

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1747  
Wednesday, **June 7, 1989**, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Carnes, 2nd Vice Chairman	Paddock Randle	Gardner Setters Stump Wilmoth	Linker, Legal Counsel
Coutant Doherty, Chairman Draughon, Secretary Kempe Parmele Selph Wilson, 1st Vice Chairman Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, June 6, 1989 at 10:45 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:30 p.m.

**MINUTES:**

**Approval of the Minutes of May 17, 1989, Meeting #1745:**

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-1** (Carnes, Coutant, Doherty, Draughon, Parmele, Wilson, Woodard, "aye"; no "nays"; Kempe, "abstaining"; Paddock, Randle, Selph, "absent") to **APPROVE** the **Minutes of May 17, 1989, Meeting #1745.**

**Approval of the Minutes of May 24, 1989, Meeting #1746:**

On **MOTION** of **DRAUGHON**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE** the **Minutes of May 24, 1989, Meeting #1746**, noting the correction to page 19 as requested by Ms. Wilson to clarify her position regarding Z-6251.

REPORTS:

Committee Reports:

Mr. Parmele advised of a Budget & Work Program Committee meeting this date to review the recommended work program for FY 89-90. He stated the Committee voted unanimously to recommend approval as amended.

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE** the FY 89-90 Budget and Work Program, as amended.

Director's Report:

Request to call a public hearing for July 12, 1989 to consider annual housekeeping-type amendments to the District Plan Maps for Districts 4, 5, 9, 16, 17, 18, 25, the North Tulsa County Plan Map, and the Major Street & Highway Plan.

Hearing no objection from the Commission members, Chairman Doherty requested Staff prepare the public hearing notices as required.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Forest Park South III (2783) East 106th & South Joplin Avenue (RS-2)

Since this tract is presently zoned AG and application (Z-6245) is pending for RS-2 and scheduled for Planning Commission hearing on 4/26/89; Staff has no objection to review by TAC at this time, but transmittal to the Planning Commission will be withheld until the zoning has been approved by the City Commission.

The Staff presented the plat with the applicant represented by E.O. Sumner, Adrian Smith, Phil Smith, Bob Lemons and Gary Burton.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Forest Park South III, subject to the following conditions:

1. In order to break up long continuous runs of the collector streets, the street pattern has been designed to provide the intersections to accomplish this. The street layout and widths therefore are subject to approval of Traffic and City Engineering Departments. (The layout as submitted has been recommended by Traffic Engineering.)

Forest Park South III - Cont

2. Covenants:
  - a) Section I-A; 5th line: Omit "and rights-of-way" and all after the word "aforesaid".
  - b) Section II-A: Omit paragraph regarding Haikey Creek treatment plant.
  - c) Section III, 1st Paragraph; line 5: Omit "... and the City of Tulsa" since this is not a PUD.
  - d) Section III, item 8: Add, "Buildings abutting a side street may be constructed up to the 15' building line (except where easements are greater), provided that if the garage abuts the side street, the setback shall be twenty feet. All buildings must face the most restrictive building line."
  - e) Section IV-B; 4th line; add after "Commissioners": "...or their successors".
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
7. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. (Limited capacity downstream storm sewer. If development run-off exceeds capacity, measures must be taken not to exceed capacity. Fee can be paid for acreage that does not exceed downstream storm sewer capacity.)
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
9. Street names shall be approved by City Engineer.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. It is recommended that the developer coordinate with Traffic Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)

Forest Park South III - Cont

12. 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.
13. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
14. The key or location map shall be complete. (Show Wexford)
15. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
16. The zoning application (Z-6245) shall be approved and the ordinance or resolution therefore published before final plat is released. Plat shall conform to the applicable zoning approved.
17. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
18. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Wilmoth confirmed the applicable zoning case had been processed through the TMAPC and City Commission. In reply to Ms. Wilson, he clarified that the reference in condition #2(d) to facing "the most restrictive building line" was in agreement with the zoning changes that have now been made.

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Paddock, Randle, Selph, "absent") to **APPROVE** the **Preliminary Plat for Forest Park South III**, subject to the conditions as recommended by the TAC and Staff.

