

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1498
Wednesday, March 21, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Higgins Hinkle, Secretary Kempe, 1st Vice-Chairman Woodard	Beckstrom Flick Rice Young Inhofe	Compton Gardner Martin Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, March 20, 1984, at 10:40 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, 1st Vice-Chairman Kempe called the meeting to order at 1:37 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the Minutes of March 7, 1984 (No. 1496).

CHAIRMAN'S REPORT:

Discussion as to the need for amending Section 1430 of the Zoning Code dealing with the nonconforming signs.

First Vice-Chairman Kempe advised that this discussion is primarily for the Commission to decide if a public hearing is needed to deal with the non-conformity of signs. It was advised that the Commission has received several letters from interested parties expressing their opinion concerning the issue and have heard from many representatives from the outdoor advertising companies in two previous hearings. The Chairman suggested that the Commission limit the presentations to 5 minutes.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to limit the discussion of the interested parties to 5 minutes each and to limit the comments to new information only.

First Vice-Chairman Kempe opened up the discussion to any interested parties who wished to express new ideas.

Chairman's Report: (continued)

Mr. Bill Stokely, 7242 East 38th Street, represented Stokely Outdoor Advertising Company. He did not feel that the Ordinance dealing with the nonconformity of signs should be amended because Tulsa already has the laws to protect everyone. One can always apply to the Board of Adjustment for relief. He felt that if the Ordinance is amended, it would bring about many new problems.

Mr. Thomas Quinn, 7419 South Jackson Avenue, represented CSL, Incorporated. Mr. Quinn stated he plans to show a short slide presentation indicating only a small number of billboard signs within the City of Tulsa that have been grandfathered in at the present time. The current nonconforming section of the Zoning Code makes no provision for the distinction between regular business signs and outdoor advertising signs, and there is a distinct difference between those. The current nonconforming code as written now also makes no provision to protect landowners' rights. There is no provision for the competitive bidding of these locations by other outdoor advertising companies wanting to build on these locations. The Commission has grandfathered the rights of the billboard sign companies and grandfathered the rights of these signs to remain in the City of Tulsa for many years to come. Even the poorest constructed sign has a longevity of 20 to 40 years, and there are many signs in Tulsa that have been in existence for 30 years and could exist for 30 more years. When the new Code was enacted which placed a larger spacing between signs (radius spacing) the Commission succeeded in qualifying an additional 350 billboard signs under the nonconforming rules. There are many signs in Tulsa that have been condemned by the State of Oklahoma and still remain today. Mr. Quinn felt it is up to the free enterprise system to do away with those signs. Mr. Quinn then proceeded to show his slides and indicated the deterioration of signs in Tulsa and stressed the importance of repairing or replacing those signs. There are presently 1,161 signs in Tulsa that are unused, illegal or nonconforming.

Mr. Al Young, 808 South Peoria Avenue, represented the Al C. Young and Associates consulting engineer firm. He submitted a letter to the Commission which suggests changes to the existing City Ordinance concerning sign repair and replacement (Exhibit "A-1"). Mr. Young and his firm have inspected some of the signs in Tulsa and have determined that many of the signs are unsafe for the people who work on the signs. He felt that there should be an ordinance allowing the improvement, repair or replacement of these signs to prevent hazards to the community and the workers of the sign industry.

Mr. Don Jernigan, 6 Royal Dublin Lane, suggested that the Commission adhere to Mr. Quinn's proposal to allow sign companies to come into Tulsa and bid on the various locations to improve the signs. If the new proposal is adopted, it would eliminate signs being deteriorated which makes the City less beautiful. He felt that Mr. Quinn's proposal should be approved because the Commission owes an obligation to the landowners and the people in this City.

Mr. Roger Lister, 7777 East 38th Street, general manager of Donrey Outdoor Advertising Sign Company, submitted three (3) letters from property owners that have a Donrey sign on their property which is nonconforming and that Donrey has not tried to decrease their land rental (Exhibit "A-2"). Donrey feels that the proposal by the Staff which is to keep the existing nonconforming ordinance is the best for the outdoor advertising industry and the City as a whole.

Chairman's Report: (continued)

Mr. Camden Koffman, 8266 East 41st Street, represented Tyler Outdoor Advertising and stated that they are in agreement with the Ordinance as presently written. If the Ordinance is revised it will penalize their company and will work as a personal hardship. The grandfathering would cause an additional number of permits to be issued causing more administrative cost to the City of Tulsa. He felt that keeping the Ordinance as written is in the best interest of Tyler Outdoor Advertising and for the City of Tulsa.

