

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1785  
Wednesday, **March 28, 1990**, 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>
Coutant	Carnes	Gardner	Linker, Legal
Doherty, Chairman	Kempe	Setters	Counsel
Draughon, Secretary	Randle	Stump	
Paddock			
Parmelee			
Wilson, 1st Vice			
Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 27, 1990 at 10:43 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 1:40 p.m.

**MINUTES:**

**Approval of the Minutes of March 14, 1990, Meeting #1783:**

On **MOTION** of **WILSON**, the TMAPC voted **6-0-0** (Coutant, Doherty, Paddock, Parmelee, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Kempe, Randle, Rice, "absent") to **APPROVE** the **Minutes of March 14, 1990, Meeting #1783.**

**REPORTS:**

**Committee Reports:**

Mr. Coutant advised of the **Comprehensive Plan Committee** meeting held last Wednesday to continue review of the Capital Improvements Program (CIP) relating to Department of Stormwater Management items. He stated the Committee voted to recommend approval of the CIPs as presented.

Mr. Paddock advised of today's meeting of the **Rules & Regulations Committee** and of the special meeting held last Wednesday in regard to the continued review of proposed amendments to the Zoning Codes pertaining to signs.

**PUBLIC HEARING:**

TO CONSIDER PROPOSED AMENDMENTS TO TITLE 42, TULSA REVISED ORDINANCES (CITY OF TULSA ZONING CODE), SECTIONS 240.2 and 420.2, AS RELATES TO SIZE AND LOCATION OF DETACHED ACCESSORY BUILDINGS.

**Comments & Discussion:**

Mr. Gardner, INCOG Staff, reviewed the definitions for "yard" and "required yard" as listed for residential uses in the Zoning Code. He presented and reviewed the proposed language revisions to Section 240.2 - Permitted Obstructions in Required Yards, and Section 420.2 - Accessory Use Conditions.

Ms. Fran Pace, District 4 Chairman, (1326 South Florence) obtained clarification of the definition for "side yard" as to the difference between interior and those abutting a street. Ms. Pace discussed a problem in District 4 where semi trailers were being used as accessory buildings or auxiliary warehouses by commercial establishments. She requested the TMAPC review the guidelines for this type of use, and Mr. Gardner agreed this particular problem needed to be investigated further.

**TMAPC ACTION: 7 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Rice, "absent") to **APPROVE** the **Amendments to Sections 240.2 & 420.2 of the City of Tulsa Zoning Code**, as recommended by Staff and the Rules & Regulations Committee, as follows:

**240.2 PERMITTED OBSTRUCTIONS IN REQUIRED YARDS**

E. In the RE, RS and RD Districts, a detached accessory building, not exceeding one story in height, may be located in a required rear yard provided the building does not cover more than 20% of the area of the required rear yard, and is located at least three feet from any lot line; provided, however where said lot line abuts a public street, the detached accessory building shall be setback from the centerline of the street 20 feet plus one-half of the right-of-way designated on the Major Street and Highway Plan, or 45 feet from the centerline of the street if said street is not designated on the Major Street and Highway Plan.

\* \* \* \* \*

**420.2 ACCESSORY USE CONDITIONS**

**A. General Conditions**

1. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, and shall comply with the requirements applicable to the principal building.

**PUBLIC HEARING: Tulsa Zoning Code,  
Sections 240.2 & 420.2 - Cont**

2. A detached accessory building shall not be located in the front yard.
3. Within the rear yard, a detached accessory building shall be located at least three feet from any lot line; provided, however where said lot line abuts a public street, the detached accessory building shall be setback from the centerline of the street 20 feet plus one-half of the right-of-way designated on the Major Street and Highway Plan, or 45 feet from the centerline of the street if said street is not designated on the Major Street and Highway Plan.
4. Detached accessory buildings in the aggregate shall not exceed 750 square feet of floor area or 40% of the floor area of the principal residential structure, whichever is greater.

**ZONING PUBLIC HEARING:**

Application No.: **Z-6275 & PUD 462** Present Zoning: RT  
Applicant: **Norman (Brumble)** Proposed Zoning: OL & RM-1  
Location: NE/c of East 91st Street & South College Avenue  
Date of Hearing: March 28, 1990  
Presented to TMAPC by: Charles Norman, 2900 Mid-Continent Tower (583-7571)

**Relationship to the Comprehensive Plan:**

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - No Specific Land Use.

