD-112-A November 2001: A *major amendment to PUD* was **approved** to allow addition of a private school offering compulsory education curriculum, on property located south and east of the southeast corner of E. 61st St. and S. Memorial Dr.

BOA-17264 December 12, 1995: The Board of Adjustment **approved** a *Special Exception* to permit multifamily buildings and accessory uses in a CS district; per plan submitted; subject to the construction of a detention facility, finding that the extension of the apartment project to the south tract will allow the traffic from the north tract to enter 61st St. without entering the ring road around Easton Square, on property located at north and east of the northeast corner of E. 61st St. and S. Memorial Dr.

Z-6016/PUD-390 March 1985: A request to rezone a tract of land from RMT to OL was recommended for denial by staff and TMAPC and was referred back to TMAPC by the City Commission to allow the applicant an opportunity to file a PUD for a proposed one-story office building. All concurred in **approval** of the *rezoning and PUD*, subject to conditions, on a tract located on the northeast corner of East 61st Street and South 89th East Avenue.

Z-4048/PUD-112 January 1972: All concurred in **approval** of a proposed *Planned Unit Development* and rezoning of 202 acres, from AG to RM-1/ OM/

RS-3 for multifamily, townhouse, and single-family development, with approval of church use within the RS-3-designated development area. No commercial uses were allowed except the customary laundry and vending machines that would serve the multifamily uses, on property located south and east of the southeast corner of E. 61st St. and S. Memorial Dr.

Mr. Midget asked staff what was happening with drainage for this project.

Staff stated on 19.16 it shows drainage into a large culvert.

Mr. Midget asked if the building was going to be built on top of the culvert.

Staff stated the parking lot would be built on top and the drainage would be under that.

Mr. Dix asked if this area has any influence on the calculations of the regional retention pond for the whole area, is part of the storage for the retention being eliminated here.

Staff answered no, the regional retention pond was built to the east of the project and is very large.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **APPROVE** Z-7369 rezoning from OL to RM-3 with Optional Development Plan per staff recommendation.

Legal Description of Z-7369:

Part of Lots 8, 9, 10 & 11, Block 3, Woodland View Park South, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof, more particularly described as follows: Beginning at the Northwestern corner of said Lot 8; thence North 58°39'24" East along the Northwestern line thereof, a distance of 12.77 feet to a point; thence South 54°02'05" East, a distance of 439.38 feet to a point on the Easterly line of said Lot 11; thence South 19°22'17" West along said Easterly line, a distance of 14.61 feet to the Southeast Corner of said Lot 11; thence South 89°59'40" West along the South line of Lots 11, 10 and 9, a distance of 361.26 feet to the Southwest corner of said Lot 9; thence North 00°06'40" West along the East line of said Lots 9 and 8, a distance of 265.18 feet to the POINT OF BEGINNING, Containing 53,623 square feet or 1.23 acres, more or less.

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20. Z-7370 Alan Betchan (CD 3) Location: East of the Southeast corner of East Pine Street and North Garnett Road requesting rezoning from **RS-3 to IL**

SECTION I: Z-7370

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject parcel from RS-3 to IL to permit light industrial development. The site is currently surrounded on all sides by IL zoning.

DETAILED STAFF RECOMMENDATION:

The rezoning request included in Z-7370 is consistent with the land use vision in the Tulsa Comprehensive Plan and,

Rezoning request is compatible with the existing surrounding properties and,

IL rezoning requested is consistent with the anticipated future development of the surrounding property therefore,

Staff recommends Approval of Z-7370 to rezone property from RS-3 to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7370 is included in Employment and an Area of Growth. The rezoning request will complement the vision identified.

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 use.

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: East Pine Street is a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: East Tulsa Neighborhood Implementation Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site currently contains a single-family residence.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Pine Street	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IL	Employment	Growth	Light Industrial
East	IL	Employment	Growth	Vacant
South	IL	Employment	Growth	Vacant
West	IL	Employment	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11811 dated June 26, 2016, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

Z-7117 2008: All concurred in approval of a request for rezoning a 2.5± acre tract of land from RS-3 to IL, for machine parts processing, on property located west of southwest corner of East Pine Street and North 129th East Avenue and east of subject property.

Z-6917 January 2004: All concurred in approval of a request for rezoning a 2.25± acre tract of land from RS-3 to IL, for storage of portable mini storages, on property located west of the southwest corner of East Pine Street and North 129th East Avenue.

Z-6764 June 2000: All concurred in approval of a request for rezoning a 5.5± acre tract from RS-3 to IL, for a machine shop, located west of southwest corner of East Pine Street and North 129th East Avenue and east of the subject tract.

Z-6229 February 1989: All concurred in approval of a request for rezoning a 5+ acre tract from RS-3 to IL, on property located west of the southwest corner of East Pine Street and North 129th East Avenue.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **APPROVE** Z-7370 rezoning from RS-3 to IL per staff recommendation.

Legal Description of Z-7370:

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-TWO (32), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32); THENCE NORTH 88°37'04" EAST ALONG THE NORTH LINE OF SAID SECTION THIRTY-TWO (32) A DISTANCE OF 164.59 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2, W/2, NW/4, NW/4, NE/4) OF SAID SECTION THIRTY-TWO (32); THENCE SOUTH 01°02'36" EAST ALONG SAID EAST LINE A DISTANCE OF 660.37 FEET TO A POINT ON THE SOUTH LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2, W/2, NW/4, NW/4, NE/4) OF SAID SECTION THIRTY-TWO (32); THENCE SOUTH 88°37'30" WEST ALONG SAID LINE A DISTANCE OF 164.54 FEET TO A POINT ON THE WEST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2, W/2, NW/4, NW/4, NE/4) OF SAID SECTION THIRTY-TWO (32); THENCE NORTH 01°02'52" WEST ALONG SAID WEST LINE A DISTANCE OF 660.35 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS SQ. FT 108,670.74 / 2.49 ACRES MORE OR LESS.

OTHER BUSINESS

21. Commissioners' Comments

Mr. Covey wished Mr. Dix a happy belated birthday.

Mr. Covey stated to Ms. Miller on item 17 he would like TMAPC to initiate a land use designation change back to New Neighborhood.

ADJOURN

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Walker, Willis "absent") to **ADJOURN** TMAPC meeting 2735.

ADJOURN

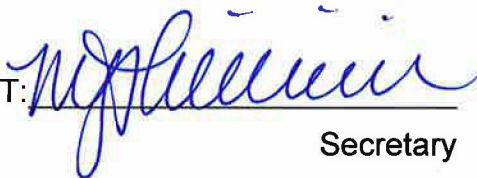
There being no further business, the Chair declared the meeting adjourned at 3:15 p.m.

Date Approved:

12-21-2016


Chairman

ATTEST:


Secretary