Mr. James Tidwell, regional manager of Donrey Outdoor Advertising, stated that the City has the authority to require that signs be made safe and properly maintained. He stated that he has never seen a law requiring nonconforming uses that is as fair and legally defensible as the one which has been used for many years in the City of Tulsa. He stated he fully supported the Staff in their stand to maintain the existing law.

Mr. Bob Revis, 7035 South Memorial, stated he is a landowner, property owner and a sign owner and has some nonconforming signs located on property which he owns. He felt that by maintaining the present law it would take away some of his negotiating rights if he signs a lease. He stated he was personally in favor of Mr. Quinn's proposal based on not being in the sign business as such, but as a property owner who plans to expand into the sign business a little more.

Mrs. Tom Quinn, 7419 South Jackson, stated that she is not in the sign business but took the pictures for the slide presentation and was appalled at the condition of some of the signs in Tulsa. She advised that many of these signs are located close to residential areas which could be a potential hazard for the children in that neighborhood if they were to play around or on the deteriorated signs. She felt that as long as these locations are not going to be allowed to compete under free enterprise then sign companies do not have any incentive to improve these locations. It is not only dangerous to the workers but also for the people living in the area. These structures need to be improved, replaced or repaired.

Mr. Don Burris represented Donrey Outdoor Advertising Company and stated that if the nonconforming provision in the Zoning Code is changed as suggested the Commission in effect will be adopting the 20' spacing between signs. He advised he is endorsing the proposal recommended by the INCOG Staff.

The Staff once again felt that the nonconforming provision presently written in the Zoning Code is appropriate for the sign industry and there is some relief which can be sought before the Board of Adjustment.

First Vice-Chairman Kempe stated that many of the pictures in the slides indicated that the lighting on the signs need to be repaired which would be allowable as the Code is presently written. She stated that many of the sign posts were deteriorated which would also be allowable to be repaired under the Code.

Mr. Gardner advised the Commission to consider all information which has been presented whether to add something to the grandfather clause or leave it as presently written. If the Commission feels that the Ordinance should be changed, a public hearing would be set addressing the proposed change in the nonconforming section of the Code.

Chairman's Report: (continued)

Mr. Connery stated he has been present for all of the hearings on the sign proposals, personally consulted with the Legal Department and members of the Staff, considered the letters which he has received from various sign companies, and after review of all the information which has been presented it is his position that he fully supports Section 1430 as presently written.

Mrs. Higgins stated she supports the Ordinance as it is presently written. She felt that the laws as written are to protect the people in business and the landowners, therefore, she felt it was in the best interest of everyone involved to keep the Ordinance as is.

TMAPC Action: 6 members present.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to reject the proposal to amend Section 1430 as recommended by interested parties and to leave Section 1430 dealing with nonconforming signs as is presently written.

SUBDIVISIONS:

Preliminary Plat:

Kings Ridge Estate (PUD #281-4) (183) NW corner of 64th Street and South
91st East Avenue (RS-3)

First Vice Chairman Kempe advised that consideration of this preliminary plat needs to be continued for 2 weeks.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to continue consideration of the preliminary plat for Kings Ridge Estate until Wednesday, April 4, 1984, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Danbrook Addition (2683) 101st Street and South 72nd East Avenue (RS-3)

First Vice-Chairman Kempe advised that consideration of this preliminary plat needs to be continued until April 4, 1984.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to continue consideration of the preliminary plat for Danbrook Addition until Wednesday, April 4, 1984, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Wolf Lake Addition (3191) West 53rd Street and South 170th West Ave. (AG)

First Vice-Chairman Kempe advised that this item needs to be withdrawn from the agenda. Without objection, the First Vice-Chairman withdrew consideration of the preliminary plat for Wolf Lake Addition.