According to the Zoning Matrix, the requested OL and RM-1 Districts may be found in accordance with the Plan Map.

**Staff Recommendation: Z-6275**

**Site Analysis:** The subject tract is approximately .80 acres in size and is located at the northeast corner of East 91st Street South and South College Avenue. It is nonwooded, flat, vacant, and is zoned RT.

**Surrounding Area Analysis:** The tract is abutted on the north by vacant property zoned RT; on the east by both vacant property and single-family dwellings zoned RS-3; on the south by a tennis/athletic zoned RD; and on the west by a condominium complex zoned RM-0.

**Zoning and BOA Historical Summary:** Previous rezoning cases have established a buffer of RT zoning between the commercial on the corner and the RS-3 zoning to the east.

**Conclusion:** Staff can support the requested RM-1 zoning, subject to the accompanying PUD, as Staff views this as a logical continuation of the buffer. Frontage on the arterial (East 91st Street South) would detract from the residential desirability of the lot. With the restrictions of the PUD, the office development should present little or no negative impact on existing or future development.

Therefore, Staff recommends **DENIAL** of OL zoning and **APPROVAL** of RM-1 zoning subject to the approval of companion PUD 462.

**Staff Recommendation: PUD 462**

PUD 462 is a 5 acre (approximate) project which proposes to develop previously approved townhouse property for both single-family use and office use. The subject tract is located at the northeast corner of East 91st Street South and South College Avenue and has existing zoning of RT. A companion rezoning application (Z-6275) proposes to rezone the south 170 feet of the PUD to OL or RM-1. Staff is supportive of the PUD and feels the office use and cluster type single-family dwelling will adequately buffer the existing single-family area to the east.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 462 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; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 462 subject to the following conditions:

- 1) That the applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
- 2) **Development Standards:**

**Development Area A**

Land Area:		
Gross:	1.16 acres	50,630 sf
Net:	.80 acres	35,001 sf
Permitted Uses:	Principal and accessory uses permitted in Use Unit 11, Offices and Studios, excluding funeral home and prescription pharmacy; and only a Childrens Nursery in Use Unit 5 [As Amended].	
Maximum Floor Area:	14,000 sf	
Maximum Building Height:	1 Story	

Z-6275 & PUD 462 Norman (Brumble) - Cont

- Minimum Building Setbacks:
- |                           |      |
|---------------------------|------|
| from North property line  | 10'  |
| from East property line   | 10'  |
| from C/L of East 91st St. | 100' |
| from C/L of South College | 50'  |
- Minimum Parking Lot Setback: 5' from property lines
- Minimum Off-Street Parking: By applicable Use Unit
- Minimum Internal Landscaped Open Space: 15% (Net).\* A minimum of 5' wide landscaped area shall be provided on the south and west sides of the development area.
- Signs: One ground identification sign, located on East 91st Street shall not exceed 6' in height or 32 square feet in display surface area.
- Screening: A screening Fence meeting the requirements of Section 250 shall be erected on the east and north sides of the property.

**Development Area B**

- Land Area:
- |        |            |            |
|--------|------------|------------|
| Gross: | 3.89 acres | 169,548 sf |
| Net:   | 3.52 acres | 153,296 sf |
- Permitted Uses: Single-family detached dwellings and customary accessory uses.
- Maximum Number of DU's: 26
- Minimum Lot Area: 4,200 sf
- Maximum Building Height: 35'
- Minimum Off-Street Parking: 2 spaces/DU
- Minimum Building Setbacks: \*\*
- |                               |     |
|-------------------------------|-----|
| Front yard:                   | 20' |
| Side yards:                   |     |
| Minimum side yard:            | 3'  |
| Total side yards on each lot: | 10' |
| Rear yard:                    | 20' |

\* Internal landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas, and pedestrian areas but does not include any parking, building or driveway areas.

\*\* The minimum building setbacks and yards may be modified by the TMAPC by the approval of a minor amendment subject to specific detailed site plans being submitted for each lot which indicates the location and yards of the dwelling unit proposed for that lot and the relationship to the buildings proposed for adjacent lots.

