

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2740

Wednesday, February 15, 2017, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Adams		Foster	VanValkenburgh, Legal
Carnes		Hoyt	
Covey		Sawyer	
Dix		Ulmer	
Doctor		Wilkerson	
Fretz		Sawyer	
Krug			
Millikin			
Reeds			
Shivel			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, February 9, 2017 at 2:00 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:

Chairman's Report: None

Work Session Report: None

Director's Report:

Mr. Wilkerson reported on the actions of City Council and Board of County Commission. Mr. Wilkerson also reported the kick-off for the Landscape Ordinance was held this morning and the Subdivision Regulation module 2 is being reviewed by staff.

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1. **Minutes:**

Approval of the minutes of February 1, 2017 Meeting No. 2739

On **MOTION** of **DIX**, the TMAPC voted 10-0-1 (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Reeds, Shivel, Walker, “aye”; no “nays”; Millikin “abstaining”; none “absent”) to **APPROVE** the minutes of the meeting of February 1, 2017 Meeting No. 2739.

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CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LC-854** (Lot-Combination) (CD 3) – Location: South of the Southwest corner of East Independence Street and North Kingston Avenue
3. **LC-858** (Lot-Combination) (CD 8) – Location: South of the Southeast corner of South Peoria Avenue and East 17th Street South
4. **LC-859** (Lot-Combination) (CD 4) – Location: Northwest corner of East 118th Street South and South New Haven Avenue
5. **LC-860** (Lot-Combination) (CD 1) – Location: West of the Southwest corner of East Oklahoma Place and North Yorktown Avenue
6. **LC-862** (Lot-Combination) (County) – Location: East of the Northeast corner of North Sheridan Road and East 106th Street North
7. **LC-863** (Lot-Combination) (CD 9) – Location: Southwest corner of South Sheridan and East 61st Street South
8. **LC-864** (Lot-Combination) (CD 5) – Location: West of the Southwest corner of East 38th Street South & South 73rd East Avenue (related to LS-20960)
9. **LS-20960** (Lot-Split) (CD 5) – Location: West of the Southwest corner of East 38th Street South & South 73rd East Avenue (related to LC-864)
10. **LC-865** (Lot-Combination) (CD 9) – Location: East of the northeast corner of South Yale Avenue and East 71st Street South (related to LS-20962)

11. **LS-20962** (Lot-Split) (CD 9) – Location: East of the northeast corner of South Yale Avenue and East 71st Street South (related to LC-865)
12. **LS-20959** (Lot-Split) (CD 6) – Location: South of the Northwest corner of East 11th Street South and South 145th East Avenue
13. **LS-20961** (Lot-Split) (CD 9) – Location: Southeast corner of East 31st Street South and South Gary Avenue
14. **LS-20963** (Lot-Split) (CD 3) – Location: West of the northwest corner of North Canton Avenue and East Virgin Street
15. **PUD-624-4 Brandon L. Jackson** (CD 1) Location: North and East of the northeast corner of North Gilcrease Museum Road and West 30th Street North requesting a **PUD Minor Amendment** to reduce the minimum open space to 3,000 sf and allow 30 ft curb cuts and drive in right-of-way

STAFF RECOMMENDATION:

SECTION I: PUD-624-4 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce the minimum open space to 3,000 sf and allow 30 ft curb cuts and drive in right-of-way.

The development standards currently require 4,000 sf of open space per unit. The applicant is requesting that this be amended to 3,000 sf of open space per unit. With the recent adoption of regulations that would permit three car garages with 30 ft drives, the applicant proposes that they be allowed on the subject lots within this Planned Unit Development.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) 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 PUD development plan, the approved 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-624 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the minimum open space to 3,000 sf and allow 30 ft curb cuts and drive in right-of-way.

16. PUD-686-12 Perfection Homes (CD 8) Location: Northeast corner of South Quebec Avenue and East 118th Street South requesting a **PUD Minor Amendment** to reduce the rear yard setback from 25 ft to 20 ft

STAFF RECOMMENDATION:

SECTION I: PUD-686-12 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce the rear yard setback from 25 ft to 20 ft.

The applicant proposes to construct a covered patio addition to an existing single-family residence. The proposed addition would encroach into the required 25 ft rear yard setback. In order to construct the addition, the rear yard setback would need to be reduced to 20 ft.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) 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 PUD development plan, the approved 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-686 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the rear yard setback from 25 ft to 20 ft.

17.Z-7342-A KKT/ Nicole Watts (CD 7) Location: North of northeast corner of South Memorial Drive East and East 91st Street requesting a **ODP Minor Amendment** to Modify the Optional Development Plan standards to remove private drive requirement to eastern building

STAFF RECOMMENDATION:

SECTION I: Z-7342-a Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Optional Development Plan standards remove the private drive requirement to existing eastern building.

The current Optional Development Plan Standards require at least one access to the existing building on the eastern portion of the site be provided by private drive. This proposed amendment would eliminate this requirement. The applicant states that “It is not the intention of the developer to sell the back building and split the property into two lots with traffic flow through the dealership property.”

A second amendment had been requested to remove the requirement that all parking spaces be within 50 feet of a tree. If approved, this request would have loosened the landscaping requirements from what is required in the zoning code. Optional development plan standards may only restrict what is allowed in the zoning code, therefore the requested relief from the landscaping requirement may not be amended via the optional development plan standards.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 70.040I.1.a of the City of Tulsa Zoning Code.*

“The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Optional Development Plan.

- 2) All remaining development standards defined in Z-7342 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to the remove private drive requirement to eastern building.

18. Change of Access (CD 6) Location: West of the southwest corner of East Admiral Place and South 193rd East Avenue requests **Change of Access**

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **APPROVE** Items 2 through 18 per staff recommendation.

