

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1834  
Wednesday, April 24, 1991, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes, 1st Vice Chairman	Coutant Harris	Gardner Russell	Linker, Legal Counsel
Doherty, Secretary	Midget	Stump	
Draughon, 2nd Vice Chairman			
Horner			
Neely			
Parmeale, Chairman			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, April 23, 1991 at 11:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:36 p.m.

**Minutes:**

Approval of the minutes of April 10, 1991, Meeting No. 1832:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-1** (Carnes, Doherty, Draughon, Horner, Neely, Parmele, Woodard, "aye"; no "nays"; Wilson "abstaining"; Coutant, Harris, Midget "absent") to **APPROVE** the minutes of the meeting of April 10, 1991 Meeting No. 1832.

**REPORTS:**

Chairman's Report:

It was reported that Jack Neely has been appointed Chairman of the **Comprehensive Plan Committee** since the present Chairman, Kevin Coutant, is not attending on a regular basis and will not be reappointed to the TMAPC.

Committee Report:

It was advised by Mr. Doherty that the **Rules and Regulations Committee** will be meeting May 8th at 11:30 to consider a procedure for handling requests for special studies from the City Council. The Committee will also follow-up on screening requirements for salvage and junk yards. He did not anticipate the work regarding the screening requirements would be completed at that time.

The **Budget and Work Program Committee** met before the TMAPC meeting to discuss the FY92 TMAPC Budget and Work Program which will be presented to the full commission on May 1, 1991. Ms. Wilson

explained that a proposed status quo budget (3 1/2% increase over FY91 budget) is being considered. The Committee also discussed what items could be omitted if the City imposed a possible 5% decrease over the FY91 budget.

Director's Report:

A resolution between the Pawhuska-Osage County Metropolitan Area Planning Commission and the TMAPC was presented by Mr. Gardner. Osage County is proposing that lot splits and subdivision plats for the area north and west of the City of Tulsa (approximately 12 square miles within Osage County but laying within Tulsa's fenceline) be filed and processed by TMAPC, reviewed by TAC and then a recommendation be made to the Pawhuska-Osage County Metropolitan Area Planning Commission. Mr. Gardner advised the Planning Commission that the Pawhuska-Osage County Metropolitan Area Planning Commission had already approved the resolution.

Legal Counsel advised that they would need to research the concept and form being presented and would advise the Planning Commission at their meeting on May 8, 1991. The Chairman directed Legal Counsel accordingly.

ZONING PUBLIC HEARING

Application No.: CZ-187 Present Zoning: AG  
Applicant: Lewis Proposed Zoning: IH  
Location: West of the NW/c of E. 61st St. N. and N. Utica Ave.  
Date of Hearing: April 24, 1991  
Presentation to TMAPC: Mr. James Lewis, 1934 E. 61st Pl. N.

Relationship to the Comprehensive Plan:

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

According to the Zoning Matrix the requested IH District is **not** in accordance with the Plan Map.

Staff Recommendation

**Site Analysis:** The subject tract is approximately 9.45 acres in size and is located south and west of the southwest corner of East 61st Street North and North Utica Avenue. It is partially wooded, gently sloping, vacant and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north across East 61st Street North by vacant property zoned AG; on the east by a Veterans of Foreign Wars building zoned RS and across Utica Avenue by vacant property zoned IL; on the south and west by vacant property zoned AG.

**Zoning and BOA Historical Summary:**

None

**Conclusion:** Although the subject tract is abutted to the east, across North Utica Avenue by industrial zoning, there is no other industrial zoning in the area. Staff would not support either IH or IM zoning on the subject tract, based on the wide range of potentially detrimental uses to the surrounding uses. The applicant's existing and proposed use of automobile salvage would not be compatible with existing land uses in the area.

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

NOTE: IF IL zoning is approved, Staff would recommend an amendment to the Comprehensive Plan to reflect the rezoning.

Applicant's Comments:

The applicant, **Mr. James Lewis, 1934 East 61st Place North**, was present. Mr. Lewis explained that he bought the property not knowing he did not have the right to store dismantled cars there. He commented that he rebuilds cars. In response to Ms. Wilson, he advised that he would be storing and working on dismantled cars. He further stated that he keeps approximately 25 cars.