Z-6275 & PUD 462 Norman (Brumble) - Cont

Minimum Building Separation: 10'  
Livability Space Per DU: 1,200 sf

- 3) No Zoning Clearance Permit shall be issued for Development Area A within the PUD until a Detail Site Plan, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 4) A Detail Landscape Plan of Development Area A shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
- 5) No sign permit shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 6) All trash and mechanical equipment areas in Development Area A be screened from public view.
- 7) All parking lot lighting in Development Area A shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12 feet.
- 8) The Department of Stormwater Management or a Professional Engineer registered in the State of Oklahoma shall certify that all required Stormwater drainage structure and detention areas have been installed in accordance with the approved plans in Development Area A prior to issuance of an occupancy permit.
- 9) All buildings in Development Area A shall be of a residential architectural style.
- 10) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied 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 beneficiary to said Covenants.
- 11) Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

Applicant's Comments:

Mr. Charles Norman, representing the applicant, reviewed the history of development on this property leading to today's presentation. Mr. Norman stated the covenants would be amended to permit the development as proposed. He reviewed the PUD standards and requested the Staff recommendation be amended to permit a day care center or childrens nursery; Staff agreed to the amendment.

TMAPC ACTION: 7 members present

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Rice "absent") to APPROVE Z-6275 for RM-1 Zoning and PUD 462 Norman (Brumble), as recommended by Staff and as amended to include a Childrens Nursery in Use Unit 5.

Legal Description:

Z-6275: Lots 71 thru 78, and that part of Lot 81 lying south of Lots 67 thru 70, CEDARCREST PARK ADDITION, to the City of Tulsa, Tulsa County, Oklahoma.

PUD 462: Lots 33 thru 78, and Lots 80 and 81, CEDARCREST PARK, a resubdivision of Lots 1 thru 11, Block 2, CEDARCREST, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

\* \* \* \* \*

Application No.: CZ-179 Present Zoning: AG  
Applicant: Harger Proposed Zoning: CG  
Location: West of the NW/c of 209th West Avenue & the Keystone Expressway  
Date of Hearing: March 28, 1990  
Presented to TMAPC by: Esther Harger, 1105 Valley Dr, Sand Springs (245-4877)

Relationship to the Comprehensive Plan: .....

The Sand Spring Comprehensive Plan designates the subject as Corridor.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately 2.5 acres in size and is located west of the northwest corner of 209th West Avenue and the Keystone Expressway. It is partially wooded, gently sloping, contains a single-family dwelling and a metal building, and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north by a single-family dwelling and mobile home zoned AG; on the east by vacant property zoned AG; on the south by the Keystone Expressway zoned AG; and on the west by vacant property zoned AG.

**Zoning and BOA Historical Summary:** CZ-179 was originally advertised for IM zoning which was recommended for denial by the Sand Springs Planning Commission. At the February 28th TMAPC meeting, the application was continued in order to give the applicant time to readvertise for CG zoning. Staff had recommended denial of the IM zoning and approval of IL zoning in the alternative.

**Conclusion:** The most intensive commercial zoning in the northwest quadrant of the intersection of 209th West Avenue and the Keystone Expressway is CS, part of which is immediately east of the subject tract. Staff typically has not supported more intensive zoning away from an intersection than was allowed immediately adjacent to the intersection. In this case, however, because of other CG zoned areas around the intersection and the fact that areas to the north and west of the subject tract may be developed industrially, Staff was persuaded that CG at this location would be appropriate.

Therefore Staff recommends **APPROVAL** of the requested CG zoning.

For the record, Staff is still supportive of IL zoning. This is based on the similar level of intensity of uses permitted in the IL and CG districts.

Applicant's Comments:

Ms. Esther Harger, applicant, commented that there has been commercial uses on this site all along as a feed store. Due to the visibility from the expressway, she stated she would like to put a car sales lot, her office and a church on the subject tract, and CG zoning would satisfy these needs.

Mr. Gardner confirmed that CG zoning would be needed for the automobile sales uses; otherwise a special exception from the County BOA would be needed. In response to Mr. Doherty, Ms. Harger confirmed she understood that an auto salvage or car disassembling operation would not be permitted under the CG zoning classification.

Interested Parties:

**Mr. Jerry Abboud** (PO Box 1146, Sand Springs) advised he lives in this general area and he expressed concerns about the commercial uses that might become an auto salvage. Mr. Abboud requested the TMAPC consider controls or conditions for the commercial operations in order to protect the character and property values of the residential neighborhood. He mentioned the visibility of the uses on this site by travelers to Keystone lake and other recreational uses.