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

Mr. Covey stated he would address the continuance’s first.

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Items 19 and 20 were taken together.

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING:

19. CPA-56 JR Donelson (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting to amend the Comprehensive Plan Land Use Map from Existing Neighborhood to Mixed-Use Corridor and the Stability and Growth Map from Area of Stability to an Area of Growth (Related to Z-7373)

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Millikin, Reeds, Shivel, Stirling, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** CPA-56 to March 1, 2017 as requested by neighbors.

PUBLIC HEARINGS:

20. Z-7373 JR Donelson (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting rezoning from **RS-1** to **OL**. (Related to CPA-56)

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Millikin, Reeds, Shivel, Stirling, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** Z-7373 to March 1, 2017 as requested by neighbors.

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21. 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, November 2, 2016, December 7, 2016 and January 18, 2017) **This item was withdrawn by applicant.**

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22. Z-7371 Miguel Gomora (CD 3) Location: North and west of the northwest corner of East 11th Street South and South Garnett Road requesting rezoning from **RS-3** to **CG**. (Continued from December 21, 2016)

STAFF RECOMMENDATION:

SECTION I: Z-7371

DEVELOPMENT CONCEPT: The applicant is requesting to rezone an existing RS-3 lot to CG to permit parking of commercial trucks and related activities.

DETAILED STAFF RECOMMENDATION:

The rezoning request included in Z-7371 is consistent with the land use vision in the Tulsa Comprehensive Plan and,

Rezoning request is compatible with the existing surrounding properties and,

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

Staff recommends Approval of Z-7371 to rezone property from RS-3 to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7371 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 11th Street is a Secondary Arterial

Trail System Master Plan Considerations: Site is approximately 1 mile from Mingo Trail

Small Area Plan: None

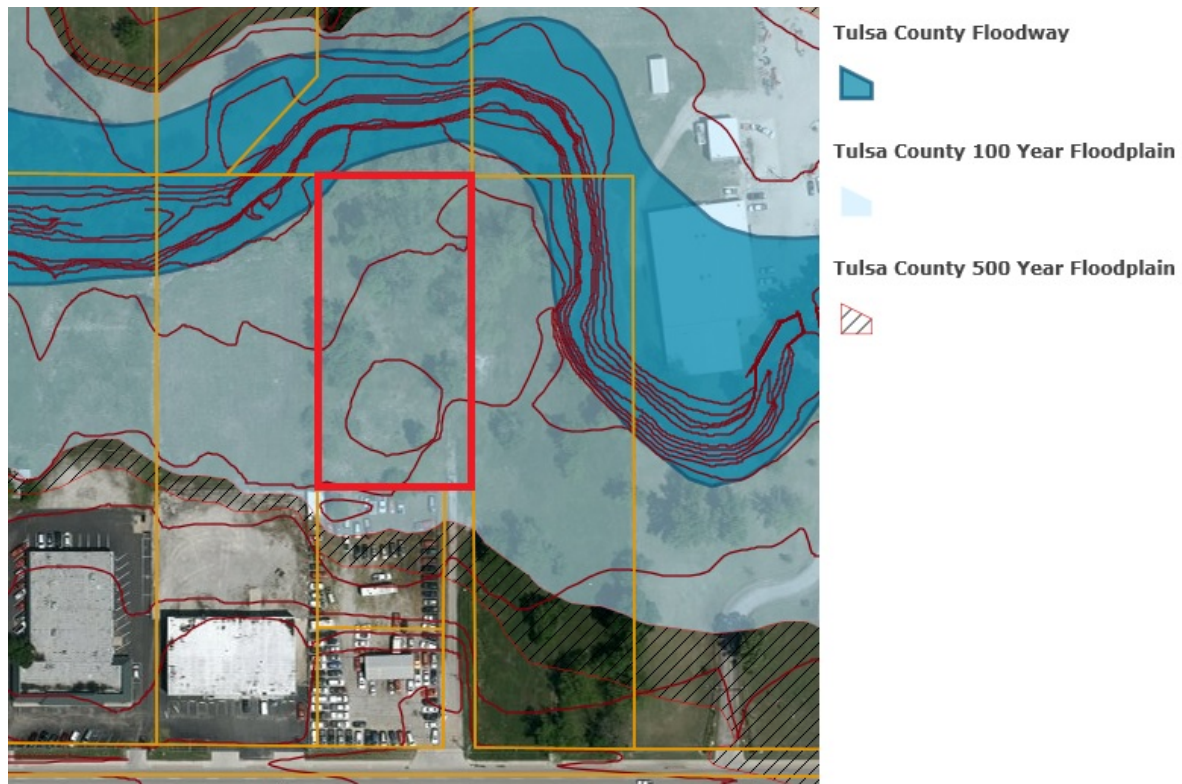
Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant and is located immediately to the north of an existing car lot with frontage on East 11th St S. Access to the proposed site is via a drive located in a dedicated ROW coming north from 11th Street.

Environmental Considerations: The site lies within the 100 year floodplain, with a small portion in the NW corner located within the floodway. Due to the site's location in the floodplain, any residential development within the existing RS-3 zone would be significantly problematic.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 11 th Street	Secondary Arterial	100 feet	6

Utilities:

The subject tract does not have municipal water available, but has municipal sewer available. Municipal water would require a waterline extension to the site.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Existing Neighborhood	Growth	Single-family Residence
South	CS	Employment	Growth	Automotive Sales
East	RS-3	Employment	Growth	Vacant
West	RS-3	Employment	Growth	Vacant

SECTION III: Relevant Zoning History

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

Subject Property:

BOA-13286 September 20, 1984: The Board of Adjustment **denied** a *Special Exception* to permit a mobile home in an RS-3 district; and a *Variance* of the 1-year time limit, on property located at 10833 ½ E. 11th St. and also known as the subject property.

Surrounding Property:

PUD-843 March 2016: All concurred in approval of a proposed Planned Unit Development on a 4± acre tract of land for commercial use, and to permit lots without frontage on a public street and to recognize uses that have been previously approved by Special Exception at the Board of Adjustment, on property located west of the southwest corner of E. 11th St. and S. Garnett Rd. and south of subject property.

BOA-21889 May 26, 2015: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 15 (other trades & services), Use Unit 16 (mini-storage) in a CS District (Section 701). This approval is with the condition that all the Use Units referred both in 15, 16, 12 and 14 are referenced in the letter from Tanner Consulting dated May 26, 2015. This approval is per conceptual site plan 3.8, on property located at 10880 E. 11th St.

BOA-20547 September 11, 2007: The Board of Adjustment **approved** a *Special Exception* to permit automobile and allied activities (Use Unit 17) in a CS district, with conditions, on property located at 10705 E. 11th St. S.

BOA-19331 April 9, 2002 The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 15 (electrical contractor) in a CS district, on property located at 10705 E. 11th St. S.

BOA-18957 January 23, 2001: The Board of Adjustment **approved** a *Special Exception* to permit RV and trailer sales (UU17) in the CS district; and a *Variance* of the required all-weather surface parking to allow for gravel parking, on property located at 10740 E. 11th St.

BOA-18651 March 28, 2000: The Board of Adjustment **denied** a *Special Exception* to permit parking vehicles awaiting repair on gravel parking surface if located behind the building setback line; and a *Special Exception* to modify or remove screening requirement with respect to adjoin R district; and an *Appeal* from determination of neighborhood Inspector of “not meeting parking requirements”, on property located east of northeast corner of E. 11th St. and S. 107th E. Ave., and abutting south of subject property.

BOA-15548 September 20, 1990: The Board of Adjustment **approved** a *Special Exception* to permit the assembly of trophies and jewelry items, including parts and rubber molding, light metal casting on site and buffing of parts manufactured off-site; subject to the use being limited to the CS zoned portion of the tract; subject to outside storage and required screening being provided, on property located at 107 ½ E. 11th St.

BOA-14951 October 6, 1988: The Board of Adjustment **approved** a *Special Exception* to permit the sale of auto parts and other automotive uses (UU17), on property located at 10883 E. 11 St. S. and abutting south of subject t property.

BOA-13933 February 20, 1986: The Board of Adjustment **approved** a *Special Exception* to permit auto custom repair and related sales in the CS zoned district, on property located at 10877 E. 11 St. S.

BOA-13911 January 23, 1986: The Board of Adjustment **approved** a *Special Exception* to allow retail building material sales business with minor wholesaling (UU15) in a CS district, on property located at 10724 E. 11th St. S.

BOA-13804 October 24, 1985: The Board of Adjustment **approved** a *Special Exception* to permit automobile sales in a CS district; subject to a maximum of 12 cars being parked on the northeast portion of the subject lot and said cars being parked no further south than the southern boundary of the restaurant, on property located at 10724 E. 11th St.

BOA-13350 November 1, 1984: The Board of Adjustment **approved** a *Variance* to permit a guttering and roofing establishment in a CS district, per plan, finding that due to the unusual circumstances of the land (in regard to the way the flood plain developed), that it caused an unnecessary hardship, on property located at east of the northeast corner of S. 107th E. Ave. and E. 11th St. and abutting south of subject property.

BOA-12137 August 19, 1982 The Board of Adjustment **approved** a *Special Exception* to allow a Use Unit 17 (muffler shop) in a CS district as described using tilt-up rock panels, subject to all work being performed inside, that all storage be inside with no outside storage being permitted, that refuse be placed outside in covered containers, and that no manufacturing of mufflers take place, on property located at 10705 E. 11th St. S.

BOA-11386 March 5, 1981 The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 15 for other trades and services in a CS district; and a *Special Exception* to waive the screening requirement on the north property line until such time that the north portion of the property is developed residentially or is sold; all subject to the plans submitted, with the condition that no outside storage will be permitted, on property located east of the northeast corner of S. 107th E. Ave. and E. 11th St.

BOA-11040 June 12, 1980 The Board of Adjustment **approved** a *Special Exception* to permit an electrical contractor in a CS district; per plot plan submitted, with the screening fence to be constructed all around the building as drawn on the submitted plot plan, with access being also screened, (gates) as shown on the plot plan, no outside storage shall exceed the height of the screening fence; outside storage limited to lighting poles and arms, located at 10705 ½ E. 11th St.

BOA-10371 March 15, 1979: The Board of Adjustment **approved** a *Special Exception* to permit sales and services of Ditch Witch Equipment Co., in a DS district; and a *Variance* to permit sales and services of the same in an RS-3 district; and a *Special Exception* to remove the screening requirements where the purpose of the screening cannot be achieved, with the applicant to plant and maintain a living shrubbery fence along the north property line, on property located at 10815 E. 11th St. and just east of subject property.

BOA-9990 June 1, 1978: The Board of Adjustment **approved** a *Special Exception* to operate a retail glass outlet; and a *Special Exception* to remove the screening requirements where the purpose of the screening requirement cannot be achieved, per plot plan in a CS and RS-3 district, on property located at 10737 E. 11th St.

INTERESTED PARTIES COMMENTS:

Stuart Van De Wiele 320 South Boston STE 200 Tulsa, OK 74103

Mr. Van De Wiele stated he represents St. Francis Hospital and his client has no objection to a continuance provided there is a path forward and not just a delay.