Interested Parties:

**Ray Bates**

**6330 North Utica, Turley**

Mr. Bates is the District Chairman for Planning District 24 and he is also the Commander of the VFW Post located near the property. He talked with approximately 10 people who are near the property. From his findings, 7 people were against a salvage yard and 3 had no opinion. In his post, there are 126 members of which he polled 25. His results were 18 members opposed to the salvage and 7 with no opinion. He visited with Mr. Lewis to determine how he planned to use the property. He was assured the Mr. Lewis had no objections to cleaning up and screening the property.

Chairman Parmele inquired whether Mr. Bates would be opposed to IL zoning as recommended by staff. Mr. Bates stated that he would not but that Mr. Lewis would have to consider his options under that zoning.

Mr. Draughon commended Mr. Bates for his active interest and participation as a district chairman and urged other district chairs to be as conscientious.

Mr. Doherty stated he did not feel AG was appropriate zoning for the property and IL seemed to be the least offensive use of the tract. He did not feel it should be used for salvage stating that any higher industrial zoning would be a detriment to the area. He moved approval of staff recommendation.

Mr. Horner asked Mr. Lewis whether he was aware of what IL zoning would allow. Mr. Lewis informed the Planning Commission that he really was not certain.

Mr. Doherty withdrew his motion for approval of IL zoning.

Staff then briefed Mr. Lewis regarding IL zoning. He stated he would be in agreement with staff recommendation.

**TMAPC ACTION, 7 members present:**

On MOTION of DOHERTY, the TMAPC voted 6-1-0 (Carnes, Doherty, Draughon, Horner, Parmele, Wilson, "aye"; Neely "nay"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to RECOMMEND to the County Commission APPROVAL of IL zoning for CZ-187 as recommended by staff.

Legal Description:

IL Zoning: The South 630' of the NE/4 NE/4 SW/4 and south 400.99' of the west 63.65' of the NW/4 NW/4 SE/4, less the south 230' of the north 260' of the east 136.65' of the NE/4 NE/4 SW/4, Section 12, T-20-N, R-13-E, Tulsa County, Oklahoma.

\* \* \* \* \*

Application No.: CZ-188 Present Zoning: RS  
Applicant: Johnsen Proposed Zoning: IL  
Location: East of the SE/c of W. 55th St. S. and S. 45th W. Ave.  
Date of Hearing: April 24, 1991  
Presentation to TMAPC: Mr. Roy Johnsen, 320 Main Mall

**Relationship to the Comprehensive Plan:**

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Industrial.

According to the Zoning Matrix the requested IL District is in accordance with the Plan Map.

**Staff Recommendation:**

**Site Analysis:** The subject tract is approximately 139' x 150' in size and is located 200' east of the southeast corner of West 55th Street South and South 45th West Avenue. It is nonwooded, flat, contains two vacant single-family dwellings and is zoned RS.

**Surrounding Area Analysis:** The tract is abutted on the north across West 55th Street by OK Fireworks warehouse zoned IL; on the east by a truck trailer storage yard zoned IL; on the south by a single-family dwelling zoned IL; and on the west by two single-family dwellings zoned RS.

**Zoning and BOA Historical Summary:** Industrial zoning has been approved in the immediate area of the subject tract.

**Conclusion:** Staff would point out the subject tract is part of an area in transition from residential to industrial. This request would represent an orderly transition and is supported by the Comprehensive Plan and existing zoning patterns.

Therefore, Staff recommends **APPROVAL** of IL zoning for CZ-188 as requested.

**Applicant's Comments:**

The Applicant was represented by Mr. Roy Johnsen, 320 Main Mall, who stated they were in agreement with the staff recommendation.

**TMAPC ACTION, 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **6-0-1** (Carnes, Doherty, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; Draughon "abstaining"; Coutant, Harris, Midget, Woodard, "absent") to **RECOMMEND** to the County Commission **APPROVAL** of IL zoning for CZ-188 as recommended by staff.

Legal Description:

IL Zoning: Lots 11, 12 and 13, Block 4, Opportunity Heights  
Addition to the County of Tulsa, Oklahoma.