\* \* \* \* \*

**Richmond Hills (PUD 88-B)(483)**

East 69th St. & South Richmond (RS-3, RM-1)

This plat received sketch plat approval by the TAC on 2/9/89, subject to the conditions as listed in the agenda of that date. An additional area has been added to the plat for a stormwater detention facility as part of the stormwater requirements.

Staff review of the plat reveals that all PUD conditions can be met by this plat without any amendments except the 25' building line in Blocks 4 and 5. The PUD requirement is "RS-2 standards for setbacks" which is a 30' front yard setback. Should the applicant file an amendment to the PUD to permit the 25' as shown, it should not affect any of the remainder of the plat and/or conditions. However, it is Staff's understanding that the building line will be changed to 30' to comply with the PUD.

A copy of the previous TAC minutes was provided with Staff comments in the margin. The Department of Stormwater Management (DSM) had previously advised that a portion of this site is within a proposed stormwater detention facility. There are no requirements at this time other than those listed in the agenda, but this long-range plan is mentioned for the record (see DSM letter dated 1/3/89).

The Staff presented the plat with the applicant represented by Robert Jones and Joe Donelson.

The TAC voted unanimously to recommend approval of the PRELIMINARY PLAT of Richmond Hills, subject to the following conditions:

- 1) All conditions of PUD 88-B shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code in the covenants. (Include a separate "Section III" in covenants for all PUD conditions.)
- 2) The underlying portions of Willow Creek plat should be properly vacated (if required) in accordance with the current legal practices. (Not a condition of approval of this plat since the TMAPC does not normally process vacations. Advisory only.)
- 3) To avoid any confusion, the covenants should indicate that the houses must "...face the most restrictive building line, EXCEPT Lots 21 and 22, Bloc 4, which shall face Sandusky." (There is a 35' building line on 71st Street, but no access is permitted as that functions as the rear yard on these two lots.)
- 4) Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines. (Make sure that easements in Reserve Area B can be accurately located from the dimensions shown. Also see #2. Relocation of facilities at owner's expense.)

Richmond Hills - Cont

- 4) Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines. (Make sure that easements in Reserve Area B can be accurately located from the dimensions shown. Also see #2. Relocation of facilities at owner's expense.)
- 5) Water plans shall be approved by the Water & Sewer Department prior to release of final plat.
- 6) Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
- 7) A request for creation of a Sewer Improvement District shall be submitted to the Water & Sewer Department prior to release of final plat. (Some relocations required.)
- 8) Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application, subject to criteria approved by the City Commission. On-site detention required. Public/private maintenance for floodplain through property. Include language for maintenance of stormwater facilities as directed by the DSM.
- 9) A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (Start PFPI before plat is released.)
- 10) A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of 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 final plat.

Comments & Discussion:

In response to Mr. Coutant, Mr. Wilmoth verified that all of this was originally platted as Willow Creek, which did not have any detention areas. This plat provides detention and drainage areas for the subdivision. Mr. Wilmoth further explained that the PUD for Willow Creek (PUD 88) was first submitted in 1970 and has since been amended, and this application now platted individual lots for single-family development.

TMAPC ACTION: 8 members present

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE** the **Preliminary Plat for Richmond Hills**, subject to the conditions as recommended by the TAC and Staff.

FINAL PLAT APPROVAL & RELEASE:

Kayo III (PUD 378)(2683) SW/c of East 101st Street & South Memorial (CS)

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **CONTINUE Consideration of Kayo III** until Wednesday, **June 14, 1989** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

VACATION OF PLAT:

Fairway Park (PUD 347)(382) West 65th Street & South 27th West Ave (RT, RS-3)

The above named plat was processed as PUD 347 and filed of record as plat #4624. Subsequently, the PUD was amended, assigned a new file number (347-2) and a new plat was processed, meeting all of the PUD conditions as amended. The new plat is titled "Fairway Park Amended" (plat #4751).

The present owners were also the owners of the former plat; therefore, to clear title, the old underlying plat is being vacated. Since the new plat contains all the PUD requirements and the easements necessary to serve the development, the old underlying plat is to be vacated.

