

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1844  
Wednesday, July 17, 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>
Ballard	Harris	Gardner	Linker, Legal
Carnes	Horner	Russell	Counsel
Doherty, 1st Vice Chairman	Midget	Stump	
Draughon			
Parmele			
Neely, 2nd Vice Chairman			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, July 16, 1991 at 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 1:32 p.m.

**Minutes:**

There were no minutes to approve since the TMAPC did not meet on July 3, 1991.

**REPORTS:**

**Chairman's Report:**

Mr. Doherty reported that the City Council approved per TMAPC recommendation the amendments to the Zoning Code regarding junk and salvage yard screening at their meeting on July 16, 1991. The Council also directed the Planning Commission to begin public hearings on the blanket zoned areas identified in the Rezoning of Blanket Zoned Areas Study. Chairman Parmele directed the Comprehensive Plan Committee to initiate meetings in September or October to determine a time frame in which to work.

**Committee Reports:**

There was no report from the **Comprehensive Plan Committee.**

Mr. Doherty advised that the **Rules and Regulations Committee** met prior to today's meeting to discuss dance hall spacing and possible noise provisions. The Committee decided not to give a recommendation and to use the continued public hearing to determine what is the problem. Provisions regulating the parking of recreational vehicles were also discussed. The Committee requested that a public hearing be set. Chairman Parmele directed staff to call for a public hearing on August 21, 1991 to consider amendments to the Zoning Code as it relates to the parking of recreational vehicles, boats, etc. Mr. Doherty commented that the Rules and

Regulations Committee still has several items pending. Their next meeting will be on July 31, 1991.

Ms. Wilson advised that a meeting will be scheduled in August to review the Fourth Quarter of FY90 Work Program progress.

\* \* \* \* \*

### ZONING PUBLIC HEARING

Application No.: **Z-6324** Present Zoning: RS-3  
Applicant: **Schuller** Proposed Zoning: OL  
Location: 1325 East 35th Pl. S.  
Date of Hearing: July 17, 1991  
Presentation to TMAPC: Steve Schuller, 525 South Main Mall, 74103

#### Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity --Residential. The Brookside Special Study excluded this tract from the Special Consideration Area which allowed off-street parking.

According to the Zoning Matrix the requested OL District is NOT found in accordance with the Plan Map.

#### Staff Recommendation:

**Site Analysis:** The subject tract is approximately 100 'x 140' in size and is located east of the northeast corner of South Peoria Avenue and East 35th Place. South. It is partially wooded, flat, contains a single-family dwelling and is zoned RS-3.

**Surrounding Area Analysis:** The tract is abutted on the north by a parking area zoned OL; on the east and south by single-family dwellings zoned RS-3; and on the west by a parking lot and commercial uses zoned OL and CH.

**Zoning and BOA Historical Summary:** Office zoning has been approved to the north and west of the subject tract prior to adoption of the Brookside Special Study.

#### Conclusion:

The Comprehensive Plan, of which the Brookside Special Study is a part, does not support the requested zoning. Such a change would produce another instance of residential uses fronting non-residential uses and would encourage non-residential uses to creep further into a residential neighborhood.

Therefore, Staff recommends **DENIAL** of OL zoning for Z-6324 as requested.

Comments & Discussion:

Chairman Parmele advised that a letter had been received from **Clyde P. Johnson, 4004 S. Wheeling Ave.**, in favor of the rezoning. A letter had also been received from **Dr. Sharon Wann, 1321 East 35th**, also in support of the rezoning.

Applicant's Comments:

**Mr. Steve Schuller, 525 Main Mall**, presented additional letters to the TMAPC in support of the application. He reviewed a map highlighting the different zonings in the area. He commented that there was unanimous support of the application by the surrounding neighbors.

