

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1480  
Wedneaday, November 2, 1983, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Beckstrom	Draughon	Compton	Linker, Legal
Connery	Flick	Gardner	Department
Higgins	Hinkle	Martin	
Kempe, Chairman	C. Young	Wilmoth	
Woodard	Inhofe		
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, November 1, 1983, at 11:30 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the Minutes of October 19, 1983 (No. 1478).

REPORTS:

Director's Report:

Mr. Gardner advised there was no meeting scheduled for Wednesday, November 23, 1983, due to the Thanksgiving holiday, but the Comprehensive Planning Staff has need to set a special meeting on that date to discuss the Fairgrounds Special Study.

Commissioner T. Young advised the Board of County Commissioners has schedlued a series of meetings concerning the Fairgrounds Special Study and they hope that the adoption of that study can be completed during December rather than talking it into the next calendar year.

Chairman Kempe then advised that a special meeting will be called November 23, 1983, to discuss the Fairgrounds Special Study.

SUBDIVISIONS:

PRELIMINARY APPROVAL:

East Pointe Center (784) SE corner of 71st Street and Mingo Road (C0)

The Staff presented the plat with the applicant represented by E. C. Summers.

East Pointe Center (continued)

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of East Pointe Center, subject to the conditions:

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the Preliminary Plat of East Pointe Center, subject to the following conditions:

1. Although this property already has a CS zoning, it could have been developed under that classification without the restrictions of Corridor Zoning. However, the applicant chose to rezone, so all the conditions of the Corridor Zoning and Site Plan must be met prior to release of the final plat. This includes specific building lines, building square-footages, height, etc., and references to Sections 800-850 in the covenants.
2. Covenants shall be revised to include all CO requirements. Also include language for Water and Sewer Department, including notations regarding the availability of sewer connections if on the Haikey Creek Treatment Facility. Include cable TV in easement grant.
3. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines.
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat, (if required).
5. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
6. Access points shall be approved by the City and/or Traffic Engineer. (O.K. - Some will be "Right Turn Only")
7. It is recommended that the developer coordinate with the Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for release of the plat.)
8. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
9. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
10. All Subdivision Regulations shall be met prior to release of the final plat.

The Staff presented the plat with the applicant represented by Jim Visintainer.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of September 29, 1983, was provided, with the Staff comments as applicable.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of 6200 Trenton Square Addition, subject to the conditions:

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the Preliminary Plat of Trenton Square Addition, subject to the following conditions:

1. Show all building lines in accordance with the PUD Text and Minutes. (Where easements are greater, show "building line and easement".) All conditions of PUD #324 shall be met prior to release of the final plat. Include all provisions of the PUD in covenants, including references to Sections 1100-1170 of the Zoning Code. Also include references to homeowners association and maintenance of private street and access easement, and common areas. (Lot 22 exempt from homeowners association.)
2. Utility easement shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines. (Extend 17½' utility easement across Area "A" to Trenton Avenue. Make sure all lots are served by easements.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. (On-site detention or storm sewer to Joe Creek.) (Include language in covenants for detention if "on-site".)
7. Show width of South Trenton and Book and Page number if dedicated by separate instrument.
8. Although note is on the plat, also designate across "Reserve A" that it is also an easement for utilities.

Trenton Square Addition (PUD #324) (continued)

9. Include all PUD requirements and references in the covenants. Include language required by the Water and Sewer Department.
10. A "letter of assurance" regarding installation of improvements shall be submitted prior to the release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
11. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Timberwood Green Addition (PUD #298) (1383) 86th Street and South 89th  
East Avenue (RS-3)

The Chair, without objection, tabled Timberwood Green preliminary approval.

FINAL APPROVAL AND RELEASE:

Raintree II Amended (PUD #341) (182) SW corner of 66th Place and South  
Peoria Avenue (RM-2)

The Staff advised the Commission that all release letters have been received and recommended final approval and release.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the final plat of Raintree II Amended and release same as having met all conditions of approval.