It is recommended the request be **APPROVED**, subject to format by the Legal Department. (Also to include releases from the utilities and applicable City Departments routinely reviewing these requests.)

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE the Vacation of Plat for Fairway Park**, as recommended Staff.

EXTENSION OF APPROVAL:

University Center at Tulsa (3602) North Greenwood & East Haskell Street  
(2nd request - 1 year extension recommended)

On **MOTION** of **KEMPE**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE a One Year Extension for the University Center at Tulsa**, as recommended by Staff.

**LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

L-17178 (2093) Wiggins	L-17183 (3602) TDA
L-17179 (2893) City of Tulsa	L-17184 (3602) TDA
L-17180 (2993) Stanberry	L-17185 (3602) TDA
L-17181 ( 693) Stringfellow	L-17186 ( 483) Angora
L-17182 (2774) James	

On **MOTION** of **KEMPE**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

**ZONING PUBLIC HEARING:**

Application No.: **Z-6174-SP-1** Present Zoning: CO  
Applicant: **Heldinger (Corridor Site Plan)** Proposed Zoning: Unchanged  
Location: West of East 81st Street & the proposed Mingo Valley Expressway  
Date of Hearing: June 7, 1989  
Presentation to TMAPC by: Mr. Craig Heldinger, 10505 East 81st (250-3177)

**Staff Recommendation:**

The Heldinger property consists of 1.92 acres of land located on the north side of 81st Street west of the proposed Mingo Valley Expressway. It contains a large estate home that has been the principal residence of the Heldinger family for 10 years. The character of the area is changing primarily due to the Tulsa Junior College - Southeast Campus located south of the Heldinger property.

As a result of the changing character of the area the property was rezoned to CO Corridor in 1987. The applicant now proposes to convert the estate home to a restaurant. No modifications to the exterior of the building are proposed. Only minor interior modifications are anticipated. The majority of the existing landscaping and the mature trees will be retained. The only alteration to the site will be construction of off-street parking spaces and driveways for vehicular circulation. Only one point of ingress and egress is planned which is the existing access point directly across from the main entrance to Tulsa Junior College.

After review of the applicant's proposed Corridor Site Plan Map and text staff finds the Site Plan with the modifications presented below to be: (1) Consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; (4) contains proper accessibility, circulation, and relationship of uses; and (5) consistent with the stated purposes and standards of the Corridor District Chapter.

Z-6174-SP-1 Heidinger - Cont

Therefore, Staff recommends **APPROVAL** of Z-6174-SP-1 Corridor Site Plan Map and text subject to the following conditions:

1) That the applicant's Corridor Site Plan Map and text be made a condition of approval, unless modified herein.

2) **Development Standards:**

Area (Gross):	1.92 acres
(Net):	1.57 Acres
Permitted Uses:	Restaurant
Maximum Floor Area:	7,112 sf (existing structure)
Maximum Building Height:	30'
Minimum Building Setback:	Setback of the existing structure. No new structures are allowed unless amended Site Plan is approved.)
Minimum Off Street Parking:	71 spaces, setback at least 60' from the C/L of East 81st Street South
Minimum Open Space Area:	15%

Signs:

- a) One ground sign not to exceed 25' in height, with a maximum display surface area of 150 square feet.
  - b) One monument sign not to exceed 4' in height with a maximum display surface area of 80 square feet.
  - c) Wall or canopy signs shall be limited to two square feet per each linear foot of building wall to which the sign is affixed.
  - d) No outdoor advertising signs will be allowed.
- 3) All signs shall be subject to a Detail Sign Plan Review and approval by the TMAPC prior to installation to assure compliance with the approved Corridor Site Plan.

Comments & Discussion:

Mr. Stump advised that, in a conversation with the engineer working on the construction drawings, it was still unknown as to whether 60' right-of-way from centerline was adequate for the sloping required. He stated the engineer's "best guess" was that the 60' would be adequate. Mr. Stump suggested proceeding with this review process and present any additional right-of-way needed at the City Commission's hearing, as information should be available by that time to confirm the amount needed for the sloping.