\* \* \* \* \*

Application No.: **PUD 468** Present Zoning: **CS & RM-1**  
Applicant: **Johnsen** Proposed Zoning: **Unchanged**  
Location: **NW/c E. 71st St. S. and S. Mingo Rd.**  
Date of Hearing: **April 24, 1991**  
Presentation to TMAPC: **Mr. Roy Johnsen, 320 Main Mall**

The Applicant was represented by Mr. Roy Johnsen and there were no interested parties present.

**Staff Recommendation:**

The applicant is proposing a commercial PUD on a 24 acre tract at the northwest corner of 71st Street South and Mingo Road. The PUD has 1085 feet of frontage on 71st Street South and 680' of frontage on Mingo Road. Lot 1, in the northwest corner of the PUD, will occupy 74 percent of the PUD and is proposed to contain a Sam's Wholesale Club. Lot 1 is proposed to have three access points each onto Mingo and 71st. The remainder of the PUD is composed of six smaller lots, 3 fronting Mingo Road and 3 fronting 71st Street.

Ten acres at the intersection are zoned CS with 8.7 acres of them contained within the PUD. The remainder of the PUD is zoned RM-1. The applicant proposes to spread the allowable commercial floor area (189,600 SF) throughout the PUD. In addition, 26,200 SF of

office development is proposed. Lot 1 will contain 86 percent of the allowable commercial floor area and Lots 2 through 7 have the remaining commercial and all the office floor area allocated to them as a group. The specific type and amount of development on each individual lot is proposed to be determined at the time of Detail Site Plan Review.

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 468 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 468 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 (Net)	
Entire PUD	24.27 acres
Lot 1	17.88 acres
Lot 2	36,100 SF
Lot 3	34,200 SF
Lot 4	31,800 SF
Lot 5	60,050 SF
Lot 6	73,700 SF
Lot 7	41,800 SF

Maximum Building Floor Area (square foot)	
Lot 1	162,500
Lots 2 through 7	53,300*

\*Commercial floor area within Lots 2 through 7 shall not exceed 27,100 SF.

Permitted Uses: As allowed by right in a CS district, except no "Entertainment and/or Drinking Establishments" in Use Unit 12 are allowed in the north 280' of the PUD.

Minimum Landscaped Open Space:	
Lot 1	12.5% of net area
Lots 2 through 7 (per lot)	10% of net area

Minimum Building Setbacks

Lot 1

From centerline of 71st	275'
From centerline of Mingo	275'
From west boundary	60'
from north boundary	60'

Lots 2 through 7

From centerline of 71st	110'
From centerline of Mingo	100'
From other lot boundaries	10'

Minimum Off-Street Parking: As required by the applicable Use Unit in the Zoning Code

Off-Street Parking Setback from PUD Boundaries 10'

Maximum Height 35'

Sign Requirements:

- A. No business ground sign shall be located within the 150' of north boundary of the PUD.
- B. All ground signs shall be separated by at least 100'.
- C. The maximum number and size of business ground signs is as follows:

Development Area	Number of signs	Total Allowable Display Surface Area
<b>Lot 1</b>		
Mingo frontage	1	200 SF
71st Street frontage	1	250 SF
Lots 2, 3, 4 and 7	1 per lot	1 SF/linear foot of frontage for commercial and 0.2 SF/linear foot of frontage for office
Lots 5 and 6	2 per lot	1 SF/linear foot of frontage for commercial and 0.2 SF/linear foot of frontage for office

- D. Wall signs for commercial uses are allowed at a size of 2 SF/linear foot of wall to which they are affixed. One wall sign per lot is allowed for office uses at a maximum size of 0.2 SF per linear foot of frontage if no ground sign is on the lot. Wall signs are not allowed on the west and north sides of buildings on Lot 1 nor on the north side of buildings on Lot 2.