Mr. Schuller explained his intent to remodel the existing structure for office use. He stated that this light office use would be an appropriate buffer. He made reference to other existing office uses in the area. Mr. Carnes commented that he agreed an office would be a more appropriate buffer than a rent house. He advised that the existing uses Mr. Schuller was referencing had been done through a PUD, which allows the TMAPC to guarantee that the next use will be compatible with the surrounding uses.

Mr. Neely commented that he was hesitant to support the OL zoning because this zoning would allow a parking lot by right. He noted that the subject property could be torn down and made into a parking lot. This would not be consistent with what appeared to be the intent of the applicant, but without a PUD, nothing would prevent a future owner from doing so.

Several references were made to the Special Consideration Area identified by the Brookside Study which is part of the Comprehensive Plan. Mr. Gardner and Mr. Stump explained that the subject tract is not included in the Special Consideration Area that might be appropriate for a parking lot.

Interested Parties:

**Dan Roark** **1348 East 35th Street, 74105**  
Mr. Roark stated concern regarding the parking for the proposed office use. He stated that parking was already a problem in the area.

**Michelle Farabough** **1936 South College, 74104**  
Ms. Farabough spoke on behalf of the Brookside Association. She stated that they like what is happening along 35th Street. The association is in favor of the single story offices and urged TMAPC to approve the application. Ms. Wilson confirmed that what the Association was supporting was the office use. She advised that the PUD process would be the best way to assure that this type of use is what would occur. Without the PUD, a parking lot could be put in, and the landscaping Ms. Farabough was in favor of, would not be required. She further stated that it appeared that a good

deal of the office development had been done through the PUD process.

**Jim Glass**

Mr. Glass stated that this rezoning would be a positive influence on the area. He commented that all adjoining owners are in favor of the request for rezoning.

There being no other interested parties, the Chairman closed the public hearing.

TMAPC Review Session:

Mr. Carnes stated that it appears that those present are supporting the application. He explained that what they are supporting is not the rezoning, but what has occurred in the area through the PUD process. He stated he was against the OL zoning, but he could support the same usage under the PUD process. This would allow the TMAPC to approve a landscaping and on-site parking plan.

Mr. Doherty asked staff about the Brookside Study. Mr. Gardner advised that the study was conducted in 1983. The study was conducted in response to parking problems in the Brookside area and resulted in an amendment to the Comprehensive Plan.

Mr. Doherty advised he was in agreement with Mr. Carnes in that he was in favor of the use but only under the PUD process.

Chairman Parmele stated that a continuance of the matter would be in order to allow the applicant time to prepare a PUD. The applicant stated that he was not interested in applying for a PUD.

TMAPC Action; 8 members present:

On MOTION of DOHERTY, the TMAPC voted 6-2-0 (Carnes, Doherty, Neely, Parmele, Wilson, Woodard, "aye"; Ballard, Draughon "nay"; no "abstentions"; Harris, Horner, Midget, "absent") to DENY OL zoning for Z-6324 as recommended by staff.

Legal Description:

Lot 11, Block 3, Olivers Addition to the City and County of Tulsa, Oklahoma.

\* \* \* \* \*

**CZ-192 Thomas NE/c E. 68th St. N. and Mingo Valley Expressway**

Chairman Parmele advised that the applicant was requesting a continuance to allow the City of Owasso Planning Commission time to review the application.

TMAPC Action; 8 members present:

On MOTION of CARNES, the TMAPC 8-0-0 (Ballard, Carnes, Doherty, Draughon, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Midget, "absent") to CONTINUE CZ-192 until July 24, 1991 at 1:30 p.m. in the City Council Room, City Hall, Plaza Level.

\* \* \* \* \*

ZONING PUBLIC HEARING

Application No.: Z-6325 Present Zoning: RS  
Applicant: Helscel Proposed Zoning: OL  
Location: South of the SE/c of N. Garnett Rd. and E. Newton Pl.  
Date of Hearing: July 17, 1991

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2, (Industrial).