Applicant's Comments:

Mr. Wayne Alberty (4325 East 51st Street, Suite 115), representing the applicant, stated agreement with the Staff recommendation except for the prohibition of outdoor advertising signs. Mr. Gardner confirmed that the Code would permit consideration of outdoor advertising signs, but Staff did not feel it to be appropriate at this location.

Mr. Craig Heidinger, applicant, requested more information or explanation on the position regarding the outdoor advertising sign. Mr. Gardner reviewed the ordinances before and after the 1985 revisions, and reiterated Staff's position that these would not be appropriate in this area.

TMAPC Review Session:

In regard to the right-of-way issue, Ms. Wilson questioned if it would be appropriate to add a condition stating, "subject to modification of right-of-way required by action of the City Commission." Mr. Linker agreed there should be more explanation and he felt these minutes would reflect the intent of the TMAPC's position. Chairman Doherty confirmed it was the TMAPC's intent that, if approved, the action would be subject to any additional modifications (from ODOT) between now and the City Commission hearing.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **APPROVE** the **Corridor Site Plan for Z-6174-SP-1 Heidinger**, as recommended by Staff, and subject to any additional modifications (from ODOT) to right-of-way requirements between this date and the City Commission hearing date.

OTHER BUSINESS:

Z-5620-SP-3: Minor Amendment to a Corridor Site Plan  
SE/c of East 91st Street South & Memorial Drive

Staff Recommendation:

The applicant is requesting an additional ground sign fronting Memorial Drive to his Corridor Site Plan for the Texaco gas station at the southeast corner of Memorial Drive and East 91st Street South. The new ground sign is to be used as a changeable message board. The present Corridor Site Plan allows one ground sign per street frontage with each having a maximum height of 30' and display surface area of 80 square feet.

## Z-5620-SP-3 Detail Sign Plan - Cont

Ground signs were installed fronting Memorial Drive and East 91st Street South at the approved locations. These signs do not, however, meet the requirements of the approved Site Plan because they contain approximately twice the display surface area approved for each sign. No minor amendment to the Corridor Site Plan has been requested to correct this violation.

This requested minor amendment is to add an additional ground sign with 50 square feet of display surface area. If this additional sign was approved the total display surface area fronting Memorial Drive would be approximately 210 square feet, which is 35 square feet greater than allowed in a Corridor District. Because this gas station is no different than hundreds of others in the City of Tulsa, Staff can find no reason why they should be allowed more signage than others in the same situation. In addition, the added ground sign would produce an even more cluttered and confusing appearance than exists on the site now.

Therefore, Staff recommends **DENIAL** of the amendment to the Corridor Site Plan for Z-5620-SP-3.

### Applicant's Comments:

Mr. Charles Hare (6515 East Independence), representing the applicant, clarified that the changeable letter board was requested to advertise special prices. Mr. Parmele asked if the applicant would consider removing an existing sign and allow this as a replacement sign. Mr. Hare stated the applicant wanted the additional sign. In response to Ms. Wilson, Mr. Hare verified this was not an electronic or flashing board, as it only had changeable lettering.

### Interested Parties:

Mr. Larry Henry (1000 Oneok Plaza) stated the Texaco station currently had more signage than permitted, and he could see no reason to approve this request. Mr. Henry pointed out the residential areas to the north, east and west of this tract, and stated the lights from these signs were a distraction. He urged the Commission to deny this application.

Chairman Doherty confirmed with Staff that the current signs on the premises were twice as large as approved. He then asked Staff to forward these comments to the appropriate agencies and request a follow up to the TMAPC.

Mr. Stan Livingston (7815 East 92nd), representing Joe Marina Autos, agreed that this site did not need any additional signage, and he echoed the request for denial.

### TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Selph, "absent") to **DENY** the Minor Amendment to Z-5620-SP-3 Howard, as recommended by Staff.