**Ms. Aileen Bishop** (Rt 1 Box 195, Sand Springs) stated concern about further soil erosion due to the trees that had been cut on the subject tract by the applicant, especially in regard to the drainage ditch in this area. Ms. Bishop questioned if the subject tract was large enough to accommodate all of the applicant's intended uses. She also expressed concern about the impact of the commercial uses on the property value of the residential property owners in the area.

**M/M Hugh Applegate** (Rt 1 Box 147, Sand Springs), owners of the property north and east of the subject tract, stated opposition to any more buildings being put on this site. Mr. Applegate advised there were

**CZ-179 Harger - Cont**

already junk/salvage cars on the subject tract, which he felt detracted from the residential property values and the integrity of the neighborhood.

**Ms. Cora Ross** (Rt. 1 Box 200, Sand Springs) concurred with the comments made by Mr. Bishop.

Applicant's Rebuttal:

Ms. Harger advised of conversations with the County where she stated she would work with them regarding the drainage ditch. She commented that she and her husband worked all of one summer cleaning the site and they were still continuing these efforts, which was why the fence was removed and left down to accommodate mowing. Ms. Harger added that, as a property owner in the area, she shared the concerns to avoid doing anything that might downgrade property values.

In reply to Mr. Paddock, Ms. Harger advised she already had a car sales operation and she was seeking the rezoning to relocate the operation to this tract. She further responded that they did not intend to sell any of the lot to other users as they would be utilizing it themselves. In response to Ms. Wilson, Ms. Harger stated there were no interested parties at the hearing by the Sand Springs Planning Commission on this matter. Mr. Doherty inquired as to the cutting of the trees, which photos indicated were still left along the roadway. Ms. Harger stated her husband had done the cutting during the clean up of the tract and she was not exactly sure why.

TMAPC Review Session:

Chairman Doherty advised receipt of a letter from the Sand Springs Planning Commission indicating their approval of CG zoning as requested by the applicant. Mr. Paddock commented that, in reviewing uses permitted as a matter of right with CG zoning, he felt a PUD should be considered in order to protect the residents from certain CG uses.

Mr. Parmele stated favor for consideration of CS zoning as there was no CG in the immediate area, but there were CS zoned areas. Therefore, he moved for approval of CS zoning. Mr. Draughon obtained confirmation that a special exception from the County Board of Adjustment would be needed for the intended uses under CS zoning, and the BOA could impose certain conditions.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Rice, "absent") to **DENY CG Zoning and APPROVE CZ-179 Harger for CS Zoning.**

Legal Description:

The north 388.93' of the south 438.93' of the west 280.0' of the W/2 of the W/2 of the NE/4 of the SE/4, Section 3, T-19-N, R-10-E of the IBM, Tulsa County, Oklahoma.

\* \* \* \* \*

Application No.: PUD 461 Present Zoning: RS-1  
Applicant: Wenrick Proposed Zoning: Unchanged  
Location: South of East 103rd Street South, West of South Hudson Place  
Date of Hearing: March 28, 1990  
Presented to TMAPC by: Tom Wenrick, 2930 East 51st Street (749-7781)

Staff Recommendation:

PUD 461 is a 9.6 acre development proposing 24 single-family dwelling units and is an extension of Camelot Park development. The subject tract has an underlying zoning of RS-1 and would be allowed 26 lots if developed conventionally.

Staff finds the use and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 461 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; and (4) consistent with the stated purposes and standards of the PUD chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 461 subject to the following conditions:

1) The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2) **Development Standards:**

Land Area (Gross):	9.6 acres	418,185 sf
Permitted Uses:	Single-family detached dwellings and customary accessory uses.	
Maximum No. of Dwelling Units:	24	
Minimum Lot Size:	11,900 sf	
Minimum Lot Width:	85'	
Minimum Lot Depth:	140'	
Minimum Required Yard:		
Rear Yard:	25'	
Front Yard:	30', except on cul-de-sac lots where 25' building line is permitted.	
Side Yard:	Side yards will have a combined width of not less than 15', and no side yard will be less than 5' in width; provided, that for cul-de-sac lots and pie-shaped lots side yards will have a combined width of 10', and no side yard will be less than 5' in width. Side yards abutting streets will be 15' except that garages which access said street set back a minimum of 20'.	