According to the Zoning Matrix the requested OL District may be found in accordance with the Plan Map. All zoning districts are considered may be found in accordance with Special Districts guidelines.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately .27 acres in size and is located south of the southeast corner of North Garnett Road and East Newton Place. It is partially wooded, flat, vacant, and is zoned RS-3.

**Surrounding Area Analysis:** The tract is abutted on the north by vacant property zoned RS-3; on the east by single-family dwellings zoned RS-3; on the south by vacant property and a single-family dwelling zoned IL; and on the west by vacant property zoned IL.

**Zoning and BOA Historical Summary:** IL zoning was denied on the subject tract in 1989, but staff felt this lot, if zoned for offices, might be used to buffer the residential area to the north from the IL to the south.

Conclusion:

Staff feels that rezoning to OL would provide a buffer between the residential and industrial uses.

Therefore, Staff recommends **APPROVAL** of OL zoning for Z-6325.

TMAPC Action; 7 members present:

On MOTION of **DOHERTY**, the TMAPC voted **5-0-2** (Ballard, Carnes, Doherty, Parmele, Wilson, "aye"; Neely, Draughon "abstaining"; Harris, Horner, Midget, Woodard "absent") to **APPROVE** OL zoning for Z-6325 as recommended by staff.

Legal Description:

OL Zoning: Lot 2, Block 2, Modern Acres Addition to the City and County of Tulsa, Oklahoma

\* \* \* \* \*

ZONING PUBLIC HEARING

Application No.: **PUD 472; Z-6326** Present Zoning: OL  
Applicant: **Paul Messick** Proposed Zoning: CS  
Location: East of SE/c of S. Peoria Ave. & E. 58th St.  
Date of Hearing: July 17, 1991  
Presentation to TMAPC: Paul Messick, 6004 South Birmingham

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity--Residential.

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

Staff Recommendation:

**Site Analysis:** The subject tract is approximately 1 acre in size and is located east of the southeast corner of South Peoria Avenue and East 58th Street. It is partially wooded, flat, contains building construction vehicles, equipment and materials and is zoned OL.

**Surrounding Area Analysis:** The tract is abutted on the north by a mini-storage complex zoned CS; on the east by residential townhouse development zoned RM-2; on the south by a single-family dwelling on a large lot zoned RS-3; and on the west by the applicants' construction company zoned CS.

**Zoning and BOA Historical Summary:** CS zoning has been approved on lots fronting Peoria Avenue both north and south of 58th Street with RM-2, RM-1 and RD approved on lots near, but not fronting Peoria.

Conclusion:

Staff can only support this rezoning application because it is accompanied by PUD 472 which limits the use of the subject property to mini-storage with significant design requirements. Other uses allowed in the CS district would not be appropriate in this location.

Therefore, Staff recommends **APPROVAL** of CS zoning for Z-6326 conditioned upon concurrent approval of PUD 472. If the CS is approved staff would recommend amending the Comprehensive Plan to show this tract as Medium Intensity--No Specific Land Use.

**PUD 472:**

The applicant is proposing a PUD for mini-storage which also requires changing the underlying zoning from OL to CS (Z-6326). There is an existing mini-storage development zoned CS immediately north of the subject property across 58th Street. To the west is the applicant's construction business zoned CS, to the east is a townhouse development zoned RM-2 and to the south is a single family dwelling on a one acre lot zoned RS-3.

The Comprehensive Plan designates the subject tract Medium Intensity-Residential which would not allow CS zoning. After viewing the site and surrounding development, staff feels a properly designed mini-storage project could be compatible with the area, but not other CS uses.

The applicant is proposing rows of mini-storage buildings on the east, west, and south property lines and two larger warehouse buildings in the middle of the tract. The perimeter buildings would have outside walls and endwalls of 8" concrete block and front walls of steel panelling. The two buildings in the middle of the tract would be entirely of steel panels.