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**PUD 422:      Detail Site Plan - Lot 4, Block 1 of Crow Creek Office Park  
West of the NW/c of East 33rd Street & South Peoria Avenue**

**Staff Recommendation:**

The proposed Detail Site Plan for Lot 4, Block 1 of Crow Creek Office Park includes a two story office building containing 2,937 square feet and 11 parking spaces. The exterior of the proposed building is compatible with the required residential type Williamsburg facade. The maximum building floor area for the entire PUD is 36,000 square feet. Buildings already approved have a floor area as follows:

Lot 1	7,885 sf
Lot 2	3,330 sf
Lot 3	3,500 sf
Lot 5	5,736 sf
Lot 6	4,500 sf
Lot 7	3,574 sf
Total	<u>28,525 sf</u>

This application does not exceed the maximum.

Lot 4	<u>2,937 sf</u>
New Total	<u>31,462 sf</u>

The proposed building is also less than the maximum floor area allowed for individual buildings (6,000 square feet).

The building meets the setback requirements of the PUD and there is more landscaped open than the minimum 20% that is required. The 11 parking spaces meet the off-street parking requirement. The building height is, however, 31.5' which does not comply with the 30' maximum height requirement for buildings greater than 165' west of Peoria. The height requirement was reduced from the 35' recommended by TMAPC and Staff to 30' by the City Commission when it approved PUD 422.

Therefore, Staff recommends **APPROVAL** of the Detail Site Plan for Lot 4, Block 1 of PUD 422 conditioned on the building height being reduced to 30' or less.

**Comments & Discussion:**

Mr. Stump clarified that the 1.5' over the 30' maximum was to accommodate a crawl space as the building was designed at 30'; therefore, the 31.5' total. He advised the applicant indicated he would meet by the 30' by changing the roof, or placing the building on slab, etc. Therefore, Staff would recommend approval if the 30' height requirement was met.

**TMAPC ACTION: 9 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-2** (Carnes, Coutant, Doherty, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon, Selph, "abstaining"; Paddock, Randle, "absent") to **APPROVE** the Detail Site Plan for PUD 422, as modified and recommended by Staff.

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**PUD 179-R-1: Minor Amendment to Area C**

East of the SE/c of East 71st Street and South 92nd East Avenue

**Staff Recommendation:**

The applicant is proposing three minor amendments to the outline development plan for Area C of PUD 179-R. These amendments are as follows:

1. Allow a maximum building height of 28' for the manager's quarters (one building) only. All other buildings are to be less than the maximum allowable of 14' as set forth in the PUD. (The applicant provided a picture which was similar in design to the proposed building.
2. Allow a chain link fence along part of the north property line, which is at the rear of the commercial strip on Block 2 and 385.33' from 71st Street. The east, south and west sides of the subject property (abutting residential developments) are to be completely screened with solid masonry walls.
3. Reduce the maximum allowable Building Area for the storage buildings from 68,363 square feet to 68,000 square feet, and allow a residential building (manager's quarters) of 1,574 square feet, for a total of 69,574 square feet.

The applicant has also stated that there will be no open storage for vehicles, etc.

Staff feels the manager's quarters and office being 28' in height is a minor change and will have no adverse impact on the concept of the PUD as long as no signs other than directional signs are allowed on the east, west and south sides of the building. However, since this is a greater than a 20% increase in the building height, under TMAPC's policies this is considered a major amendment.

Concerning amendment #2, Staff feels there is a need to screen the storage activities along the north property line in some manner. The screening requirement could, however, be reduced from a masonry wall (blank wall of the building) to a wood screening fence on that side of the Development Area. Staff can endorse the minor changes in building area (1.8%) to allow for the customarily accessory manager's quarters and office building.

Therefore, Staff recommends **Approval** of Minor Amendment 179-R-1 for Development Area C subject to the conditions:

- 1) That all existing conditions of PUD 179-R continue to apply unless modified below.

2) **Development Standards:**

DEVELOPMENT AREA C

Site Area: 179,920 sf  
Maximum Building Area: 68,000 sf for mini-storage  
1,600 sf Mgr's quarters & office

Minimum Building Setbacks:  
East property line 17.5'  
South " " 11'  
West " " 45'  
North " " 50'  
Development Area B 1'

Maximum Building Height: 14' (1 story) for mini-storage  
28' manager's quarters and office

Sign(s), maximum: One ground sign shall be permitted on 71st Street placed adjacent to the west property line of Area C, subject to BOA approval. No wall signs or other signs of any kind are allowed on any building walls or screening fences on the exterior of the development with the exception of the north side of buildings within 160' of the centerline of East 71st Street South.