REQUEST TO WAIVE PLAT:

BOA #12820 Groveland Addition (1393) 8181 East 31st Street (RS-2)

This is a request to waive plat on Lot 8, Block 1, of the above subdivision. The Board of Adjustment has approved a day care center in an existing Church. Since nothing will change outwardly the Staff recommends approval of the waiver. (All easements, right-of-way, etc., were obtained on the original plat.)

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the request to waive the platting requirements for BOA #12820.

Z-5872 (Rice Addition) (2093) NE corner of East 40th Street and South  
Lewis Place (RS-2)

This application has been reviewed before the T.A.C. and Planning Commission as a lot split (L-15749) requiring waiver of the zoning requirements. The T.A.C. review was made on April 4, 1983, and approval was recommended, subject to the following conditions:

- (a) Board of Adjustment waiver of Bulk and Area requirements in the RS-1 District,

Z-5872 (continued)

- (b) relocation of existing storm drain at the applicant's expense, subject to approval by the City Engineer. (PFPI required)
- (c) extension of utilities as needed, and
- (d) the method of sewer service and location thereof, shall be acceptable to all utilities since it may be a "private service line".

In discussion at the Planning Commission meeting on May 4, 1983, the primary concern was that the lot did not meet the requirements of the RS-1 zoning, so it was DENIED on that date. The applicant later filed a zoning application for RS-2 and it has been approved. That zoning application (Z-5872) caused the tract to be "subject to a plat", but since the zoning only requires an RS-2 standard now, a lot split would not require waiver of any kind. A new split is being processed (L-16003) and is shown with this plat waiver for information.

The same conditions should still apply as previously made by the T.A.C., except (a) since the lot split now meets the RS-2 requirements.

The applicant was not represented.

The Technical Advisory Committee and Staff recommended approval of Waiver of Plat on Z-5872, subject to the conditions except (a).

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the request to waive the platting requirements for Rice Addition, subject to conditions (b) (c) and (d) as listed above.

Devasher Subdivision (2193) North side of East 36th Place, West of New Haven Avenue (RD)

This is a request to waive plat on Lots 5 and 6, Block 1 of the above named plat. The City Commission has approved an RD zoning, but is holding publication of the ordinance until PUD #332 is reviewed and approved. This application is for waiver of the plat requirement and also any waiver involved in splitting the lots to permit individual ownership of each dwelling unit. This is not a request to waive plat on the PUD, but the applicant proposes to meet the provisions of Section 260 by filing an instrument of record that will include all the PUD requirements. The T.A.C. reviewed this application in July, but nothing has changed since that time to alter the T.A.C. recommendation. Approval is recommended subject to:

- (a) Grading and/or drainage plan approval through the permit process,
- (b) water line extension (replacement) as directed by Water and Sewer Department, and
- (c) provide access to all utility meters. (No fences where meters would be inaccessible.)

Devasher Subdivision (continued)

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the request to waive the platting requirements for Devasher Subdivision, subject to the conditions listed above.

Z-5880 (Yorkshire Estates) (2293) 3500 Block of South Yale Avenue  
(RS-2 to RM-1 pending)

This is a request to waive plat on the north 45' of Lot 11 and all of Lots 12, 13, 14, Block 3, of the above subdivision. A companion PUD has been submitted with the zoning application (PUD #340) and the applicant proposes to meet Section 260 of the Zoning Code by filing separate instruments containing the PUD conditions. The waiver of plat is in connection with the zoning application only. A similar application was processed and approved to the north for a slightly smaller office building. The only objection on that application was that it did not meet the Major Street Plan requirements of an additional 10' of dedication on Yale Avenue. It would be up to the applicant to request waiver from the Planning Commission, not the T.A.C. The utilities had originally asked for a 10-foot easement along the east property line, but due to building setback of 10 feet which had already been approved and a 2-foot allowable eave overhang, the easement width was set at 7½ feet.

Based on previous actions on the adjacent property, it would follow that the applicant would have to ask the Planning Commission to waive the Subdivision Regulations requiring conformance with the Major Street Plan.

Further, the 7½' easement should be extended to match the easement granted previously on Z-5726. Grading and drainage plans will be required in the permit process. Access control agreement will be required, subject to approval of the Traffic Engineer.