Harbour Pointe I Addition (182) 61st Street and Riverside Drive (RM-2)

The Staff presented the plat with the applicant represented by Paul Gunderson.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of December 15, 1983, was provided, with Staff comments as applicable.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Harbour Pointe I Addition, subject to the conditions.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") that the Preliminary Plat of Harbour Pointe I be approved, subject to the following conditions:

Harbour Pointe I Addition (continued)

1. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. (ONG & PSO) Existing easements should be tied to, or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
3. 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).
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.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required?)
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.
7. Access shall be approved by the City and/or Traffic Engineer on Riverside. (Release letter required.)
8. The Zoning Ordinance for Z-5891 shall be published before final plat is released.
9. Language in covenants dedicating pedestrian access should be acceptable to the Legal Department and Riverparks Department.
10. Show a "land-tie" or some reference along 61st Street to Sixty-One-Riverside" or "Towne Park".
11. 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.
12. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Ravenwood Addition (1994) West of the NW corner of 41st Street and Garnett Rd.
(CS, FD)

The Staff presented the plat with the applicant represented by Paul Gunderson.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Ravenwood Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") that the

Ravenwood Addition (continued)

Preliminary Plat of Ravenwood Addition be approved, subject to the following conditions:

1. Lot 1 will require Board of Adjustment approval for the frontage reduction from 150' to 30.83' as shown on the plat. The Staff sees no objection, since this access is shared with the other two lots by a "Mutual Access Easement".
2. 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.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in covenants.)
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. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (If on-site detention is provided, a PFPI is required.)
7. 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.
8. A topo map shall be submitted for review by the T.A.C. (Sub. Reg's.) (Submit with drainage plans)
9. Access points shall be approved by the City and/or Traffic Engineer. East access to align with 109th East Avenue. Center access is right-turn-only. Release letter required.
10. Covenants: Page 2, line 7 (typo?); Page 2, 2nd paragraph: Expand language to include who maintains the private mutual access easement. Page 3, item B-4' omit. (not on Haikey Creek system)
11. 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.
12. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)

Ravenwood Addition (continued)

13. 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.
14. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Century Tower Addition (1293) 74th Place and South Memorial Drive (CS, RM-T)

First Vice-Chairman Kempe advised there has been a request that this preliminary plat be continued until May 2, 1984.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to continue consideration of the preliminary plat for Century Tower Addition until Wednesday, May 2, 1984, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Snowcrest West Addition (3492) North of West 53rd Street and South 32nd West Pl. (RS-3)

The Staff presented the plat with the applicant NOT represented.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of August 11, 1983, provided, with the Staff comments as applicable.

Lot 3 is being eliminated, so Board of Adjustment approval will not be required. The Fire Department expressed concern about fire protection for Lot 7. It was noted that most of Lot 7 will be drainageway so only one single-family house could be built. If more were planned, a lot-split or replat would be required, for additional review and requirement.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Snowcrest West Addition, subject to the conditions.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") that the Preliminary Plat for Snowcrest West Addition be approved, subject to the following conditions:

1. Show acreage on face of the plat.
2. 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.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
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.

Snowcrest West Addition (continued)

5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
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.

Show drainage easements as required on Lot 7, subject to City Engineer approval. Include applicable language in covenants.
7. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
8. Include Cable TV in easement dedication paragraph.
9. Item A is the only "restriction" and that is controlled by zoning. Last paragraph should NOT be included.
10. Ordinance for Z-5901 shall be published prior to release of the final plat.
11. 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.
12. All Subdivision Regulations shall be met prior to release of the final plat.

FINAL APPROVAL AND RELEASE:

Sperry State Bank (1312) East side of Highway #11 at Atoka Street (CS)
Stanton Oaks I (PUD #298) (1383) 86th Street and South 89th East Ave.
(RS-3)

8800 Oswego (1683) 88th Street and South Pittsburg Avenue (RS-3) (Formerly
Harvard Manor II)

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

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard; "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the final plats of Sperry State Bank, Stanton Oaks I, and 8800 Oswego and release same as having met all conditions of approval.

EXTENSION OF APPROVAL:

The Charter Center (PUD #275) (2183) SW corner of 91st Street and Yale Avenue

The Staff received a request from the applicant requesting an extension of time. The Staff has no objection to an extension of one year.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve a one year extension for the plat of Charter Center.

REQUEST TO WAIVE PLAT:

CZ-99 (Unplatted) (3612) West side of North Peoria Avenue, north of East 66th Street North (IL)

This is a request to waive plat on a 5.18 acre tract that is presently unplatted. As a general rule, a large unplatted tract needs to be platted for access control, drainage, easements, etc. There is no lot-split control since it is over 2 1/2 acres. Further, as a general rule, it has been the policy of the T.A.C. to require a plat if the property is unplatted and over 2 1/2 acres. Nothing has been submitted to the Staff except a small "plat of survey" showing a "proposed building".

The applicant was NOT represented.

The Technical Advisory Committee and Staff recommended denial of the Waiver of Plat on CZ-99 for the reasons stated above.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to DENY the request to waive plat for CZ-99.

Valley View and Orchard Park Additions (PUD #352) (683) North of the NE corner of 64th Street and South Peoria Avenue (CS, RM-2)

First Vice-Chairman Kempe advised that this item needs to be withdrawn from the agenda. Without objection, First Vice-Chairman withdrew consideration of the plat waiver for Valley View and Orchard Park Additions.

BOA #12545 Capitol Hill Addition (3103) 705 North Quaker Avenue (RM-1)

This is a request to waive plat on Lots 13 thru 18, Block 11 and Lots 3 & 4, Block 13 of the above subdivision. The property contains an existing church and parking. The Board of Adjustment placed controls on the use of the property which are much stricter than any the T.A.C. or Planning Commission might impose. Therefore, since all improvements are in place and the property is already platted, it is recommended the plat requirement be waived.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to

BOA #12545 (continued)

approve the request to waive plat for BOA #12545.

LOT-SPLITS:

Lot Splits for Ratification:

L-15962 (794) Amd. Hines/Tulsa Ind., Ltd.
16038 (3303) Kerry Barnett
16040 (1303) C. L. Elam
16103 (783) Goble/Ramsey
16120 (2283) Mill Creek Development Co.
16127 (1992) Oliver Hawley
16129 (1694) Galen Properties
16130 (793) Margaret Walton
16132 (2692) Smith/Ark. Valley Properties
16133 (283) Crockett/Ellison
16137 (3693) Thompson/Walker/Suess

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

Lot Splits for Waiver:

L-16112 Brady/Dunn (1183) SW corner of 73rd Street and 72nd Place South
(RS-3)

Request to split an existing duplex down the common wall for individual ownership. The proposed split will create two substandard lots, and would require a variance from the Board of Adjustment. Based on the facts that the density would not be increased, no physical difference would be noticed, and basically the same request was granted on the abutting lot to the west. The Staff recommends approval of the proposed lot split, subject to the Board of Adjustment approval and a common wall and utility maintenance agreement.

The applicant was NOT represented.

The Technical Advisory Committee and Staff recommended approval of L-16112, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the lot split requirements for L-16112, subject to the following conditions:

- (a) Board of Adjustment approval;
- (b) common wall and utility maintenance agreement; and
- (c) additional 3 1/2' easement to total 11' on rear of lot.
(for existing sanitary sewer)

L-16114 John Harris (2293) North of the NW corner of 33rd Street and
South Braden Avenue (RS-2)

L-16114 (continued)

This is a request to split a 200' x 180' tract into four 9,000 sq. ft. lots. This split will require approval of the Board of Adjustment because of the lot frontage on the rear two lots, (10' handles to Braden Avenue) and the land area. (The lot area meets the Code.) Based on the surrounding land use, zoning and general aesthetics of the area, the Staff recommends APPROVAL of the request, subject to the Board of Adjustment and any utility easements and/or extensions that may be necessary.

The applicant was represented by John Harris.

The City Engineer advised a drainage plan would be needed and the owner should attempt to retain runoff water. Utilities advised several easements would be necessary and the applicant was agreeable to the locations.

The Technical Advisory Committee and Staff recommended approval of L-16114, subject to the conditions:

Mr. Gardner advised that sometimes when the Planning Commission acts on a particular application where Board of Adjustment action is required, even though the Planning Commission may approve the request the Board has a full hearing and may not be in agreement with the Planning Commission. A second hearing is conducted and sometimes the Board of Adjustment will deny this type of application. The Staff felt the applicant should be aware of that procedure that the Planning Commission action does not affect the Board's final decision.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the lot split requirements for L-16114, subject to the following conditions:

- (a) Board of Adjustment approval;
- (b) utility easements as needed; and
- (c) drainage approval by City Engineer.

L-16098 Thomas Ozment (3393) North of the NW corner of 61st Street and
Marion Avenue (RS-3)

This is a request to split an existing duplex down the common party wall. This request will require a variance of the lot width, lot area, land area, and side yard setback from the Board of Adjustment. This proposed split will not increase the density, nor will it change the character of the neighborhood. Therefore, the Staff recommends APPROVAL of this lot split, subject to the approval of the Board of Adjustment and common wall and utility maintenance agreement.

The applicant was NOT represented.

The Technical Advisory Committee and Staff recommended approval of L-16098, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no

L-16098 (continued)

"abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the lot split requirements for L-16098, subject to the following conditions:

- (a) Board of Adjustment approval;
- (b) common wall and utility maintenance agreement; and
- (c) 5' x 15' utility easement at the SW corner of lot to cover existing sanitary sewer.

CONTINUED ZONING PUBLIC HEARING:

PUD #354 Johnsen (Reppe Development) East of the NE corner of 91st Street
and Yale Avenue (RM-T and RS-3)

First Vice-Chairman Kempe advised that the Commission has been requested to continue consideration of PUD #354 for one week.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to continue consideration of PUD #354 until Wednesday, March 28, 1984, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #320-1 - Minor Amendment

Staff Recommendation:

The subject tract is located south of the southeast corner of 81st Street and South Delaware Avenue. It is 16.05 acres in size, wooded, contains a private club, and has an underlying zoning combination of RD and RS-2. The supplemental PUD zoning approval was to allow the development of an attached single-family condominium development.

The applicant is now requesting a minor amendment to reduce the setbacks between (1) buildings from 20 feet to 15 feet and (2) garages and street from 20 feet to 20 feet, or provide 1 off-street parking space per each dwelling unit having less than 20 feet.

The Staff has reviewed the applicant's request and cannot support it in total.

We would recommend the following:

Minimum Building Setbacks:

Between Garage and Street:	18 feet
Between Buildings:	15 feet, except buildings that are back-to-back shall be 20 feet.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the minimum building setbacks between garage and street to 18 feet and the minimum building setback between buildings to 15 feet

PUD #320-1 (continued)

except buildings that are back-to-back shall be 20 feet.

PUD #236-B-1 (Development Area II) - Minor Amendment

Staff Recommendation:

The subject tract is located west of 75th Street and South Memorial Drive. Development Area II is approximately 7.36 acres in size and approved for a church use. The applicant originally established a 100-foot setback from the east boundary with Area I, a proposed office complex. The applicant is now requesting to reduce that setback requirement from the approved 100 feet to 80 feet.

The Staff has reviewed this request and find that both the existing and proposed requirement are in excess of what the Code would require. We do not believe the proposed reduction in the building setback requirement would significantly alter the approved PUD concept plan or have an adverse effect on either the church proposal or the adjacent office complex proposal.

Therefore the Staff recommends APPROVAL of a reduction in the building setback from the east boundary line from 100 feet to 80 feet for Development Area II.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the minor amendment for a reduction in the building setback from the east boundary line from 100 feet to 80 feet for Development Area II.

PUD #242-1 - Minor Amendment and Final Covenants Review:

Staff Recommendation:

The subject tract is located at the southeast corner of 51st Street and South 94th East Avenue. It is approximately 2.5 acres in size and has an underlying zoning of OL and IL. The applicant has received Detail Site Plan approval for Phase I of an office related warehouse complex.

The applicant is now requesting a minor amendment to the sign requirements which would allow the sign to be increased from the approved 4 feet in height and 20.6 square feet of display surface area to a sign 12.5 feet in height and 41 square feet of display surface area.

The approved sign requirements were voluntary and much less than what would normally be required by the Code. OL zoning would allow a sign to be 20 feet in height and 32 square feet of display surface area while the IL has very few sign restrictions and would allow a display surface area for more than the requested 41 square feet. Therefore, the Staff recommends APPROVAL of the following amended sign requirement.

- (g) Sign: One ground monument-type sign 12.5 feet in height not to exceed 41 square feet of display surface area to be located in the NW corner of development area.

PUD #242-1 (continued)

This approval is subject to this requirement being made a part of the covenants and that it be constructed in accordance with the plans submitted.

In addition, the applicant is requesting a review of the restrictive covenants to be filed on the subject tract. The Staff has made this review and find that the covenants submitted are consistent with the PUD conditions and we recommend APPROVAL, subject to the Legal Department's review and approval.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Rice, Young, Inhofe, "absent") to approve the minor amendment to the sign as stated above and approval of the restrictive covenants, subject to Legal Department's review and approval.

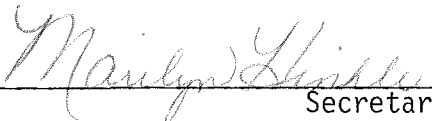
There being no further business, the Chair adjourned the meeting at 2:55 p.m.

Date Approved

April 4, 1984


Chairman

ATTEST:


Secretary