Permitted Uses: Mini-storage, except no open storage is allowed.

- 3) A 6' high solid wood screening fence may be substituted for the required masonry wall on the east 550' of the east-west boundary between Development Areas B and C.

Comments & Discussion:

In regard to the screening fence, Mr. Stump explained that, since this area was adjacent to and back of commercial developments (north of the mini-storage), then a masonry wall would probably not be necessary, but some sort of interim screening was needed until such time as the commercial development was built.

In reply to Ms. Wilson regarding the manager's quarters, Mr. Gardner verified that this would be located at the north end. Further, while the building was part of the original presentation, the pitched roof of the manager's quarters was not known or planned at that time. Staff verified that manager's quarters in a mini-storage was a customary and accessory use.

Mr. Linker advised that he felt this should be presented as a major amendment for three reasons: (1) the increase in the building height; (2) the change to residential use (for the manager's quarters); and (3) the change in the screening requirement.

Having had a similar case recently before the TMAPC, Mr. Carnes stated that the Commission should first decide whether to hear this case as a major or minor amendment. Therefore, he moved this application be considered as a major amendment.

Mr. Draughon commented that the Commission could use some clarification as to what constituted major/minor amendments, and he asked for Staff comment. Mr. Gardner stated that there was a provision in the Zoning Code which allows minor changes; otherwise, every change, regardless of the degree, would have to come before the City Commission. He commented that when the TMAPC approved this for mini-storage, they did not approve who was going to build it or what it was going to look like. But the Commission did place some parameters to meet the spirit and intent of the ordinance. Further, the original applicant had no way of knowing whether the office and/or manager's quarters would be a 14' one story building or if it might, in fact, have a slanted roof on one side which went beyond the approved 14'. Mr. Gardner commented that he therefore felt the ordinance was written in such a way to accommodate these type of changes, which he considers to be minor. He added that manager's quarters was a customary and accessory use of mini-storage facilities throughout the City.

Mr. Parmele remarked that he feels the Commission sometimes gets too technical on small details. If an increase in the height of the entire mini-storage was requested, then he would consider that a major amendment. However, this case was requesting an increase on one side of a very small portion of the total 68,000 square feet, as an architectural feature only.

Commissioner Selph stated that it was extremely disturbing to him that the Commission was continuing to have this conflict over what was a major and what was a minor amendment. He suggested Staff and Legal sit down in the near future and resolve this issue.

Mr. Carnes commented that had this been an architectural feature modification only, he would consider this minor. However, there were three modifications under consideration and he felt this was major.

In response to Legal Counsel, Mr. Gardner clarified that the Staff recommendation referred to the major amendment only because of the TMAPC policies, but Staff did not consider this major. Mr. Doherty added that the TMAPC had the option, should they so decide, to waive a policy.

In reply to Chairman Doherty, Staff advised of the names on the notification list, which comprised the abutting property owners and those speaking at the previous hearing, which covered the 300' notice range.

In regard to the height issue, Mr. Gardner remarked that the one story (14') limitation, without question, applied to the mini-storage buildings. However, there was not another building in this vicinity that was not at least 35' in height, and the 28' height request for the manager's quarters constituted only 2.5% of the entire mini-storage buildings. But, in reality, it was less than that because the 28' height applied to only one edge of the quarters to accommodate the pitched roof. Therefore, Staff felt this to be minor.

Chairman Doherty commented that, had the screening issue been on the side abutting the apartments, he would not consider this minor. However, this being on the opposite side, with the buffering to the apartments in place, this did not seem to be a significant point. He stated that, if the residential use of the manager's quarters/office was, in fact, a customary and accessory use, then this would also be a minor change. In regard to the height issue, one of his concerns was adequate notice, and he felt this had been properly addressed. The remaining question involved the legislative function as relates to the height increase, which was Legal Counsel's opinion. However, he personally believed that this was not a legislative function, and he felt the issue were adequately defined so as to allow the TMAPC to vote on that basis.