Mr. Dix stated after last meeting Mr. Dix told applicant if he needed the names of engineers to contact him and applicant called Mr. Dix three weeks ago to get those recommendations. Mr. Dix stated the applicant has made an appointment with the engineer but the meeting time was after the TMAPC date therefore applicant had to ask for continuance.

Mary Pease 10804 East 7th Street Tulsa, OK 74128

Ms. Pease stated her property backs up to applicants. Ms. Pease stated at the meeting in December the commissioners were very kind to the applicant by stating what he needed to do to the project to make it compliant before coming back for this meeting today to ask for his zoning change. Ms. Pease stated nothing has been done and he continues to operate.

Mr. Covey stated to Ms. Pease that the applicant has requested a continuance to March 1st, 2017, and asked if she was in favor of the continuance.

Ms. Pease answered the applicant has had two months and has done nothing but increase his business.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Millikin, Reeds, Shivel, Stirling, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** Z-7371 to March 1, 2017 as requested by applicant.

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Items 24 and 25 were taken together.

24. PUD-845 Wallace Engineering/Jim Beach (County) Location: North of the northwest corner of South Peoria Avenue and East 141st Street requesting rezoning from **AG** to **CS/ PUD-845** to permit the construction of a mini-storage facility

STAFF RECOMMENDATION:

SECTION I: PUD-845

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property to permit the construction of a mini-storage facility. The project consists of a mini-storage development with 12 storage buildings approximately 20’ x 225’. The east faces of the storage buildings nearest Peoria Avenue will have masonry veneer. There will be an accessory office building approximately 1,500 SF with full masonry exterior. It may include an on-site manager’s apartment.

SECTION II: PUD-845 DEVELOPMENT STANDARDS

PUD 845 shall conform to the provision of Section 1130 of the Tulsa County Zoning Code.

Land Area (Gross):	6.20 270,000 SF	Acres
Land Area (Net):	5.99 261,000 SF	Acres
Permitted Uses:	All principal and accessory uses as allowed by right in the CS zoned district, except Use Units 10,12, 13, 14, and 19 are prohibited.	

Special exception uses are prohibited except that Use Unit 16 (Mini Storage) is allowed.

Maximum Building Floor Area Ratio: .50

Proposed Floor Area: 55,500 SF (12 x 4,500 plus 1,500) (.21 FAR)

Maximum Building Height: NA

Off-Street Parking: 13 (1 per 5,000 SF mini-storage plus 2 for office)

Minimum Building Setbacks: 15' along north, south, and west property lines
110' from centerline of South Peoria Avenue (Primary Arterial according to the MSHP).

The street yard shall be considered the area between the planned right of way line and the building setback line parallel to Peoria.

Landscape Area: 22% (1,647 SF) of the street yard will remain open for landscape area; approximately 3,559 SF of additional open space will be located behind the building line and the beginning of the paved area serving the storage units

Signs: A complete sign plan has not been prepared but it is anticipated there will be one ground sign located toward the northeast corner of the property and wall signs placed on the office/apartment building. In any case, the aggregate display surface area of all signs will be far less than what is allowed by the Tulsa County Zoning Code.

Hours of Operation: Business hours will be limited to between the hours of 6:00 a.m. and 9:00 p.m.

Lighting: All site lighting will be mounted to the face of the buildings and will face downward and away from property lines. There will be no light spill beyond the property lines.

VEHICULAR ACCESS AND CIRCULATION: Access to the site would be via South Peoria Avenue.

PEDESTRIAN ACCESS: Pedestrian access is not shown. Sidewalks do not exist along South Peoria Avenue in the area of the subject lot.

PLATTING REQUIREMENT: No building permit shall be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with Tulsa County Subdivision Regulations.

EXPECTED SCHEDULE OF DEVELOPMENT: Development will begin in the summer of 2017 after final approval of the Planned Unit Development and the platting of the property.

DETAILED STAFF RECOMMENDATION:

The subject lot is located within the City of Glenpool fence line. The Glenpool Comprehensive Plan identifies this area as a Low Intensity Residential use. The proposed mini-storage use is not consistent with this land use and intensity.

PUD-845 as submitted does not provide adequate design standards for building location, storage unit door orientation, landscape and screening details, or sign standards to insure a compatible land use with the abutting single family residential area and,

PUD-845 does not provide adequate detail or design standards to insure design standards with the City of Glenpool on the west side of Peoria or the City of Jenks on the east side of Peoria.

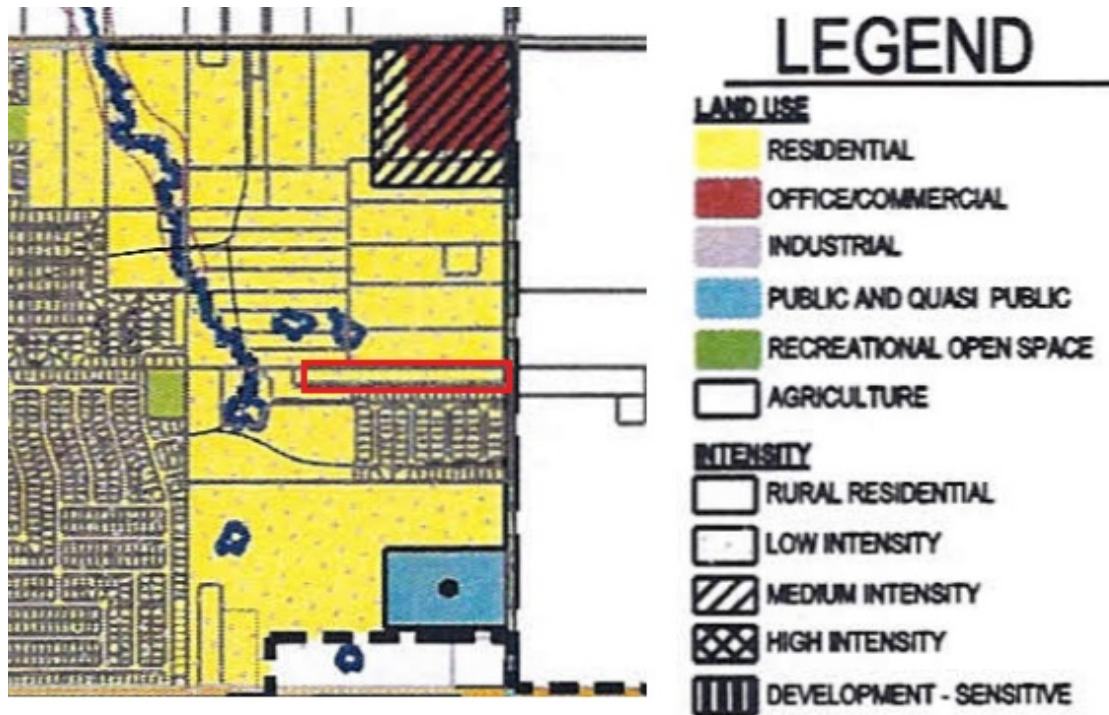
PUD-845 is not consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Denial of PUD-845 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Residential District of The City of Glenpool Comprehensive Plan. (See Illustration Below)



Land Use Vision:

Land Use Plan map designation: Residential (Low Intensity)

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: S. Peoria Ave. is a Primary Arterial

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 contains what appears to be older oil/gas equipment. Single-family housing exists along the entire southern boundary of the proposed development.

Environmental Considerations: Existing oil storage tanks which will need to be removed. The applicant has scheduled a Phase I Environmental Assessment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Primary Arterial	120 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	AG	N/A	N/A	Vacant
East	IM/AG	N/A	N/A	Single-Family/Energy Facility
South	RS3/RS-4	N/A	N/A	Single-Family
West	RS-4	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

ZONING RESOLUTION: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

No relevant history.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Stirling, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** PUD-845 to March 1, 2017 as requested by applicant.

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25. CZ-448 Jim Beach (County) Location: North of the northwest corner of South Peoria Avenue and East 141st Street requesting rezoning from **AG** to **CS**.
(Continued from December 21st, 2016 and February 1, 2017)

STAFF RECOMMENDATION:

SECTION I: CZ-448

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property to permit the construction of a mini-storage facility. The project consists of a mini-storage development with 12 storage buildings approximately 20' x 225'. The east faces of the storage buildings nearest Peoria Avenue will have masonry veneer. There will be an accessory office building approximately 1,500 SF with full masonry exterior. It may include an on-site manager's apartment.

DETAILED STAFF RECOMMENDATION:

CZ-448 is not consistent with the land use vision in the City of Glenpool Comprehensive Plan and,

CS zoning is not compatible with the existing adjacent single family residential use adjacent to the south property line and,

CS zoning is not consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Denial of CZ-448 to rezone property from AG to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Residential District of The City of Glenpool Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Residential (Low Intensity)

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: S. Peoria Ave. is a Primary Arterial

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 contains what appears to be older oil/gas equipment. Single-family housing exists along the entire southern boundary of the proposed development.

Environmental Considerations: Existing oil storage tanks which will need to be removed. The applicant has scheduled a Phase I Environmental Assessment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Primary Arterial	120 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Use Designation	Land Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Vacant
East	IM/AG	N/A	N/A	Single-Family/Energy Facility
South	RS3/RS-4	N/A	N/A	Single-Family
West	RS-4	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

ZONING RESOLUTION: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

No relevant history.

Applicant requested continuance to change site plan to more adequately address the screening between proposed site and residents to make this more compatible with the area.

INTERESTED PARTIES COMMENTS:

Debra Cutsor 13607 South Owasso Place Glenpool, OK 74033

Ms. Cutsor stated she is the Glen Abby Homeowners Association Board of Directors secretary also City of Glenpool Planning Commissioner. Ms. Cutsor stated the Glenpool Comprehensive plan has this site as residential zoning and not commercial and therefore homeowners expect homes on the other side of the fence and not RV parking and a mini storage. Ms. Cutsor stated she is against the continuance because the screening design does not change the Glenpool Comprehensive Plan for that property.

Angelo Grippanno 1671 East 136th Street Glenpool, OK 74033

Mr. Grippanno stated he didn't understand the need for a continuance but understands it's customary for a continuance to be approved.

Nathan Dies 13575 South Hartford Avenue Glenpool, OK 74033

Mr. Dies stated his home backs up to the property and would like to submit a personal letter and research for Planning Commissioners to review and take into consideration.

Mr. Covey stated the Planning Commission will take the Glenpool Comprehensive Plan under advisement at the March 1st, 2017 meeting.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining";

none “absent”) to **CONTINUE** CZ-448 to March 1, 2017 as requested by applicant.

* * * * *

23. Z-7376 Steven Schuller (CD 4) Location: South of southwest corner of S. Gary Ave. and E. 15th St. (aka 1508 S. Gary Ave. E.) requesting rezoning from **CH** to **RS-3**.

STAFF RECOMMENDATION:

SECTION I: Z-7376

DEVELOPMENT CONCEPT:

The applicant has requested a rezoning request from CH to RS-3 to assist in obtaining financing for a detached dwelling unit that has recently been remodeled. County records indicate the home was originally constructed in 1930. The applicant has stated that the CH zoned property is restricting his ability to finance and sell the home.