If Z-6326 is approved 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 472 to be: (1) consistent with the Comprehensive Plan, if amended; (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 472 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:**

<b>Land Area</b> (Gross)	49,500 sf
(Net)	45,000 sf

**Permitted Uses:** Mini storage and customary accessory uses, except no outside storage

**Maximum Building Floor Area:** 22,000 sf

**Minimum Landscaped Open Space:** 5,300 sf

**Minimum Building or Screening**

**Wall Setback:**

East PUD boundary	10'*
South PUD boundary	10'*
West PUD boundary	0
Centerline of East 58th Street South	40'

**\*Reduced to zero by TMAPC**

**Maximum Building or Screening Wall Height**

Within 30' of the east and south boundaries of PUD	10'
More than 30' from east and south boundaries of PUD	14'

**Signs:**

One ground sign is permitted on East 58th Street with a maximum height of 6' and a maximum display surface area of 72 sf and shall be located at the western boundary of the PUD.

**Required Screening and Buffering:**

The entire east and south sides and the east 100' of the north side of the PUD shall be screened by the construction of masonry walls or mini-storage buildings in a manner which produces a continuous screening wall. The exterior side of the masonry walls or buildings which form the screening wall shall be finished with materials such as stucco, rock, brick or tilt up concrete panels with a finished side\*\* be of a uniform height, and be earth-tone in color. The frontage along 58th Street shall be decoratively landscaped. The 10' wide area between the east and south boundaries of the PUD and the mini-storage buildings shall be landscaped with trees which will within 5 years provide substantial screening of the interior of the mini-storage from the second floor level of adjacent residential areas. \*\*\*

**Time Open to Public:** 6:30 a.m.-11:00 p.m.

**\*\*Added by TMAPC**

**\*\*\*Deleted by TMAPC**



3. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, 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.
4. A Detail Landscape Plan 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 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 permits 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, mechanical and equipment areas shall be screened from public view.
7. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12' within the east and south 75' of PUD and 20' for the remainder of the PUD.
8. The Department of Stormwater Management 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 have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
9. 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.
10. No mini-storage buildings may be constructed in the interior or west side of the PUD until the buildings and walls forming screening are in place on the east, south and north sides of the PUD.

Applicant's Comments:

Mr. Messick commented that he had hoped to build against the property line or within 6' of the property line in order to best utilize the land.

He advised that he had spoken with all but 6 of the neighbors in the area and had not received an objections to his proposal. He commented that in regard to landscaping, the front of the property is all that will be seen. There is a screening wall on the east next to the two story apartment complex. He commented that there would not be a need to provide a second screening wall.

Mr. Messick stated that he would be willing to provide landscaping compatible to that of the nearby properties.

Mr. Carnes stated that instead of having a ten foot alleyway (which would occur if he erected a screening fence) the Planning Commission might consider allowing him a few feet of setback and more landscaping on the front. Mr. Messick advised that his proposal was to build on the setback and provide more landscaping in the front.

TMAPC Action; 8 members present:

On MOTION of **CARNES**, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Horner, Midget, "absent") to RECOMMEND **APPROVAL** of CS zoning for Z-6326 and PUD 472 per staff recommendation with the following amendments to the Develoment Standards:

1. Minimum Building or Screening Wall Setback:
 

East PUD boundary	0'
South PUD boundary	0'
  
2. Add tilt-up concrete panels with a finished side to the types of materials acceptable for the exterior walls or screening walls.
  
3. Delete the last sentence in the Required Screening and Buffering paragraph.

Legal Description:

CS Zoning: Lot 6, Southlawn Addition to the City and County of Tulsa, Oklahoma

\* \* \* \* \*

**OTHER BUSINESS:**

**PUD 347-4: Minor amendment of the required 2' front yard for garages to 20'. -- 2712 W. 66th Place South (Lot 87, Block 1, Fairway Park Amended)**

PUD 347 is a 28.9 acre development located south and east of the southeast corner of West 61st Street South and South 33rd West Avenue. It was approved in 1987 by the TMAPC permitting a maximum of 132 detached single

The applicant is requesting a minor amendment of the required 25' front yard for garages to 20' to permit the construction of a new single-family residence.