Mr. Carnes commented it appeared that the interested parties and required property owners had been notified, but none were in attendance, and after hearing the views of his fellow members, he would withdraw his motion to consider this case as a major amendment.

Mr. Coutant stated that he felt the policy was clear and, although Staff may not agree with the policy, he felt it should be followed. Therefore, he resubmitted a motion to consider this case as a major amendment.

Ms. Kempe inquired as to who else would be notified if this was considered a major amendment. Mr. Gardner advised that there would be no others since these were large tracts of land surrounding the subject site, and the property owners had already received notice. In regard to the TMAPC General Policy on major amendments, Mr. Gardner stated the Commission would have to waive this policy or the case would automatically become a major amendment. He continued to stress that the pitched roof with the 28' height on one side only was an architectural feature, and he compared this to other PUD's having a specific unique and/or architectural feature which the Commission had approved as minor.

Mr. Linker commented on the danger in zoning when one party was treated one way, and another party another way. He further pointed out that a major amendment not only required notice to the property owners within 300', but also required publication and a zoning change sign on premises.

**PUD 179-R-1 Wilson (QuikTrip) - Cont**

Discussion continued with Mr. Carnes stating opposition to consideration as a major amendment, and Mr. Draughon agreeing with Commissioner Selph that a clearer determination between major and minor was needed. Ms. Wilson stated support for the motion as a major. She agreed that Staff had followed the correct procedure to let the Commission members decide the major/minor issue, and not indicate one way or the other to the applicant. Mr. Parmele agreed that the problem appeared to be with the policy, but he emphasized that the General Policies were meant to be flexible to allow the TMAPC the discretion to make determinations as to whether a case was major or minor. He also agreed that Staff had acted accordingly and had used the proper judgment to let the Commission make this determination. Discussion continued on the major/minor issue.

**TMAPC ACTION: 8 members present**

On **MOTION** of **COUTANT**, the TMAPC voted **3-5-0** (Coutant, Draughon, Wilson, "aye"; Carnes, Doherty, Kempe, Parmele, Selph, "nay"; no "abstentions"; Paddock, Randle, Woodard, "absent") to **CONSIDER** PUD 179-R-1 as a Major Amendment.

That motion failing, Mr. Parmele moved to waive the TMAPC policy and consider this case as a minor amendment.

**TMAPC ACTION: 8 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **4-3-1** (Carnes, Doherty, Kempe, Parmele, "aye"; Coutant, Draughon, Wilson, "nay"; Selph, "abstaining"; Paddock, Randle, Woodard, "absent") to **CONSIDER** PUD 179-R-1 as a Minor Amendment, as recommended by Staff.

**Applicant's Comments:**

Mr. Jerry Wilson (6520 South Lewis) reviewed the Site Plan indicating the areas for storage, the manager's quarters, setbacks, screening, etc. Mr. Wilson clarified the manager's quarters/office was not a two story building as the pitched roof was an architectural feature only, and there would be no rooms on a second floor. He also pointed out that they have exceeded the open space requirements.

Mr. Joe Westervelt (QuikTrip Corporation) advised that he has spoken with adjacent property owners and the only concern mentioned was that the mini-storage buffering/screening be expedited as quickly as possible. He stated he felt the trend to make the manager's quarters blend with a residential look was an asset to this development, particularly in this area which had multi-family uses surrounding the subject tract.

Mr. Wilson reiterated that the height of these multi-family uses was 35', and the height limitation for the retail strip center in this PUD was 28'. Therefore, he did not feel the request for 28' on one edge of the manager's quarters/office was unreasonable since the remainder of the mini-storage area was limited to 14'.

**PUD 179-R-1 Wilson (QuikTrip) - Cont**

Mr. Parmele moved for approval per the Staff recommendation, except for development standard #3, in order to allow chain link fencing with landscaping (in lieu of solid wood fencing), subject to approval of a Detail Landscape Plan.