3. No open air storage, display of merchandise offered for sale, nor loading area shall be located within 300' of the north boundary of the PUD.\*\*
4. Access points for Mingo Road and 71st Street shall be subject to the approval of TAC.
5. No loading area or receiving dock is allowed on the north side of buildings on Lots 1 and 2.
6. A screening fence meeting the requirements of Section 212 of the City of Tulsa Zoning Code shall be erected along the northern boundary of the PUD prior to issuance of an occupancy permit for any building on Lot 1.
7. The facade of exterior walls of buildings in the PUD shall not be made of metal sheeting nor shall the front of buildings be faced with standard concrete block. All sides of buildings shall have a similar exterior painting scheme.\*\*
8. No tractor-trailer trucks or portions thereof shall be stored, nor truck trailers used for storage of merchandise, supplies or other items, within the PUD.
9. Parking areas shall be screened from abutting arterial streets by fences or peripheral berms and/or landscaping. Underground sprinkling systems shall provide irrigation to all landscaped areas. Trees shall be planted in general accordance with the conceptual landscape plan submitted and in all additional landscaped areas required in parking lots. Deciduous trees installed shall be a minimum of two inches in caliper and evergreen trees shall be a minimum of five feet in height. Interior landscaping islands or strips of land shall be used to break up the large expanse of the parking lot for Lot 1.\*\*
10. 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 requiring parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
11. 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 that 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 continuing condition of the granting of an Occupancy Permit.

12. 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.
13. All trash, mechanical and equipment areas shall be screened from public view.
14. The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer 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.
15. 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 beneficiary to said Covenants.
16. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

~~\*\*As amended during the public hearing April 24, 1991.~~

**Applicant's Comments:**

Mr. Johnsen distributed a packet of information regarding the proposed Sam's Wholesale. He presented an aerial photo of the property. He commented that they were in agreement with the staff recommendation except for the following areas.

The applicant does not agree with the requirement that the exterior walls in the PUD shall not be made of sheet metal or standard concrete block. The applicant is proposing using smooth concrete rather than split concrete on the side and rear portions of the building. BSW Architects, who have designed a number of Wal-Mart and Sam's stores, suggested that Mr. Johnsen look at the Wal-Mart at 91st and Memorial to see what split face block on the front and smooth concrete on the rear of the buildings looks like to determine the problem. He presented a picture of the 91st and Memorial Wal-Mart to the Planning Commission. The architects have advised Mr. Johnsen that the concrete blocks would be treated with a sealer to improve the appearance.

In response to Mr. Johnsen's comments, Mr. Gardner advised that staff was trying to steer away from straight concrete block with no finish. It was the recommendation of staff that the whole building

be built the same. Staff differed with the applicant on the 91st Street Wal-Mart. It was noted that the south and west faces (those closest to the street) were attractive, and in hindsight, staff realizes it should have been recommended that the split block be wrapped around on the east side because of its visibility from 91st Street.

Staff predicts that for the next 5-10 years the back of the proposed Sam's store is going to be more visible than the front because there is nothing between 71st Street and the back of the building. Mr. Johnsen commented that normally the primary concern is the adjoining property owners. When shopping centers back up to single-family houses more techniques are required to soften the view. This application does not have that relationship. The nearest single-family is 400' away. The properties to the west are going to be office and it appears unfair to require additional costs. Mr. Johnsen agreed with Mr. Stump in that the wall is large. He pointed out that on the rendering presented there is a paint striping which is not extended on the other walls. Perhaps the striping could be extended to help break up the facade. Ms. Wilson inquired if money was the primary motivation for not having similar facade around the building. Mr. Johnsen stated that it was. The theory behind Sam's Wholesale is great pricing, not a high market layout. The fact that they do not have unnecessary costs has made them successful.

The second concern regarded the access points. Presently there are three access point (2 median breaks). Mr. Johnsen advised that they met with the Traffic Engineer to discuss access and median breaks. The Traffic Engineer was very firm that the median breaks would not be changed, therefore, they have designed around the median breaks, therefore determining the shape of the peripheral properties. It was Mr. Johnsen's understanding that, because disputes often arise among the owners that are sharing the mutual access points, the Traffic Engineer would prefer additional access points (as long as they are properly spaced). They have made their proposal and received approval of the access points from the Traffic Engineer.

Mr. Stump responded that the information given to Mr. Johnsen differed from that reported by the Department of Public Works Traffic Engineering at the TAC meeting. Traffic Engineering included a requirement to provide only one access point each on lots five and six, and "mutual access easements may be required on lots two, three and four."