The applicant was represented by Gary VanFossen at the T.A.C. (Frank Moskowitz was present at the Planning Commission meeting.)

In discussion regarding easements, since the existing sanitary sewer is about 9-foot deep, Water and Sewer Department would request at least 10' of easement. However, due to the location of the proposed buildings this may be difficult. It was agreed that Water and Sewer Department and the applicant would work out a compromise agreement prior to Planning Commission review. The Water and Sewer Department also advised there is a 3/4" water line existing across the property. This can probably be abandoned with approval of the Water Department.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5880, subject to the following conditions; and noting that the T.A.C. is not recommending waiver of the Subdivision Regulations requiring conformance with the Major Street Plan:

- (a) Grading and drainage plans through permit process,
- (b) access agreement,
- (c) utility easement, and
- (d) abandonment of 3/4" water line.

Z-5880 (continued)

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the request to waive the platting requirements for Yorkshire Estates Addition, subject to the conditions listed above.

LOT-SPLITS:

Lot Splits for Ratification:

L-15993	(3373)	Mink-Cheatum
16005	(1614)	Johnson, Greater Life Evangelism
16006	( 683)	Fletcher, Cupps, et al
16007	(1683)	Tastemakers
16010	(1903)	Joseph Mooney
16011	( 783)	Goble-Ramsey
16012	( 783)	Goble-Ramsey
16013	( 783)	Goble-Ramsey
16017	(2692)	Reed
16019	(1683)	Tastemakers
16020	(1903)	Christ Temple
16026	(2603)	Mike Childer

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") that the approved lot splits listed above be ratified.

Lot Split for Waiver:

L-16014 Moskowitz-VanFossen (2293) North of the NE corner of Allegheny Avenue and South Yale Avenue (RS-2, RD)

This is a companion application with a request to waive plat on Zoning Application Z-5880. Lot 11 is being split with the north 45' to be attached to Lot 12 and other lots being developed under PUD #340. The south 30' is zoned RS-2 and is to be attached to Lot 10. The only waiver being requested is that of the requirement to meet the Major Street Plan right-of-way of 60' from the centerline. (Yale is platted with 50' of existing right-of-way.) Recommendations have already been made on previous reviews by the T.A.C., and the Planning Commission waived the requirement for an additional 10' on Lots 15, 16, and 17 under Z-5726. Waiver on Lots 14, 13, and 12 and the north 45' of Lot 11 is pending review by the Planning Commission. Consistent with previous recommendations covering most of this lot, the following requirements should apply:

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the request to waive the Subdivision Regulations requiring conformance with the Major Street Plan for L-16014, subject to the following conditions:

- (a) Grading and drainage plans through permit process,
- (b) access agreement (if required; could be included with adjacent application), and

L-16014 (continued)

- (c) Utility easement(s) as needed (2½' on east).

L-16015 and L-16016 Jack Stacy and Larry Tarpley (2792) NW corner of  
West 51st Street & South 27th West Ave. (RS-3)

This is a request to waive the lot width requirement in an RS-3 District from 60' to 50' to permit a lot split. Lots 5 and 8 are the only lots being created that will not meet the RS-3 requirements. The lots created will have 7,000 square feet each. There are many other 50' wide lots in the Carbondale area, so the Staff sees no objection to the waiver, subject to the Board of Adjustment approval of the lot widths. Approval would also be subject to any utility easement and/or extensions required. (Lots 6 and 7 meet all the Zoning and Subdivision Regulation requirements so are not involved in the waiver other than being under the same ownership as the adjacent lot(s).

The applicant was represented by Jack Stacy.

The Technical Advisory Committee and Staff recommended approval of L-16015 and 16016, subject to the conditions:

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the request to waive the lot width requirements for L-16015 and L-16016, subject to the following conditions:

- (a) Board of Adjustment approval on Lots 5 and 8,
- (b) utility easements to total 11' each side on common rear line, and
- (c) water main extension.



ZONING PUBLIC HEARING:

Application No. PUD 236-B

Present Zoning: RS-3 & OL

Applicant: Johnsen (Swab-Fox)

Location: South of the SW corner of 71st Street and Memorial Drive

---

Date of Application: September 15, 1983

Date of Hearing: November 2, 1983

Size of Tract: 20 acres

Presentation to TMAPC by: Roy Johnsen

Address: 324 Main Mall

Phone: 585-5641

Staff Recommendation:

The subject tract is located on the west side of Memorial Drive at 76th Street South. It is 20 acres in size, zoned a combination of OL and RS-3 and the applicant is requesting to amend the Development Plan and Text to allow a Church in a development area previously designated for single-family residential.

The Staff reviewed the history of the zoning cases on the subject property and the applicant's Amended Outline Development Plan. We believe the history is important to list since it demonstrates that many proposed projects are just that, proposals. It shows how the intensity can be increased gradually once the Development Guidelines are compromised. The history of the tract reveals the following:

- (1) The tract is abutted on all four sides by a public park and residential uses. East, south and west of the tract are developed single-family neighborhoods. North of the tract is a city park and a low density (RM-1) multifamily elderly housing complex.
- (2) In 1979 there was a zoning request (Z-5334) on this tract for a combination of OL, RM-1 and RD. All were denied and RS-3 was approved because the requested zoning districts were inconsistent with the surrounding land use and the Comprehensive Plan.
- (3) In 1980 there was another zoning request on this tract (Z-5421) for 6 acres of OL and for PUD #236 on the entire 20-acre tract. The Staff recommended DENIAL of the OL request because it was a nonresidential district jumping an existing RM-1 buffer; however, it was approved along with the PUD that restricted the location of the office use to the eastern portion and along the extreme northern edge, the remainder was to be single-family dwellings.
- (4) In 1982 a major amendment (PUD #236-A) was requested to allow the office use to be spread south over the entire Memorial frontage of the tract, with the western-half to be single-family dwellings. The Staff recommended DENIAL because this request would be further stripping of a nonresidential use along Memorial Drive and into a low intensity sub-district which also might lead to the stripping of office uses south on the east side of Memorial. This application was approved.

The applicant is now requesting to change the western-half of the tract from single-family residential to church use. With this

PUD #236-B (continued)

request the Staff sees a 20-acre nonresidential tract that is abutted on all four sides by a park and residential uses. We could not and have not supported the extension of nonresidential uses south along Memorial and we cannot now support the extension and encroachment of a nonresidential use 1/4 mile into the interior of a residential sub-district.

Approval of this application will allow a large parking lot to be built adjacent to the rear yards of single-family dwellings. This parking lot would not only serve the proposed church use, but would no doubt serve as access of community parking for the city park tract on the north, thereby creating a "7-day-a-week" use.

Because of these reasons, the Staff recommends DENIAL of PUD #236-B.

The Staff realizes that the applicant has been awarded office use along the entire frontage and that there may be neighborhood support for this proposal; therefore, the Staff prepared a series of PUD protective conditions if the Planning Commission recommends APPROVAL of the request.

The Staff would remind the Planning Commission that APPROVAL is to be based upon the finding that PUD #236-B is: (1) consistent with the Comprehensive Plan, (2) harmonizes with the existing and expected development, (3) is a unified treatment of the development possibilities of the tract, and (4) is consistent with the stated purposes and standards of the PUD Chapter of the Tulsa Zoning Code.

Based upon the Planning Commission's findings, the Staff suggests the following conditions:

- (1) That the applicant's Outline Development Plan be made a condition of approval.
- (2) Development Standards:

DEVELOPMENT AREA I -- OFFICE DEVELOPMENT:

Net Area:	8.5, plus or minus acres
Permitted Uses	As permitted within an OL District, except: Financial Institutions, Funeral Home, Photo Studio, Prescription Pharmacy and Studio or School.
Maximum Floor Area:	104,000 square feet
Minimum Landscaped Open Space:	20% of net
Maximum Stories:	2 stories
Maximum Height:	28 feet
Minimum Setback of Buildings from West Line:	60 feet
Minimum Setback of Buildings from North Property Line:	100 feet

PUD #236-B (continued)

Minimum Setback of Buildings  
from Abutting Streets:

Arterial,	100 feet
Non-arterial.	60 feet

Minimum Setback of Buildings  
from South Line of Project: 200 feet

Off-Street Parking and Loading: As per Section 1214.4 of the  
Zoning Code.

Other Bulk and Area Require-  
ments: As provided within an OL  
District.

DEVELOPMENT AREA II -- CHURCH:

Net Area: 7.36, more or less acres

Permitted Uses: Church use and customary  
accessory uses.

Maximum Floor Area:

Phase I,	23,732 square feet
Phase II.	31,000 square feet

Maximum Building Height: 2 stories

Minimum Building Setbacks from  
Development Area Boundaries:

North,	80 feet
West,	125 feet
South,	200 feet
East.	100 feet

Off-Street Parking: Per Section 1205

DEVELOPMENT AREA III -- DETACHED SINGLE-FAMILY:

Net Area: .49 acres

Permitted Uses: Single-family dwelling

Maximum No. of Dwelling Units: 1 unit

Bulk and Area Requirements: As provided within an RS-3  
District.

DEVELOPMENT AREAS IV AND V -- LANDSCAPED OPEN SPACES:

Net Area:

Area IV,	.23 acres
Area V.	.60 acres

Permitted Uses: Landscaped Open Spaces and  
Screening Fences.

- (3) That signs shall be limited in Development Area I to two pro-  
ject identification signs each not exceeding 32 square feet of  
display surface area and 4 feet in height and one identifica-  
tion sign for each building within the development area not

PUD #236-B (continued)

exceeding 8 square feet of display surface area and 4 feet in height.

Signs in Development Area II shall be limited to one monument sign not exceeding 32 square feet in display surface area and a cross not exceeding 22 feet in height.

- (4) That a Detail Site Plan for Development Areas I and II be submitted to and approved by the TMAPC prior to issuance of a building permit.
- (5) That a Detail Landscape Plan for Development Areas I and V and Development Areas II and IV be submitted to and approved by the TMAPC prior to occupancy of any buildings in respective Areas I and II.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Roy Johnsen, attorney, represented the ownership and proposed purchaser of the Christian Chapel who wish to use the western portion of the tract for a Church. At the outset of his presentation, Mr. Johnsen expounded on the zoning history of the subject tract beginning in 1979.

Throughout all of the various proposals on the tract the applicant, in each instance, has met with the Southeast Homeowners Association and then came to the Planning Commission with development proposals which met the objectives of the neighborhood who were supportive of each of the applications.

The office portion of the subject tract is not proposed for any changes, but the western portion of the tract is being sought for church use rather than what was previously approved for single-family lots.

Mr. Johnsen stated he had a question concerning the fourth condition of the PUD as recommended by the Staff which requires that a Detail Site Plan for Development Areas I and II be submitted and approved by the TMAPC prior to issuance of a building permit. He requested that the Detail Site Plans of Development Areas I and II be approved separately because the first phase of the Church will be prepared and submitted independently of the Detail Site Plan on the office development.

There was also a question concerning the fifth condition of the PUD dealing with the Detail Landscape Plan and Development Area No. 4 owned by the Church which is the open space south of the church site and the applicant does not object to including it in the Detail Site Plan for the church. Development Area III is identified as a single-family lot and does not need a Site Plan Review.

Commissioner T. Young suggested that the wording on Condition 4 and 5 be modified.

PUD #236-B (continued)

Mr. Johnsen stated that several members of the Southeast Homeowners Association are present for this meeting and are supportive of the proposals if certain conditions are adhered to as requested by the Association. The three concerns voiced by the Association are as follows: (1) That a 150' setback from the west boundary from the church site be maintained rather than 125' as was originally shown on the site plan, 2) that a screening fence be erected along the west and south boundaries of the Church property, and 3) that the lighting within the parking area of the church be directed away from the abutting residential properties. The applicant has agreed to comply with the three requests made by the Southeast Homeowners' Association.

<u>Protestants:</u>	John Dismukes	Addresses:	7530 South 67th East Avenue
	Cathey Wilson		7415 South 73rd East Avenue

Protestant's Comments:

Mr. John Dismukes, president of Southeast Homeowners' Association, stated he was appreciative of the Staff Recommendation as a means to protect the Association and pointed out problems which the neighborhood has had to deal with concerning the subject tract. The undeveloped subject property has been a nuisance to the neighborhood and the Homeowners' Association is supportive of the proposal, subject to certain conditions which will be addressed by Cathey Wilson, one of the Association members.

Mrs. Cathey Wilson read a letter from the Southeast Homeowners' Association and then later submitted it for the Commission members to review (Exhibit "A-1"). There were 4 conditions of the abutting property owners listed in the letter, three of which were stated by Mr. Johnsen and the fourth provided that there be no plans for a school on the premises now or in the future. The letter stated the Board approves only the Church or residential on the subject property.

The Staff suggested that the first phase be placed next to the office development and the second phase be placed next to the single-family lots as some concern was raised that the Church would expand and occupy the 7 1/3rd acres. Commissioner T. Young felt the vacant property between the church and office buildings should be maintained to assure the proper upkeep of the property.

There was some discussion as to the school not being permitted and the Staff advised that if the Church proposed to add a day care center or school, approval from this Board would be a requirement rather than the Board of Adjustment because it is not a customary and accessory use.

There was additional discussion concerning the wording on Condition 5 as set forth by the Staff. It was recommended that it read as follows: That a Detail Landscape Plan for Development Areas I and V as it relates to building occupancy in Area I only and Detail Landscape Plan in Areas II and IV as relates to building occupancy in Area II only.

Applicant's Rebuttal:

Mr. Johnsen stated that Mrs. Wilson's statement that she and various property owners in the area would be supportive of the Church or residential use should be clarified to say the neighbors are in support of the application as presented today if the conditions are adhered to.

PUD #236-B (continued)

Instruments Submitted: Letter from Southeast Homeowners' Association  
(Exhibit "A-1")

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 5-1-0 (Beckstrom, Higgins, Kempe, Woodard, T. Young, "aye"; Connery, "nay"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions set forth in the Staff Recommendation with the following modifications:

Condition #2:

DEVELOPMENT AREA II -- CHURCH:

Minimum Building Setbacks from  
Development Area Boundaries:

West. 150 feet

Condition #4:

That Detail Site Plans, by Phase, for Development Area I and Detail Site Plans, by Phase, for Development Area II be submitted to and approved by the TMAPC prior to issuance of a building permit.

Condition #5:

That Detail Landscape Plans, by Phase, for Development Areas I and IV be submitted to and approved by the TMAPC prior to occupancy. However, no building shall be occupied in Area I without an approved Landscape Plan for Area V and no building in Area II shall be occupied without an approved Landscape Plan for Area IV. The Landscape Plan for Area II shall show the location of a screening fence along the west and south boundary lines having stone post with a maximum of 70-foot separations.

Condition #7:

That all lighting within the parking area of the Church be directed away from the abutting residential properties.

Legal Description:

The South-Half of the Southeast Quarter of the Northeast Quarter, Section 11, Township 18 North, Range 13 East, Tulsa County, Okla.

Staff Recommendation - Minor Amendments:

The subject tract is located at the northeast corner of 81st Street and South Sheridan Road. It is approximately 10 acres in size and approved for a commercial shopping center. The applicant is now requesting a minor amendment to: (1) Revise the access points off of 81st Street, (2) rearrangement and enlargement of the canopy and service building under the canopy in Development Area A, and (3) change in the sign requirements in Development Area A.

The Staff has reviewed the submitted request and compared it to the original submission and the Code and find:

- (1) The access change is at the request of the Traffic Engineer and consists of the elimination of one drive and the rearrangement of a second. The Staff can support both as a minor amendment to the Detail Site Plan and the access change.
- (2) The rearrangement and enlargement of the canopy and service building consists of moving the canopy and service building 25 additional feet away from Sheridan Road and enlarging the service building under the canopy from 562.5 square feet to 1,125 square feet. With this expansion plus the main service station building the total square-footage is well below the approved 7,000 square-foot maximum. The Staff can support them as being minor in nature.
- (3) Finally, the applicant is requesting to revise his sign requirements from ground sign from two signs not to exceed 72 square feet of display surface area each and 20 feet maximum in height to one sign not to exceed 200 square feet of display surface area or 30 feet in height. The Code would allow the display surface area to exceed 300 square feet, plus the sign allocation with the requested change would be proportionally consistent with the requirements of the PUD across Sheridan from the subject tract. Because of this, the Staff can support the increase in display surface area as minor. However, the Code does not allow a sign to exceed 25 feet in height and the applicant's request for 30 feet would exceed the Code requirement. Therefore, we cannot support the 30-foot height, as requested, but can support a 25-foot height.

Accordingly, the Staff recommends APPROVAL of (1) a minor amendment to the Detail Site Plan reflecting changes in access along 81st Street and building size and configuration in Development Area A as outlined above, subject to the revised Detail Site Plan submitted and an amended covenant being filed of record in the County Clerk's office, (2) an access change as approved by Traffic Engineering Department, subject to it being filed of record in the County Clerk's office, and (3) a minor amendment to the ground sign display surface area requirements in Development Area A as outlined above and 25' maximum height, subject to an amended covenant being filed of record in the County Clerk's office.

Mr. Roy Johnsen, attorney, advised that the Commission has before them today two documents that require execution by the Chair and Secretary as authorized by the Commission as a whole. The first document is a Change of Access which also includes a key element of a drawing which identifies the new location of the new access points which requires review by the City Traffic Engineering Department. The document contained a signature indicating approval by the Traffic Engineering Department for approving the revised location of the access points.

At the same time the site plan is being amended to reflect those few changes as outlined by the Staff, shifting one of the buildings slightly east and relocating one of the access points and changing the sign requirements. This document is entitled the Change of Recorded Covenants. As it deals with the signs there was previously approved 2 signs on the property, each permitting a display surface area of 72 square feet within the subject property which Texaco purchased last December. It was then requested that one sign with larger display surface area be permitted rather than the 2 signs. The Staff and Texaco representatives have discussed and identified the signage at 21st Street and Lewis Avenue. The Staff reviewed and field checked the sign and are concerned with the square-footage. Mr. Johnsen submitted a photograph of the Texaco service station located at 21st and Lewis (Exhibit "B-1") and the sign is 176 square feet in display surface area and 30 feet in height.

The lowest point of the sign is 8 feet above the ground. There is a City Ordinance that requires 8 feet of clearance of sign to the ground. If the applicant was limited to a 25-foot high sign this would lower the sign which would violate the City Ordinance and create interference with traffic visibility. Mr. Johnsen stated he was aware that the Commission has approved similar requests in the past such as one at 101st and Sheridan.

There was some discussion as to the 30-foot height as requested by the applicant and the 25-foot height as recommended by the Staff and required by the Code.

Legal Counsel stated he had talked to the Staff concerning this aspect and the Commission could act on the 25-foot height with the intent of removing the 25-foot limitation from the Zoning Code. The only way the Commission could act on this request is with the intention of amending the text of the Zoning Code which limits the sign to 25 feet in height.

Mr. Gardner advised the City Commission approved the Planning Commission's recommendation for an increase from 25' to 30' for a sign at 101st and South Sheridan Road. The Zoning Code has set a sign height of 25-foot maximum for a PUD and the Staff would prefer that a maximum height limitation be adhered to. A 30-foot sign in a CS District is the maximum height permitted located on the property line and the sign in question is also located on the property line. The PUD is a little more restrictive and only permits a sign with a height limitation of 25 feet.

Mr. Linker advised if the Commission chooses to act in the applicant's favor the Planning Commission could recommend a public hearing be held with notices sent out to raise the height to 30 feet and forward their recommendation to the City Commission.



PUD #300 (continued)

Mr. Johnsen advised the PUD Ordinance provides a sign on the property line to be built 30 feet in height. If the sign is located behind the property line it is not to exceed 40 feet in height. Mr. Johnsen felt the intent of the Zoning Code was to allow the Commission to regulate and adjust building setbacks.

Mr. Linker advised the City Commission has already given some direction by their previous action of approving the sign at 101st and Sheridan. The City Commission could turn down an amendment to change the Zoning Code concerning the height limitation, but they have already approved an exception to the Code.

The Staff felt the Commission could take an action today based on the fact that this Commission has the power to adjust setback lines and felt the Ordinance should be amended to establish the maximum of 25' with an exception which should be spelled out that this Board has the power to grant up to a specific height.

Instruments Submitted: Photograph of the subject property (Exhibit "B-1")

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 4-2-0 (Beckstrom, Higgins, Kempe, Woodard, "aye"; Connery, T. Young, "nay"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the Minor Amendment for the building location and access points and to approve the sign area of 30' to be moved to the setback lines on the plat.

Special Discussion for the Record:

It was noted that the Planning Commission's action was done specifically for this one purpose.

There was discussion that this item should be considered by the Rules and Regulations Committee and the Chair so directed.

PUD #286

Staff Recommendation -- Landscape and Sign Review:

The subject tract is located just west of the southwest corner of 47th Place and South Mingo Road. It is 2.53 acres in size and approved for Trade establishment and sandwich shop uses. The applicant has Detail Site Plan approval and is now requesting Detail Landscape Plan and Sign approval.

The Staff has reviewed the submitted Landscape Plan and find it to be consistent with the intent of the PUD Chapter of the Tulsa Zoning Code and recommends APPROVAL of the Plan as submitted.

The Staff also reviewed the submitted Plan for the ground sign to identify the project and find that it meets the size restrictions of the approved PUD and recommend APPROVAL as submitted.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the Landscape and Sign Review concerning PUD #286.

PUD #198-C-1 - Lot 1, Block 1, Southcrest Addition

Staff Recommendation - Minor Amendment and Detail Site Plan Review:

Planned Unit Development No. 198-C is located on the south side of 61st Street, between Lakewood Avenue and Maplewood Avenue. It is 4.2 net acres in size, has RM-1 and RM-2 underlying zoning and has been approved for a maximum of 66,000 square feet to be utilized for those uses permitted by right in an OL District. The applicant is now requesting to amend that approval to allow creation of individual lots with common access and parking from the original one lot. In addition, he is requesting Detail Site Plan Review.

The Staff feels that a change from single ownership of an office complex to individual ownership of lots and office space within an office complex is minor in nature and can be supported. We would recommend APPROVAL of the Minor Amendment, subject to: (1) A replat of the property, (2) a PUD condition being added to the covenants addressing the establishment of an Owners Association to maintain common paved and open areas, and (3) a mutual access agreement being filed of record, either as a part of the request or as a separate instrument.

The Staff also reviewed the Site Plan submitted and find the following:

- (1) That the applicant's redesign meets the intent of the Staff's request under Condition (5) of the PUD approval.
- (2) Development Standards:

Item	Approved	Submitted
Land Area (Net):	4.2 acres	4.2 acres
(Gross):	4.6 acres	4.6 acres
Permitted Uses:	Those uses permitted by right in an OL District	Same
Maximum Floor Area:	66,000 sq. ft.	66,000 sq. ft.
Maximum Building Height:	35 ft. (2 stories)	35 ft.(2 stories)
Minimum Off-Street Parking:	1 space per 300 sq. ft. of floor area	Same
Minimum Building Setbacks:		
From north & south property lines;	15 feet	Exceeds
from east & west property lines;	20 feet	Exceeds
between buildings;	10 feet	Same
from access drive or parking.	10 feet	Same

PUD #198-C-1 (continued)

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plan, subject to the Plan submitted.

Mr. Compton explained the Staff's findings concerning the applicant's redesign which meets the intent of the Staff's request under Condition (5) of the PUD approval.

That condition relates to making the entryway off of Maplewood on the east of the tract as being the main entry into the tract and the entry off of Lakewood on the west side would be made the minor entry into the tract.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Higgins, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Hinkle, C. Young, Inhofe, "absent") to approve the Detail Site Plan and Minor Amendment, subject to the Plan submitted.

There being no further business, the Chair adjourned the meeting at 3:08 p.m.

Date Approved November 16, 1983

Cherry Kempe  
Chairman

ATTEST:

Marilyn Gindler  
Secretary