**TMAPC ACTION: 8 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **5-1-2** (Carnes, Doherty, Kempe, Parmele, Selph, "aye"; Draughon, "nay"; Coutant, Wilson, "abstaining"; Paddock, Randle, Woodard, "absent") to **APPROVE** the Minor Amendment to PUD 179-R-1 Wilson (QuikTrip), as recommended by Staff, amending item #3 to substitute chain link fencing with landscaping for solid wood fencing, subject to review and approval of a Detail Landscape Plan.

Commission Selph requested the Rules & Regulations Committee and Legal Counsel meet with Staff to review the TMAPC General Policy on major/minor amendments. Chairman Doherty asked that Mr. Paddock, as chairman of that Committee, be notified in this regard.

\* \* \* \* \*

**PUD 417:           Detail Site Plan and Detail Landscape Plan for Area K  
SE/c of East 17th Street & South Victor Avenue**

**Staff Recommendation:**

The Detail Site Plan is for off-street parking on the east side of Victor Avenue between 17th Street and 17th Place. The parking area contains 79 spaces including three handicapped spaces and is setback 25' from 17th Street and 15' from the adjacent residences to the east. The landscaping is consistent with standards established in the PUD and off-street parking is a permitted use in Area K.

Therefore, Staff finds the Detail Site Plan and Landscape Plan consistent with the PUD requirements and recommends the **APPROVAL** of PUD 417.

**Comments & Discussion:**

Chairman Doherty noted that two interested parties who had signed to speak had to leave since this case was tabled to the end of the agenda, but he asked that copies of the Detail Landscape Plan be forwarded to: Ms. Nell Bradshaw (1628 South Victor), and Ms. June Drummond (1871 East 16th Street).

**TMAPC ACTION: 6 members present**

On **MOTION** of **KEMPE**, the TMAPC voted **6-0-0** (Doherty, Draughon, Kempe, Parmele, Wilson, Selph, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Paddock, Randle, Woodard, "absent") to **APPROVE** the Detail Site Plan and Detail Landscape Plan for Area K, as recommended by Staff.

\* \* \* \* \*

Request from Bryan Close, Palos Verdes Homeowners Association, to submit specific concerns regarding the western portion of the Creek Turnpike alignment, specifically the Jenks community area.

Comments & Discussion:

Those submitting written statements and/or addressing the TMAPC in this regard were:

Bryon Close, Palos Verdes Homeowners Association  
Hal Watts, 727 West 108th, Jenks  
Charles Creekmore, 10801 South Houston, Jenks  
Dr. John D. Capehart, 10600 South Elgin, Jenks

A summary of the specific concerns submitted is as follows:

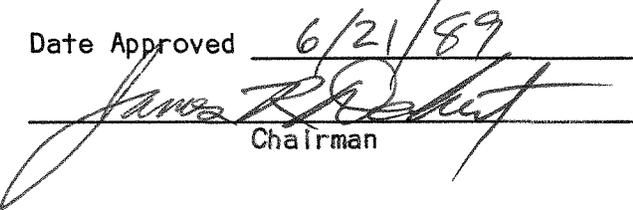
1. The proposed alignment is a deviation from the Jenks Comprehensive Plan. That Plan has been relied upon by municipal planners and local land owners for the guidance of development in that area.
2. The prevailing southwesterly winds would blow emissions from the proposed toll plaza toward an area of older homes occupied by elderly residents.
3. The impact of the turnpike on area drainage has not been adequately addressed. There is lack of hydrological information and, in particular, concerns were expressed about adequacy of culverts for Polecat Creek tributaries. The spokesmen were especially concerned that the damming effect of the road would create "swamps" very close to residences.
4. The Palos Verdes Association has received some indication that there is possible loss of flood insurance availability if appropriate standards are not met.

Discussion followed with Chairman Doherty advising these concerns would be forwarded in a letter from the TMAPC to Dewey Bartlett, Jr., local representative for the Oklahoma Turnpike Authority.

There being no further business, the Chairman declared the meeting adjourned at 3:44 p.m.

Date Approved

6/21/89

  
Chairman

ATTEST:

  
Secretary