Mr. Johnsen agreed that the information given staff and the applicant were not in agreement. He commented that he would like to present his request again to the TAC.

Thirdly, Mr. Johnsen advised that condition #3 was not acceptable to the applicant. Staff has added that no automobile parts installation area shall be located within 300' of the north boundary of the PUD. Sam's mounts tires as a part of their

operation. Staff recommended this be moved to the south side of the building. According to the merchandising plan regarding the location of refrigeration units and proximity to its tire sales, this will not work. Since there is no single family residence nearby there should be no reason why the tire mounting is not appropriate on the north wall. He also informed the Planning Commission that the PUD was filed showing the ultimate expansion. Not all of the building will be utilized in the first phase. When it comes time for expansion, it will be much easier to move the tire and mounting operation rather than a lot a refrigeration equipment.

Finally, Mr. Johnsen brought up the landscaping requirements. He stated Sam's projects an image of having good prices. They are not trying to set an extravagant sight. They simply want clean, functional lines and extra landscaping is not within the theme of what they want to portray. Unless there is a good reason, why should extra money be spent? In the Sam's parcel an overall 12.5% of net area will be landscaped. In the peripheral properties 10% of net area will be landscaped.

Much discussion was held regarding the requirement of landscaping. Mr. Doherty commented that the track record for Wal-Mart/Sam's Wholesale regarding landscaping has not been good in the Tulsa area. He stated that most of the Commissioners would agree that the most recent Wal-Mart additions (91st & Memorial, 71st & Peoria) have left much to be desired in the area of landscaping. A lot of the negotiating process depends on confidence in the developer to uphold their end of the bargain, in spirit as well as in the letter. He advised that he did not have that confidence in the applicant and could not vote in favor of the PUD with the landscaping requirements as presented by the applicant. Some compromise could be reached regarding how to break up the parking lots in another way.

Mr. Draughon suggested that possibly the parking lot could be broken up into four smaller lots rather than one large lot. Each lot could have landscaping around it. This would allow them to possibly not have to add more landscaping.

Mr. Doherty clarified to the applicant and the Planning Commission that he did not intend to portray he was against the PUD or its concept. He stated the PUD has an excellent design which is very innovative, overall it is a very good project.

TMAPC Review Session:

Mr. Doherty stated the applicant's four concerns as follows: the treatment of the facade (smooth, metal or concrete block); points of access (how many and where); location of the automobile service; and landscaping.

Mr. Stump advised that staff could agree to not allowing standard concrete block on the front face of the building and all sides of

the building shall have a similar exterior painting scheme on Lot 1.

Concerning condition #3 prohibiting the automobile parts installation from the north side of the building the Commissioners agreed that they were not in opposition to allowing the operation on the north. Staff stated they would not object to the change.

Mr. Doherty stated that the third point of disagreement regarded item #4 and concerned access points. Mr. Gardner suggested the condition be reworded to state that access points for Mingo Road and 71st Street would be subject to the approval of TAC.

Finally, the Commission discussed item #9 concerning landscaping. Mr. Carnes stated that he agreed that Wal-Mart's landscaping always left much to be desired. Chairman Parmele stated that he felt the landscaping showed significant progress. It was determined that the plan as presented does not break up the parking lot on Lot 1 to the satisfaction of the Commission. The Commissioners agreed that it was not their intent to dictate what the ultimate design should be, rather just express an opinion that something else should be presented. It was decided that condition #9 should be reworded to allow the applicant the opportunity to satisfactorily divide the parking area. The Commission asked that the minutes reflect that an alternate landscaping plan will be presented.

Mr. Doherty moved approval of PUD 468 subject to the amended conditions as recommended by staff.

Mr. Draughon stated that in view of the damage and destruction caused by the development of Woodland Hills Mall in approximately 1974 and the consequential flooding of those downstream he is very sensitive to any development along 71st Street and Mingo Road. This is where the tributaries of Mingo Creek form. He also stated that currently Mingo Road is two lane. This is unsafe considering the close proximity of the school and its traffic. Finally, he was opposed to the fact that Public Works would allow the applicant the option of paying a small fee in lieu of detention facilities. He felt very strongly that with a development of this size, it should be mandatory that detention facilities be provided. He stated that until that was a part of the PUD conditions he could not vote in its favor.

**TMAPC ACTION, 7 members present:**

On MOTION of DOHERTY, the TMAPC voted 6-1-0 (Carnes, Doherty, Horner, Neely, Parmele, Wilson, "aye"; Draughon "nay"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to RECOMMEND to the City Council APPROVAL of PUD 468 as recommended by staff with conditions #3, #4, #7 and #9 as amended by staff.

Legal Description: Attached as Exhibit "A"

\* \* \* \* \*

EXHIBIT "A"

A PORTION OF THE SE/4 OF THE SE/4 OF SECTION 1, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL U.S. GOVERNMENT SURVEY THEREOF; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL U.S. GOVERNMENT SURVEY THEREOF; THENCE S 89°56'12"W ALONG THE SOUTHERLY LINE OF SAID SECTION 1 A DISTANCE OF 1319.48 FEET TO THE SOUTHWEST CORNER OF THE SE/4 OF THE SE/4 OF SECTION 1; THENCE N 00°03'09"E ALONG THE WESTERLY LINE OF THE SE/4 OF THE SE/4 A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 71ST STREET SOUTH AND THE "POINT OF BEGINNING"; THENCE CONTINUING N 00°03'09"E ALONG SAID WEST LINE OF THE SE/4 OF THE SE/4 A DISTANCE OF 859.92 FEET TO A POINT THAT IS 400.00 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF THE SE/4 OF THE SE/4; THENCE N 89°56'04"E AND PARALLEL TO THE NORTHERLY LINE OF THE SE/4 OF THE SE/4 A DISTANCE OF 1269.83 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SOUTH MINGO ROAD; THENCE S 00°04'29"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 547.18 FEET; THENCE S 89°56'12"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND PARALLEL TO THE SOUTHERLY LINE OF SAID SECTION 1 A DISTANCE OF 10.00 FEET; THENCE S 00°04'29"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 132.79 FEET TO THE NORTHEAST CORNER OF "PHILLIPS 66 CENTRE NO. 27636", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL RECORDED PLAT THEREOF, PLAT NO. 4795; THENCE S 89°56'12"W ALONG THE NORTH LINE OF SAID "PHILLIPS 66 CENTRE NO. 27636" A DISTANCE OF 175.00 FEET TO THE NORTHWEST CORNER OF SAID "PHILLIPS 66 CENTRE NO. 27636"; THENCE S 00°04'29"W ALONG THE WEST LINE OF SAID "PHILLIPS 66 CENTRE NO. 27636" A DISTANCE OF 180.00 FEET TO THE SOUTHWEST CORNER OF SAID "PHILLIPS 66 CENTRE, NO. 27636", SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST 71ST STREET SOUTH; THENCE S 89°56'12"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 1084.50 FEET TO THE "POINT OF BEGINNING". SAID TRACT CONTAINS 1,057,211.86 SQUARE FEET OR 24.270 ACRES.

THE BASIS OF BEARING OF THE TRACT DESCRIBED IS THE BEARING OF N 00°00'00"E ALONG THE WEST LINE OF SECTION 1, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL U.S. GOVERNMENT SURVEY THEREOF.

**CONTINUED OTHER BUSINESS:**

PUD 168-5: East of SE/c of 81st St. and South Harvard Avenue  
Minor Amendment for Signage  
Detail Sign Plan

Staff Recommendation:

This was originally a proposal for a ground sign on 81st Street in the shopping center at the southeast corner of Harvard and 81st Street. The applicant was asked to confer with the owners of the shopping center to consider a different sign type or perhaps a joint sign with the shopping center. The PUD prohibits anything but a shopping center identification sign. The proposed sign would be primarily for Furr's Cafeteria Company. Mr. Stump advised that the applicant provided him with the latest proposal before the meeting. Since he has had only a few minutes to review the proposal, Mr. Stump advised that the applicant should present it to Planning Commission. Following his presentation staff would make a recommendation.