STAFF RECOMMENDATION:

DETAILED STAFF RECOMMENDATION:

Z-7376 requesting rezoning from CH to RS-3 is not consistent with the Main Street Designation of the Comprehensive Plan and;

This rezoning request could potentially affect the adjacent CH properties if those lots are redeveloped. CH to RS-3 establishes new design standards for surface parking and screening requirements for certain uses on the adjacent north and west properties and;

RS-3 zoning is consistent with the detached dwelling use of the property that was established when the home was constructed in 1930 and;

RS-3 zoning is consistent with the anticipated development pattern in the area therefore;

Staff recommends Approval of Z-7376 to rezone property from CH to RS-3.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The existing home and detached garage is currently considered a non conforming use as defined in Chapter 80 of the Tulsa Zoning Code. RS-3 zoning is not consistent with the land use vision of the Comprehensive Plan. Staff does not support reducing the Main Street Corridor land use designation at this location but does support the rezoning request as a consideration of the established residential use. Several single family homes are located in CH zoned property within this particular Main Street corridor. There is no evidence of any other single family home that has requested rezoning from CH to RS-3 along 15th between Harvard and the Broken Arrow Expressway. A special exception process through the Board of Adjustment has been used in a similar circumstances north of Z-7376.

Staff has encouraged the applicant to consider the special exception provisions at the Board of Adjustment. That process would not change the zoning and therefore would not have an effect on adjacent CH properties. The applicant believes that the special exception process does not satisfy the needs of his lending institution. The established use of this property has been single family residential and there is no indication that the property will be used commercially. Rezoning this property to RS-3 should not be considered an attempt by anyone to establish a pattern that might encourage reduction in the CH zoning or to encourage further reduction of the Main Street corridor along East 15th street.

Staff supports this rezoning request for the sole purpose of benefiting the single family residential redevelopment on this lot and with the consideration that the home has been established on the lot for over 80 years.

Land Use Vision:

Land Use Plan map designation: Main Street

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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: None that affect this zoning consideration.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: County records indicate that the existing single family home was constructed in 1930 and is on a lot that has been zoned CH for decades. The home has recently been renovated for a single family residence with a detached garage. The garage is facing north with an access easement across private property to East 15th Street.

See next page for street view snippet from southeast corner of lot looking northwest toward East 15th Street:



Environmental Considerations: None that would affect the rezoning request.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Gary Avenue	None	50 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	CH	Main Street	Growth	Mixed Commercial
South	RS-3	Existing Neighborhood	Stability	Single Family Residential
East	CH	Main Street	Growth	Retail Bakery
West	CH	Main Street	Growth	Off street parking

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

BOA-19656 August 26, 2003: The Board of Adjustment **approved** a *Special Exception* to allow a single-family dwelling in a CH district, on the condition: if this house was ever expanded or removed, a new house would have to meet the setback requirements in an RS-3 district; and, if and when the detached garage is built that it be set no closer to the north line than 3 ft. and at least 5 ft. from the west line, on property located at 1444 S. Gary Ave. and north of subject property.

BOA-5924 July 2, 1968: The Board of Adjustment **approved** a *Special Exception* to permit the manufacture of cookie dough in a U-3E (CH) district, on property located at 3132-A E. 15th St. and abutting west of subject property.

BOA-3985 January 9, 1963: The Board of Adjustment **approved** to permit an extension of a non-conforming use, paint and body shop, in a U-3E (CH) district, on property located on Lot 14, Block 10, East Lawn Addn., also known as, north of at the northeast corner of E. 15th St. and S. Florence Pl.

BOA-387 February 21, 1928: The Board of Adjustment **approved** a *Special Exception* to permit a duplex on Lot 13, Block 10, East Lawn Addn., on property located at the northeast corner of E. 15th St. and S. Florence Pl.

Mr. Covey stated if Planning Commission approves this and the owners sell we will be right back here reversing this decision.

Mr. Wilkerson stated “exactly”, it may be 50 years from now.

Mr. Covey stated it could be a year from now.

Mr. Dix stated there will be problems with the adjacent property setbacks.

Mr. Wilkerson stated that is the reason for these conversations. Mr. Wilkerson stated the buildings and the parking lot that is adjacent to the subject lot will be non-conforming uses that are allowed in the zoning code. Mr. Wilkerson stated the same argument could be made for this single family lot, it's a non-conforming use and it's allowed to be there.

Mr. Dix asked Mr. Wilkerson what if the property owner of an adjacent lot wants to change his use.

Mr. Wilkerson stated it would then affect that property owner and they would need to go to Board of Adjustment.

Mr. Dix stated this action would place the burden on the adjacent property owners.

Mr. Wilkerson stated that is correct.

INTERESTED PARTIES COMMENTS:

Steven Schuller 100 West 5th Street, STE 1100 Tulsa, OK 74103

Mr. Schuller stated he represents the owners of the house. Mr. Schuller stated his client contacted him about zoning compliance on this property. After the owners did research with the lenders they found out guaranteed permanent mortgage financing is only possible if the house is zoned residential. Mr. Schuller asked his clients if they could have a special exception and the client checked with the lender and the answer was no it had to be zoned residential. Mr. Schuller stated this property has been a residence since 1930 and would be sold as a residence. Mr. Schuller stated he realizes the property is inside a line that was drawn in 1970 when all the zoning lines were drawn, but Mr. Schuller states he has learned over the years that those lines were drawn without giving complete regard to the uses but for the uniformity of a straight line. Mr. Schuller stated he suspects the people who were living in that house didn't intend for that property to have a commercial use they continued to live there and it continues to have a residential use. Mr. Schuller stated the fact that the line was drawn in that manner shouldn't impact the zoning on this property. Mr. Schuller stated his clients, the current owners, purchased this property from the owner of the commercial building next door who had bought both properties and knew Mr. Schuller's clients were remodeling to sell has no objections to this application. Mr. Schuller stated he believes his clients have also spoke with the owners of the parking lot to the west. Mr. Schuller stated the market will drive whether those commercial properties get redeveloped or whether someday this house by virtue of its age is torn down and is replaced by a commercial project. Mr. Schuller stated for now the market is for this property to be used as a residence and the only way to make that possible is to make mortgage financing available on an equal basis with all the other houses in the neighborhood by changing the zoning to residential like the other houses in the neighborhood.