**PUD 461 Wenrick - Cont**

Maximum Building Height: 35'  
Minimum Off-Street Parking: 2 spaces/DU

- 3) No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan (subdivision plat) has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 4) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied 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.
- 5) Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

Applicant's Comments:

Mr. Tom Wenrick, applicant, stated agreement to the conditions of the Staff recommendation. In response to questions from the Commission, Mr. Wenrick explained the detention facility, located south of the subject tract, would also serve this project. He added that the detention facility was a joint project by private developer(s) and city efforts.

TMAPC ACTION: 7 members present

On **MOTION** of **WILSON**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Rice "absent") to **APPROVE PUD 461 Wenrick**, as recommended by Staff.

Legal Description:

Commencing at the northwest corner of Section 27, T-18-N, R-13-E, Tulsa County, Oklahoma, according to the official US Government survey thereof; thence S 00°08'23" W along the west line of the NW/4 of said Section 27 a distance of 1,321.38' to the northwest corner of the S/2 of the NW/4; thence N 89°59'16" E along the north line a distance of 1,988.19' to the northwest corner of the E/2 of the SE/4 of the NW/4, said point is also on the south line of Camelot Park, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to Plat No. 4705 filed in the records of the Tulsa County Clerk, said point being also the POB; thence N 89°50'18" E along the north line of said E/2 of the SE/4 of the NW/4 of said Section 27 and the south line of said Camelot Park a distance of 662.73' to the northeast corner said E/2 of the SE/4 of the NW/4 of said Section 27 and the southeast corner of said Camelot Park; thence S 00°07'03" W along the east a distance of 370.86'; thence S 89°54'44" W a distance of 30.0'; thence S 44°59'40" W a distance of 105.26'; thence N 89°54'44" W a distance of 42.5'; thence S 44°59'40" W a distance of 731.39' to a point on the west line; thence N 00°07'23" E along the west line a distance of 962.26' to the POB; said tract contains 418,185.74 square feet or 9.6002 acres.

\* \* \* \* \*

Application No.: PUD 221-D Major Amendment Present Zoning: RS-3  
Applicant: Penix Proposed Zoning: Unchanged  
Location: East of the SE/c of East 43rd Place & South 129th East Avenue  
Date of Hearing: March 2, 1990  
Presented to TMAPC by: Mr. George Nowotny, 8946 Haskell Drive, BA (251-0497)

**Staff Recommendation:**

The applicant is requesting a major amendment to PUD 221 to allow a day care center on the north 180' of the east 200' of Lot 11, Block 9 of Quail Ridge Addition. The center would contain approximately 7,500 square feet. The subject tract is bordered on the east by duplexes and on the north, south and west by vacant property. Review of the applicant's submitted plot plan shows the outside play area will be located on the west side of the tract which will allow the building to act as a buffer to the existing residential use to the east.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 221-D 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; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 221-D subject to the following conditions:

**Development Area A (Day Care Lot)**

1) The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

**2) Development Standards:**

Project Area:

(Gross): 41,000 sf

(Net): 36,000 sf

Permitted Uses:

Children's day care center and customary accessory uses.

Building Setbacks:

from East property line 60'

from North property line 50'

from West property line 25'

from South property line 25'

Maximum Permitted Floor Area: 8,000 sf

3) Parking and driveways must set back 5' from all property lines.

4) A 6' solid screening fence is required along the east property line.

5) The structure be limited to one story in height and of an architectural style which is compatible with surrounding residences.

**PUD 221-D Penix (Major Amendment) - Cont**

- 6) Days and hours of operation be limited to Monday thru Friday, 6:30 a.m. to 6:30 p.m.
- 7) Signage be limited to one ground or wall mounted sign with a maximum of 40 square feet in display area. If the sign is a ground sign, it may not exceed 6' in height.
- 8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied 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.
- 9) Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

**Development Area B (Balance of Lot 11, Block 9)**

**1) Development Standards:**

Project Area:	73,900 sf (net)
Permitted Uses:	Use Unit 11 and customary accessory uses
Building Setbacks from	
C/L of S 129th E Ave	100'
C/L of E 43rd Pl S	100'
South & east boundary	50'
Maximum Building Height:	2 stories
Maximum Building Floor Area	29,560 sf (Based on a .4 FAR of the project area.)

- 2) Signs accessory to office shall comply with the restrictions applicable in the OL zoning district.
- 3) Off-street parking as required in Use Unit 11 - Offices and Studios.
- 4) A screening fence of not less than 6' in height shall be constructed and maintained along the south and east boundaries or, in the alternative, combinations of fence, landscaped berms and plant materials sufficient to provide visual separation of uses.
- 5) A minimum 10' in width landscaped area shall be maintained along South 129th East Avenue and East 43rd Place South frontages (excepting points of access).

**Conditions for Both Development Areas A & B:**

- 1) No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

**PUD 221-D Penix (Major Amendment) - Cont**

- 2) That a Detail Landscape Plan for each Development Area shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer all required landscaping and screening fences have been installed in accordance with the approved landscape plan for that Development Area prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit.
- 3) No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 4) All trash, mechanical and equipment areas shall be screened from public view.
- 5) All parking lot lighting shall be directed downward and away from adjacent residential areas.
- 6) The Dept. of Stormwater Management or a Professional Engineer registered in the State of Oklahoma shall certify that all required stormwater drainage structures and detention areas serving a development area have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit for that area.

Applicant's Comments:

Mr. George Nowotny, one of the property owners, stated he has been caught by surprise and is disturbed to learn of the reduction of office space in the PUD from 108,000 square feet to less than 30,000 square feet (in Area B). Mr. Gardner explained that the shape and narrowness of the tract, in and of itself, restricts the square footage for office; i.e. parking requirements could not be met with 90,000 square feet of office. Mr. Nowotny commented that he merely wanted a clarification and that he was not necessarily opposed to the recommendation as the property owners feel the day care center will be an asset to the community. He added that, in practical aspects the reduction of office, was probably not that much of an impact due to the type of facility envisioned for the future (medical or dental offices).

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Rice, "absent") to **APPROVE** the **Major Amendment to PUD 221-D Penix**, as recommended by Staff.

Legal Description:

Area A: The north 180' of the east 200' of Lot 11, Block 9, QUAIL RIDGE ADDITION, Blocks 1 thru 10, to the City of Tulsa, Tulsa County, Oklahoma.  
Area B: Lot 11, Block 9, QUAIL RIDGE ADDITION, Blocks 1 thru 10, to the City of Tulsa, Tulsa County, Oklahoma, LESS & EXCEPT the north 180' of the east 200' of said lot.

\* \* \* \* \*

Application No.: CZ-181 Present Zoning: AG  
Applicant: Hessom Proposed Zoning: CS  
Location: West of the NW/c of State Highway 51 and Coyote Trail  
Date of Hearing: March 28, 1990  
Presented to TMAPC by: Carl Hessom, PO Box 1326, Mannford 74044 (865-2145)

Relationship to the Comprehensive Plan:

The Sand Spring Comprehensive Plan designates the subject tract as rural and residential. The Plan also designates State Highway 51 as a primary arterial and Coyote Trail as a secondary arterial.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately three acres in size and is located west of the northwest corner of State Highway 51 and Coyote Trail. It is partially wooded, gently sloping, vacant and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north by Burlington Northern Railroad tracks zoned AG; on the east, west and south by vacant property zoned AG.

**Zoning and BOA Historical Summary:** Commercial zoning (CS) was approved by study map in 1980 on the southwest corner of State Highway 51 and Coyote Trail. In addition, CS zoning was approved by the TMAPC on the southeast corner in 1986.

**Conclusion:** After field investigation and review of previous cases, several unique factors were discovered about the tract. First, although the subject is located outside the typical node, the tract is the first developable tract west of the intersection based on the steep roadway cut required for the highway. Also, due to the narrow shape of the tract which abuts a railroad tract to the north, the property is not conducive to residential development. By rezoning the subject tract, it would be anticipated that all that property located between the highway and railroad tract from Coyote Trail to the county line would ultimately become commercial or industrial. It is also likely that property on the south side of the highway would develop in the same manner. Staff notes that due to the tract's location on the top of a steep hill, site distances entering and existing the site could be below minimum standards. State Highway 51 is a divided highway and it may be difficult to obtain a median cut to allow east bound access to the tract. These last two concerns will be addressed during the subdivision plat process. Staff cannot support the requested CG zoning but recommends approval of CS zoning in the alternative. Staff notes the applicant can file with the Tulsa County Board of Adjustment to permit automobile sales in a CS district if needed.

Therefore, Staff recommends **DENIAL** of CG zoning as requested and **APPROVAL** of CS zoning in the alternative.

Applicant's Comments:

Mr. Carl Hessom, applicant, advised the rezoning was to accommodate a new car dealership for the Chrysler Corporation. Mr. Hessom added he would like the CG zoning, but would go with CS if there was no other alternative.

TMAPC ACTION: 7 members present

On **MOTION** of **WOODARD**, the TMAPC voted **6-0-1** (Coutant, Doherty, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Carnes, Kempe, Randle, Rice "absent") to **APPROVE CZ-181 Hessom for CS Zoning**, as recommended by Staff.

Legal Description:

The east 624' of a tract of land in Lot 1 and Lot 2 and a part of the NE/4 of the NW/4 of Section 18, T-19-N, R-10-E of the IBM, Tulsa County, Oklahoma, lying south of the St. Louis and San Francisco Railway Company right-of-way, and lying north of the north right-of-way of relocated State Highway #51, more particularly described as follows: Commencing at the northwest corner of said Section 18; thence S 00°04'17" W along the west line of said Section 18 a distance of 1,207.31' to the south line of said railway right-of-way and the POB, thence N 84°14'40" E along said south line a distance of 683.88'; thence S 05°45'20" E a distance of 25.0'; thence N 84°14'40" E along said south line a distance of 200.0'; thence N 05°45'20" W a distance of 25.0'; thence N 84°14'40" E along said south line a distance of 200.0; thence S 05°45'20" E a distance of 50.0'; thence N 84°14'40" E along said south line a distance of 731.42'; thence S 07°32'24" W a distance of 210.67' to the north line of Oklahoma State Highway 51 right-of-way; thence S 86°47'34" W along said north line a distance of 1,786.53' to the west line of said Section 18, thence N 00°04'17" E along said west line a distance of 176.51' to the POB, containing 3.0 acres more or less.

SUBDIVISIONS:

**FINAL PLAT APPROVAL & RELEASE:**

Woodhill Hollow (formerly Woodhill 2nd)(1583) East 90 & South Lakewood (RS-2)

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Rice "absent") to **APPROVE** the Final Plat of **Woodhill Hollow** and release same as having met all conditions of approval.

OTHER BUSINESS:

**Z-6277-SP-1: Corridor Site Plan for an Outdoor Advertising Sign**  
NW/c of East 66th Street South & the Mingo Valley Expressway

Staff Recommendation:

The applicant is requesting Site Plan approval for an outdoor advertising sign on Lot 8, Block 6 of Union Gardens, adjacent to the Mingo Valley Expressway at 66th Street South.

After review of the Detail Site Plan, Staff finds the sign is located 141' from an RS-3 District, which does not comply with the required setback of at least 150' from a Residential District. In addition, the sign would be approximately 200' from a single-family home (zoned RS-3) on the north side of the subject tract. West of the tract is vacant land and single-family dwellings zoned RS-3. To the east is the Mingo Valley Expressway, then apartments zoned CO. There is vacant property on the south side zoned CO.

Staff does not feel that an outdoor advertising sign is an appropriate use on this tract due to the existing zoning and low intensity development on the north and west sides of the tract. Therefore, Staff recommends DENIAL of Z-6277-SP-1. If the zoning and existing development increases in intensity on the north and west side, then the use might be appropriate at a later date.

Comments & Discussion:

Staff commented that should the TMAPC consider the request to be appropriate, a BOA variance for setback would be needed, or the applicant could modify the Site Plan to a 150' setback from the residential area.

Mr. John Moody, representing the applicant, advised the applicant would amended the Site Plan and reduced the size of the sign, and the sign will now set back 150' from the north property line. Therefore, no waiver would be needed for setback. Mr. Moody submitted photos of the site to show the current use. He presented a descriptive text which also contained a letter from the property owner to the north stating no objection to the requested use. He reviewed the surrounding areas as to uses and vacant tracts.

Mr. Moody suggested a condition of approval be a time limitation of ten years or less, which he felt would be a reasonable compromise. Therefore, the TMAPC could view the development that has occurred during that time to consider if the billboard would still be appropriate.

Mr. Gardner stated the suggested amendment did not change Staff's recommendation. He added that, if the TMAPC is inclined to allow the sign, then require an additional 10' setback from the east boundary (20' total) and review again in five years to see what might have developed in this area.

Mr. Parmele moved for approval with setbacks of 20' from the east property line and 150' from the north property line, with a time period not to exceed five years. Discussion followed on the motion and the time limit consideration.