Applicant's Comments:

The applicant, **Bill Suggs, Route 2, 106 No Name Road, Dexter, New Mexico** was present. The applicant stated they would like to present an application for a monument sign as a result of the suggestion of TMAPC at their last hearing. The sign would be 50 SF and not more than 6' in height. It is proposed to be located within 10' of the west property line of the Furr's Cafeteria property (not on the shopping center property). Mr. Suggs stated that this sign is needed to bring more visibility to the new restaurant. Chairman Parmele inquired whether Furr's had consulted further with the owners of the shopping center since the last presentation to the TMAPC. Mr. Suggs stated that they had not. He presented a drawing showing the location of the proposed sign.

Staff reiterated that the PUD prohibits any ground signs except a shopping center identification sign. It appears that his proposed sign is near some trees that are required in the landscaping. Without seeing the exact location, staff could not endorse the application.

Interested Parties:

**Greg Roberson, Property Company of America 2431 East 61st Street**  
Mr. Roberson advised that Property Company of American would be presenting an application to the TMAPC in the near future for a large sign on Harvard. Furr's would be granted the opportunity to have an anchor position on the sign.

Comments and Discussion:

Ms. Wilson commented that issues like this come up occasionally in different areas. If TMAPC were to approve this it would just put the other tenants of the center in a sign dispute with everyone wanting something.

Mr. Carnes stated that he was in agreement with Ms. Wilson. At the last meeting it was not known that the center was going to come the TMAPC and request a center identification sign. He suggested that a temporary (4-6 weeks) sign be granted for the opening of the store.

Mr. Draughon commented that it appeared the applicant needed help. It was his understanding that staff recommended denial due the planned residential areas to the north. He asked whether this development was planned or definite. Mr. Stump advised that office development was approved at the northeast corner. Attached zero lot line housing wrapped around this area immediately to the north and east of the office area. Beyond that, there is no specific development but the Comprehensive Plan shows residential low intensity to the east.

Chairman Parmele stated he was opposed to the first request for a pole sign along 81st Street. He was not opposed to a 50 SF monument sign which could be attractive and help their business. He would also be in favor of additional signage for Property Company of America.

Ms. Wilson suggested that what was really needed was a good grand opening sign. Better exposure would be achieved this way. When little monument signs are approved everyone begins to feel they have a right to a sign also. Mr. Carnes reiterated Ms. Wilson's comments.

Mr. Doherty commented that he had seconded the motion originally planning to abstain. Since TMAPC asked the applicant to come back with a proposal for a monument sign, the mistake had been made and the Commission would have to go with it. Therefore, he was in favor of the sign.

Mr. Neely stated that this location has had a banner sign on the front of the property. He asked staff if the banner was allowed and if not, could its removal be required. Mr. Stump advised that the banner sign was not allowed, but since the applicant is replacing all of the signage, it is assumed that it will be removed. Mr. Neely stated that it is now a grand opening sign for El Paso Bar-B-Que, but, prior to that, it had been a Furr's sign for months.

**TMAPC ACTION, 7 members present:**

On MOTION of WILSON, the TMAPC voted 3-4-0 (Carnes, Neely, Wilson, "aye"; Doherty, Draughon, Horner, Parmele "nay"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to DENY the Minor Amendment for Signage and Detail Sign Plan for PUD 168-5 as recommended by staff.

**MOTION FAILED.**

**TMAPC ACTION, 7 members present:**

On MOTION of DRAUGHON, the TMAPC voted 4-3-0 (Doherty, Draughon, Horner, Parmele, "aye"; Carnes, Neely, Wilson, "nay"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to APPROVE the Minor Amendment for Signage and Detail Sign Plan for PUD 168-5 subject to the condition that the location be approved by staff and that the banner sign be removed.

\* \* \* \* \*

**OTHER BUSINESS:**

Z-4789-SP-2-2: Minor Amendment of the 20' rear yard requirement, measured from west property line, to 15' to permit a new dwelling. Located west of the northwest corner of East 75th Street South and South 111th East Avenue, 7422 South 111th East Avenue, Lot 19, Block 3, Hampton South Addition.