Mr. Dix asked Mr. Schuller what happens to the mortgage possibility on the adjacent properties after Planning Commission changes the setbacks.

Mr. Schuller answered that is going to be a commercial mortgage and they don't have a cookie cutter approach like the residential lenders do. Mr. Schuller stated there will be setback issues for the commercial owners but that is something that can be addressed.

Mr. Dix stated the adjacent commercial owners would have the burden put on them of the actions we take today.

Mr. Schuller stated that is correct. But they already have some restrictions by virtue of being located next to residential zoning.

Mr. Dix stated he understands but that is based on an existing use that was taken into consideration when that owner's mortgage was made by that lending institution. Mr. Dix stated if Planning Commission makes this lot RS-3 he is concerned with the business owners because the setbacks would affect all three adjacent properties and they couldn't rebuild what they have today.

Mr. Schuller stated that not giving the residential owner the zoning they need for their financing is a severe limitation on their ability to market that property.

Mr. Dix stated he is not comfortable with the Planning Commission actions affecting the adjacent properties.

Ms. Millikin asked staff if an optional development plan could be implemented to say the design standard requirements and setbacks would not apply with respect to the subject property, would that be an option.

Mr. Wilkerson stated the setback for parking and screening requirements that are part of the CH district are in other chapters of the zoning code and Mr. Wilkerson stated he doesn't believe adding an optional development plan to this site would be of any help to the adjacent properties. Mr. Wilkerson stated the screening requirement can't be removed from adjacent CH zoning when those requirements are because of its CH zoning adjacent to a residential zoning designation.

Ms. Millikin asked even with just respect to this particular property.

Mr. Wilkerson stated "no" the only way to get there is to go to the Board of Adjustment and ask for relief of those setback standards, landscaping and screening requirements. Mr. Wilkerson stated he doesn't believe an optional development plan would work in this case to help the adjacent owners.

Mr. Dix stated he knows it's an option for the adjacent property owners to fix the problem caused by granting this application. But is it right for the Planning Commission to create the problem for the adjacent property.

Mr. Wilkerson stated it violates the Comprehensive Plan and the long term vision for that area and the only reason staff was supporting this application was the long established use as a residence.

Ms. Millikin asked if the applicant would be willing to go to the Board of Adjustment on behalf of the neighboring commercial property owners and seek this special exception so the applicant could get the RS-3 zoning they needed and relieve the adjacent owners of the setback at their expense.

Mr. Schuller stated he would have to speak with his clients to see if they would have any opposition to going before the Board of Adjustment but the question would be who pays for the filing fees and other costs associated with the application.

Ms. Millikin stated she believes the applicant should pay these fees.

Mr. Schuller stated he believes the owners of the adjacent properties are not here protesting this zoning change and Mr. Schuller believes they are aware of the problem. So Mr. Schuller presumes they would have no objection.

Ms. Millikin stated the optional development plan she was proposing would not affect the other properties, only the applicant's property.

Mr. Schuller stated Mr. Wilkerson is correct and you can't solve the adjacent property problems with an optional development on this property.

Mr. Carnes stated it is his opinion that if Planning Commission approves the application it will create fallout of problems in the future. Mr. Carnes stated the CH zoning has been in place for years. Mr. Carnes stated he agrees with Mr. Dix that changing the zoning creates a problem for current owners of the adjacent commercial properties that overwhelm the good we would be doing for the applicant. Mr. Carnes stated he is against this zoning change.

Mr. Schuller stated to Mr. Carnes that they don't pose a burden on those property owners now. Mr. Schuller stated if we rezone this today the adjacent property owners don't have to go and build fences that only comes if they change those current uses.

Mr. Dix stated we are not only affecting the applicant's property but other properties as well with their financing situations. Mr. Dix stated if they wanted to refinance their mortgage tomorrow would the affect of our actions today cause a problem for the property owner.

Mr. Schuller stated he didn't believe it would because whatever non-compliant issue exists now is a legal non-conformity so the property owner doesn't have to do anything, it doesn't affect the ability to repay the mortgage or their compliance with the zoning code.

Mr. Covey asked Mr. Schuller when his client bought the property.

Mr. Schuller answered 3 months ago.

Mr. Covey asked did the client remodel or did they buy it remodeled.

Mr. Schuller stated they remodeled it.

Mr. Doctor asked Mr. Schuller if the threshold for mortgages are FHA loans or is it any residential loans.

Mr. Schuller stated it's for insured mortgage loans. But in the price range of this property a lot of people need to obtain this type of loan such as first time home buyers.

Mr. Doctor asked city legal if the property owner could waive the right to setback requirements and landscaping and screening requirements. Mr. Doctor asked could this property owner waive those rights for the surrounding property owners.

Ms VanValkenburgh stated "no".

Mr. Doctor asked staff if they could walk him through what would trigger the surrounding commercial property being in non conformance and what level of redevelopment they would have to take.

Mr. Wilkerson answered as long as the owners stay within the footprint of the current building they can change uses or remodel but if they had to build additional parking that would trigger the setback requirements and landscaping and screening requirements.

Mr. Carnes stated he wanted to make a motion to deny because members of this board should not make a recommendation to City Council to reduce a zoning designation that causes issues for surrounding property owners.

Ms. Millikin asked city legal if there was a way to make a provisional approval of rezoning subject to a certain action being taken and approved by the Board of Adjustment.

Ms. VanValkenburgh stated "no".

