

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1860
Wednesday, November 6, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Carnes	Gardner	Linker, Legal
Doherty, 1st Vice Chairman	Horner	Hester	Counsel
Harris	Draughon	Stump	
Midget, Mayor's Designee		Wilmoth	
Neely, 2nd Vice Chairman			
Parmeale, Chairman			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, November 5, 1991 at 11:33 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 1:35 p.m.

Minutes:

Approval of the minutes of October 16, 1991, Meeting No. 1857:
On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner Midget "absent") to **APPROVE** the minutes of the meeting of October 16, 1991 Meeting No. 1857.

REPORTS:

Chairman's Report

Mr. Gardner advised three dates being recommended for District Planning Team elections are Monday, May 4; Tuesday, May 5; or Monday, April 27. Staff is recommending Tuesday, May 5. Staff felt Tuesday night might result in a better turnout and this would be a full 30 days after City Council elections.

Chairman Parmele reported there had been a meeting with Mr. Midget and Jeannie McDaniels, of the mayor's office, and we are trying to encourage more participation in the citizen planning teams. One of the items considered was holding a work session with the new councilors and invite, not only the homeowners associations and the current district planning team chairs and co-chairs, but other neighborhood organizations and interested parties in an attempt to encourage more participation.

Mr. Gardner advised of receipt of a list from the Mayor's office of the Office of Neighborhoods, containing the various people listed with the Mayor's office and anticipates going from 100 in attendance to 200 in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget "absent") to **APPROVE** staff proposal of holding District Planning Team elections May 5, 1992.

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Director's Report

Mr. Gardner advised the need for an FD Floodway District was eliminated in the late 1970's when the City developed ordinances that regulate development within the flood plains. The County does not have those same ordinances; therefore, it would be kept in the County. The City has ordinances that deal with this. Mr. Gardner requested the Planning Commission consider public hearing for this matter on December 4, 1991.

TMAPC Action; 8 members present:

On **MOTION** of **NEELY**, the TMAPC voted 8-0-0 (Ballard, Doherty, Harris, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, "absent") to **APPROVE** request to call for public hearing on December 4, 1991 for the purpose of repealing the FD Floodway Chapter of the Tulsa City Zoning Code and rezoning all existing FD areas in the City AG Agriculture by Zoning Code Text Amendment.

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Mr. Gardner requested TMAPC to call for a public hearing on either December 4, or December 11, 1991 to consider amending the Major Street and Highway Plan (MSHP) to downgrade Yale between I-244 and Gilcrease Expressway and Memorial Drive North of I-244 from a primary arterial to secondary arterial.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 8-0-0 (Ballard, Doherty, Harris, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, "absent") to **APPROVE** call for public hearing to consider amending the Major Street and Highway Plan (MSHP) to downgrade Yale between I-244 and Gilcrease Expressway and Memorial Drive North of I-244 from a primary arterial to secondary arterial on December 4, 1991.

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Resolutions to amend the Comprehensive Plan (Map and Text) for Planning Districts 2, 4, 6, 18 and the Park, Recreation and Open Space Plan and the Cherry Street Study (housekeeping amendments).

RESOLUTIONS: 1859:723 1859:726
1859:724 1859:727
1859:725 1859:728

In response to Chairman Parmele's inquiry Ms. Matthews acknowledged the Planning Commission had approved these housekeeping amendments on October 23.

TMAPC Action; 8 members present:

On MOTION of MIDGET, the TMAPC voted 8-0-0 (Ballard, Doherty, Harris, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, "absent") to APPROVE Resolutions 1859:723; 1859:724; 1859:725; 1859:726; 1859:727; and 1859:728 to amend the Comprehensive Plan (Map and Text).

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Continued Zoning Public Hearing

PUD 261-B Johnsen (PD-18) (CD-8) (OL, OM, CS)
North & east of the NE/c of Riverside Drive & E. 71st St. S.

Chairman Parmele announced the applicant has requested a continuance to December 4, 1991 due to ongoing discussions with adjoining property owners.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") to CONTINUE PUD 261-B to December 4, 1991.