**Staff Recommendation:**

The subject tract located at 7422 South 111th East Avenue, is in a typical residential subdivision with an underlying zoning of corridor. The applicant is requesting a minor amendment to the required 20' rear yard, measured from the west property line to 15' to permit the construct of a new dwelling. After review of the applicant's submitted plot plan, it can be seen the lot is irregular in shape and the encroachment is for a corner portion of the dwelling.

Staff finds the request to be minor in nature and consistent with the original corridor site plan. Therefore, staff recommends APPROVAL of corridor site plan minor amendment Z-4789-SP-2-2 subject to the applicant's submitted plot plan.

NOTE: If approved, this minor amendment would release the applicant from the public requirement of the setback, but since this requirement is also a private agreement via the subdivision restrictive covenants, the applicant is suggested to amend that document.

**TMAPC ACTION, 7 members present:**

On MOTION of CARNES, the TMAPC voted 7-0-0 (Carnes, Doherty, Draughon, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to APPROVE the Minor Amendment to the Detail Site Plan for Z-4789-SP-2-2.

\* \* \* \* \*

PUD 221-D: Detail Sign Plan review - Located east of the southeast corner of East 43rd Street South and South 129th East Avenue (Development Area "A" Koala Care)

PUD 221-D is a 41,000 square feet (gross) development that was approved for day care use on March 28, 1990. The subject tract is located east of the southeast corner of East 43rd Street South and South 129th East Avenue and the applicant is requesting detail sign plan approval. PUD 221-D approved signage 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. After review of the applicants submitted sign elevation and location, Staff finds the request to be consistent with the original PUD and meet all conditions.

Therefore, Staff recommends **APPROVAL** of the detail sign plan for PUD 221-D as submitted.

**TMAPC ACTION, 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to **APPROVE** the Detail Sign Plan for PUD 221-D as submitted and recommended by staff.

\* \* \* \* \*

PUD 432-C: Detail Site and Landscape Plans for Area F and request to waive the requirement to record amended restrictive covenant for the PUD. -- Northeast corner of S. Victor Avenue and East 13th Street South

Staff has reviewed the Detail Site Plan for Area F of PUD 432-C which contains only off-street parking and landscaped open space. The Plan as submitted meets the requirements of the PUD and therefore, Staff recommends **APPROVAL**.

The Detail Landscape Plan complies with the PUD conditions with one exception, less than half of the new trees planted will be evergreens. The applicant was forced to change to dogwoods in many locations because evergreens will not grow in the shade of the existing large trees, but dogwoods will. In non-shaded areas evergreens are proposed. Staff finds this to be a normal change that comes about when detailed analysis of a site is performed. Therefore, Staff recommends **APPROVAL** of the Detail Landscape Plan for Area F.

The present configuration of the PUD boundaries on the east side of Victor Avenue are temporary and new areas will be added as acquisition occurs. The applicant is requesting that the requirement to record the PUD requirements in restrictive covenants be waived until a later date when the boundaries are more

permanent. Staff recommends **APPROVAL** of this **temporary** waiver conditioned upon appropriate restrictive covenants being recorded prior to issuance of a building permit for any buildings in Areas E, F or G.

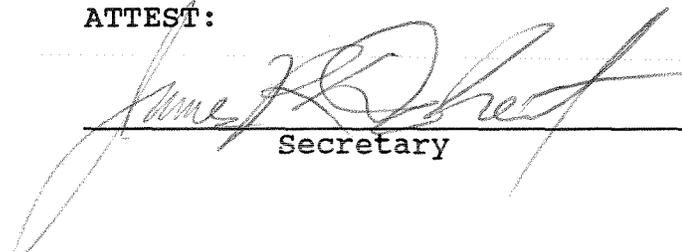
**TMAPC ACTION, 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Midget, Woodard, "absent") to **APPROVE** the Detail Site Plan and Detail Landscape Plan for Area F of PUD 432-C and **APPROVAL** of a temporary waiver to record the PUD requirements in restrictive covenants subject to the condition that appropriate restrictive covenants be recorded prior to issuance of a building permit for any buildings in Areas E, F, or G as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 3:54 p.m.

Date Approved: May 8, 1991  
  
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Chairman

ATTEST:

  
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Secretary