**TMAPC ACTION: 6 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-0** (Coutant, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Kempe, Randle, Rice, "absent") to **APPROVE** the **Corridor Detail Site Plan for Z-6277-SP-1 Moody (Harris)**, subject to setbacks of 20' from the east property line and 150' from the north property line, for a time period not to exceed five years from the date of final approval.

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**PUD 432-B-1: Minor Amendment, Detail Site Plan and Detail Landscape Plan for Areas A & B, and Amendment to Declaration of Covenants and Restrictions to combine covenants for PUD's 432, 432-A & 432-B NE/c of East 13th Street & South Utica Avenue**

**Staff Recommendation:**

**Minor Amendment**

PUD 432-B requires buildings within Development Area A when located more than 85' but less than 110' from the centerline of East 13th Street to be limited to a maximum height of 39'. The applicant is requesting a minor amendment to permit a building height of 49' due to the architectural design which includes a parapet 5' in height to provide maximum screening of the mechanical and elevator penthouse and other equipment.

Staff recommends **APPROVAL** of minor amendment PUD 432-B-1 per the applicant's submitted plans.

**Detail Site Plan & Detail Landscape Plan for Areas A & B**

The applicant is requesting Detail Site Plan and Detail Landscape Plan approvals for Areas A and B of PUD 432-B. Staff has reviewed the Landscape Plan and finds it to be in conformance with the requirements of the PUD. Staff, therefore, recommends **APPROVAL** of the Detail Landscape Plan for Areas A and B.

The Detail Site Plan is for two three-story office buildings both with basements in Area A and a 112 space parking lot in Area B. Based on the submitted minor amendment, staff is supportive of the detail site plan and therefore recommend **APPROVAL** subject to the applicant's submitted plans.

Amendment to Declaration of Covenants & Restrictions

The Amendments to Declaration of Covenants and Restrictions to combine covenants for PUD's 432, 432-A and 432-B comply with the PUD 432-B standards, therefore Staff recommends **APPROVAL**.

TMAPC ACTION: 6 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **5-0-1** (Coutant, Draughon, Paddock, Wilson, Woodard, "aye"; no "nays"; Parmele, "abstaining"; Carnes, Doherty, Kempe, Randle, Rice, "absent") to **APPROVE** the **Minor Amendment to PUD 432-B-1 Norman (Hillcrest), the Detail Site Plan and Detail Landscape Plan for Areas A & B of 432-B and Amendment to Declaration of Covenants and Restrictions to combine covenants for PUD's 432, 432-A & 432-B** as recommended by Staff.

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**PUD 454-1: Minor Amendment**

East of South Canton Avenue at East 103rd Place South

Staff Recommendation:

PUD 454, Wexford Estate, is a 20 acre development which has been approved for 52 single-family dwelling units with a minimum lot size of 12,265 square feet. A 20' side yard requirement when abutting a street was also approved. The applicant is now requesting a minor amendment to reduce the number of dwelling units in the development to 49, reduce the minimum lot size to 11,000 square feet and reduce the setback in a side yard abutting a street to 15', except for garages which will remain 20'. The lost area was required for the cul-de-sac streets which was greater than originally planned.

After review of the applicant's submitted plans, Staff finds the request to be minor in nature and consistent with the original PUD. Staff would note that all but two of the lots exceed these existing minimum requirements and the proposal is similar to surrounding development. Staff can support the requested reduction in number of dwelling units and required side yard abutting a street and a reduction to 11,750 square feet of the minimum lot size.

Therefore, Staff recommends **APPROVAL** of minor amendment 454-1 as requested by the applicant except the new minimum lot size would be 11,750 square feet.

TMAPC ACTION: 6 members present

On **MOTION** of **COUTANT**, the TMAPC voted **6-0-0** (Coutant, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Kempe, Randle, Rice, "absent") to **APPROVE** the **Minor Amendment to PUD 454-1 (Hammond Eng.)**, as recommended by Staff.

**NEW BUSINESS:**

As a result of two of the items on today's agenda, the Commission asked Staff to review Use Unit 5 to possibly include day care centers. Mr. Gardner explained that day care centers, with five children or less, were permitted by right, and childrens nurseries were already listed under Use Unit 5.

There being no further business, the Chairman declared the meeting adjourned at 4:11 p.m.

Date Approved 7/11/90  
James R. Robert  
Chairman

ATTEST:

Art Braughon  
Secretary