Ms. Millikin asked if the applicant could request Board of Adjustment relief for adjacent properties.

Ms. VanValkenburgh stated "yes", with the property owners consent.

Ms. Millikin stated it's the only way to give the applicant what they need while protecting the surrounding commercial property owners and Ms. Millikin believes Mr. Schuller stated he would consider this.

Mr. Schuller stated he has not talked to the owners about this but is willing to do so if you would like to continue the matter until Mr. Schuller has the opportunity to do so.

Ms Millikin would like to move for a continuance to allow Mr. Schuller to speak with his clients.

Mr. Covey asked city legal if the Planning Commission can do zoning contingent on actions taken by the applicant.

Ms. VanValkenburgh answered "no" but Ms. Millikin was suggesting a continuance so Mr. Schuller could speak with his client about the feasibility of seeking relief from the Board of Adjustment at the expense of the applicant.

Mr. Covey asked how the Commission enforces that.

Ms. VanValkenburgh answered "you don't" you would just rely on Mr. Schuller's word.

Mr. Covey stated Mr. Schuller could represent one thing and his clients do something else.

Ms. VanValkenburgh stated "right", I'm sure Mr. Schuller will have good communication with his clients.

Mr. Schuller stated perhaps there isn't a good way to enforce this but maybe the zoning could be postponed until the special exception is granted and then approve the zoning.

Ms. VanValkenburgh stated if the property is not a residential zoned lot there would be no reason for a special exception.

Mr. Reeds asked if it would be better to deny the rezoning to give Mr. Schuller leverage to ask for special exception.

Mr. Schuller stated if you deny the zoning there is not a need for the special exception on the surrounding properties because there is no non-compliance because the adjoining property is not zoned residential.

Ms. VanValkenburgh stated you wouldn't have any grounds of getting a special exception until this property was zoned residential. Ms. VanValkenburgh stated it's like the chicken and egg, the Board of Adjustment wouldn't have any jurisdiction if the special exception were not required. It's zoning the property residential that triggers all the extra requirements on the neighbors.

Mr. Carnes stated it has been his understanding all the years on this Commission that TMAPC could not rezone someone else's property and he doesn't believe Planning Commission has the authority to change neighboring properties.

Ms. VanValkenburgh stated to Mr. Carnes that she believes that is what the Planning Commission is struggling with on in this case is the effect on adjacent properties. Ms. VanValkenburgh stated Planning Commission does have the ability to recommend rezoning someone else's property if that is what the Commission chooses to do but the Commission doesn't have the ability to grant special exceptions and variances. Ms. VanValkenburgh believes Mr. Carnes is concerned about the effect that the zoning change would have on the neighboring properties and the responsibilities it may put on those owners.

Mr. Covey asked Mr. Schuller if his clients bought this property from the neighbor to the north.

Mr. Schuller stated "yes." Mr. Schuller stated Planning Commission often rezones property to create progress in the city and it impacts adjoining property but that is just part of the process. Suddenly there is a non-conforming use but that doesn't change their ability to continue their use it just means they may have to apply for relief at the Board of Adjustment at a later time.

Mr. Dix stated most often those changes do not negatively impact adjacent properties.

Mr. Covey asked Mr. Dix if he would support the zoning change if the neighbors were here to speak in support.

Mr. Dix answered he didn't think so because for all the reasons talked about already and if their building is wiped out with a tornado tomorrow and they need to rebuild Mr. Dix believes it is the Planning Commissions job to protect them.

Mr. Carnes stated he would like to withdraw his motion for denial.

Mr. Covey stated if the property owner to the north or west of applicant's property understands how the applicant's zoning change affects them and was willing to appear here that would relieve Mr. Covey's concerns.

Mr. Schuller asked if a signed letter would work.

Mr. Covey stated only speaking for himself but as long as the letter referenced the screening and landscaping setback requirements, as long as the letter is good enough that they understand what they are waiving.

Mr. Dix asked city legal if an individual can waive an action on a setback for their property.

Ms. VanValkenburgh stated “no”.

Mr. Covey stated he would vote in favor of this zoning change if he saw a letter from the property owners stating they understood what this meant to their properties.

Mr. Fretz stated the adjoining property owners were given notices and were not concerned about it enough to come to the meeting.

TMAPC Action; 11 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **11-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** Z-7376 to March 1, 2017 to allow applicant time to speak with his clients and neighbors.

* * * * *

26. Breeze Farms (County) Preliminary Plat, Location: South of the southeast corner of 161st Street South & South Lewis Avenue

STAFF RECOMMENDATION:

This plat consists of 3 lots, 2 blocks, on 24.327 acres.

The Technical Advisory Committee (TAC) met on February 2, 2017 and provided the following conditions:

1. **Zoning:** The property is currently zoned AG (Agriculture District). All proposed lots within the subdivision meet the bulk and area requirements of the Tulsa County Zoning Code.
2. **Streets:** Indicate dedication of East 167th Street South “per plat”.
3. **General:** The property included on this preliminary plat was included on a previously reviewed sketch plat indicating further development to the east of this property. If further development under the name “Breeze Farms” is anticipated, the name of this subdivision needs to indicate phase one.

Waivers of Subdivision Regulations:

1. None requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

TMAPC Action; 10 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **10-0-0** (Adams, Carnes, Covey, Dix, Doctor, Krug, Fretz, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the preliminary subdivision plat Breeze Farms per staff recommendation.

OTHER BUSINESS

27. Commissioners' Comments

ADJOURN

TMAPC Action; 10 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **10-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel "aye"; no "nays"; none "abstaining"; Walker "absent") to **ADJOURN** TMAPC meeting 2740.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:45 p.m.

Date Approved:

02-01-2017


Chairman

ATTEST:


Secretary