Minor amendment PUD 374-2 permitted the dedication of private streets within the development to the City of Tulsa subject to various conditions. One particular condition, recommended by Mr. Charles Hardt, (Director of Public Works) was to provide a 25' garage setback as a minimum for each lot. The required front yard for all other parts of a dwelling was reduced to 20'. Staff is not supportive of the request based on the original memo from Charles Hardt and the substandard 30' right-of-way for West 66th Place South. The reduced right-of-way for West 66th Place South, when coupled with the reduced front yard for garages, severely limits overflow parking availability. Staff would note the subject tract could accommodate the proposed floor plan if the house was relocated 5' farther to the rear of the lot or if the garage was recessed. Additionally, Staff finds nothing unique with this lot and sees the request as a precedent for other lots in the area.

Therefore, Staff recommends **DENIAL** of Minor Amendment PUD 347-4.

Applicant's Comments:

**J. D. Harp,** **3068 West 77th St.**  
Mr. Harp advised that the plat that was filed had a building setback of 20'. Mr. Harp's architect picked up the 20' as the total setback when he drew up the plot plan. When he applied for a building permit, it was discovered that in fine print on the plat it states that where there is a 30' street, the garage setback will be 25'. He corrected his drawings and was issued a building permit. After receiving his permit, the wrong plot plan was inadvertently given out. Therefore, the building is setback only 22'. As soon as he determined the problem, he applied for relief.

Chairman Parmele asked how far they were in construction. Mr. Harp advised that he house had just been roofed. Mr. Doherty inquired why he continued to build when he knew there was a problem. Mr. Harp advised that because the house is on a curve, you can measure from one point and the house is setback 25', if you measure from another point, the setback is only 22'.

Mr. Carnes commented that when the building inspector approved the pour, they approved the footing, and in essence gave him permission to continue building. Therefore, he commented that an error had occurred and the amendment should be approved.

TMAPC Action; 8 members present:

On MOTION of **CARNES**, the TMAPC voted 5-2-0 (Ballard, Carnes, Draughon, Parmele, Wilson, "aye"; Doherty, Neely "nay"; no "abstentions"; Harris, Horner, Midget, Woodard "absent") to APPROVE Minor Amendment to PUD 347-4 to decrease the setback for a garage from 25' to 22' as per site plan submitted.

Mr. Gardner clarified that the Planning Commission was approving the PUD per site plan submitted. He advised that the applicant was note granted a 20' setback but a 22' setback as per site plan submitted.

\* \* \* \* \*

**PUD 246: Detail Site, Landscape and Sign Plan -- northwest corner of E. 71st Street South and south Granite Avenue (Corporate Oaks) [Development Area A]**

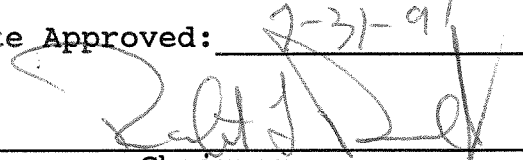
The applicant is proposing the remodel the grounds of an existing four building office complex. The changes include reducing the height of existing landscaping walls, adding wood fencing, replacing and enhancing the landscaping and adding awnings, gazebos and covered walkways to the existing building and interior courtyard.

Staff has reviewed the proposed alterations and finds them to be in conformity with the PUD conditions. Therefore, Staff recommends **APPROVAL** of the revised Detail Site, Landscape and Sign Plans for Development Area A of PUD 246.


TMAPC Action; 8 members present:

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

There being no further business, the Chairman declared the meeting adjourned at 3:03 p.m.

Date Approved: 7-31-91  
  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary