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PUD 473 Southwest corner of East 26th Place South
and South Boston Avenue

Staff Recommendation

The applicant is proposing a two lot and two unit residential PUD on a 0.4 acre tract. The tract is zoned RS-2 and there is

sufficient land area to allow two dwelling units. The PUD does not propose any innovative land development, only a two lot subdivision. It appears that the PUD process was selected because of the shallowness of the tract, and one lot does not contain the minimum lot area required in the RS-2 district. The proposed lots are to be at least 90' wide which is as wide or wider than most of the surrounding lots. The depth of the lots is, however, only 100' which is significantly less than surrounding lots which range from 138' to 202'. The applicant is proposing to meet all the bulk and area requirements of the RS-2 district with the exception of the lot area of tract A (8,964 sq. ft. rather than 9,000 sq. ft).

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 473 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 473 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)	+27,950 SF
(Net)	17,964 SF

Permitted Uses	Single Family dwellings and customary accessory uses.
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Maximum Number of Dwelling Units	2
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Minimum Off-street Parking Spaces	2 per dwelling unit
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Minimum Lot Area	8,950 SF
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All Other Bulk and Area Requirements	As required in the RS-2 district.
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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.

Comments

Mr. Gardner pointed out this item has been before the BOA. The neighborhood has been quite active and the applicant has been working with the residents to resolve their differences.

Applicant's Comments

Mr. John Moody, the attorney representing the applicant, gave a brief history of the property. He circulated copies of the plat filed in 1924 to the Planning Commission. He pointed out where a 30' radius was platted on E. 26th Place and South Boston in order to accommodate the jog in Boston, anticipating that it was going to be a through street at some time in the future. This did not occur. Because of this radius they are unable to subdivide the lots into two lots conforming to the 9,000 SF requirement. The southern lot will have 9,000 SF and the northern lot will have 8,964 SF, 36 SF short of the requirement. Because of PUD requirements they are able to meet the gross land area per dwelling unit requirement in the RS-2 District and the livability area required by the zoning code as set forth in the text.

Mr. Parmele commented that there was an interested party present, not wishing to speak, but to be assured there is no change from what was discussed with the neighborhood. Mr. Parmele asked if the applicant was in agreement with staff recommendations.

Mr. Moody affirmed that he was in agreement with staff recommendations and distributed to the TMAPC the agreements negotiated within the last month with the adjacent neighborhoods. Mr. Moody read these agreements; they are as follows:

1. The footprint of the single family residences, building setback lines and locations of driveway shall be as shown and depicted on the Site Plan dated August 16, 1991, submitted with the PUD Application.

2. The house plans and design shall be similar in concept as the architectural exterior elevations shown and exhibited to the neighbors and at the public hearing before the Tulsa Metropolitan Area Planning Commission and will incorporate "traditional" design elements. Minor adjustments or variances to the footprint, exterior elevations and design elements shall be permitted, so long as the plans maintain an overall consistency with the plans and drawings submitted to the Planning Commission.

3. The roofs shall be constructed of wooden shakes, slats or 340 lb. composition roofing.

4. The windows shall be constructed using high quality, divided lights, wood windows.

5. The exterior sidings shall be constructed of a combination of brick, stone or wood clapboard, which shall be consistent on all sides of the structure, providing, however, that the developer will be permitted to have brick or stone and wood

gables on the ends of the house so long as the fronts and rears are similarly constructed of brick or stone exteriors.

6. Garage doors shall be constructed using high-grade wood doors.

7. The driveway shall be located as shown on the Site Plan and shall be of concrete construction.

8. Landscaping - a detailed landscaping plan shall be submitted to the neighborhood and to the Tulsa Metropolitan Area Planning Commission for review and approval prior to the issuance of a building permit. The landscaping shall be generally consistent with the neighborhood, quality of house and house plans presented to the Planning Commission. The property owners shall be notified of the hearing on the detailed landscaping plan in order to appear, if necessary, to address the Planning Commission of any concerns or opposition to the landscaping plan. All yards will be sodded prior to occupancy of the residences.

9 Fencing - a 6-foot high wooden fence shall be constructed on the southern and western boundaries of the property prior to completion of the residences.

10 Drainage - a grading plan will be submitted to the TMAPC for approval prior to the issuance of a building permit. The drainage shall be handled by grading the property so that there will be surface drainage to the streets and away from adjacent properties, and, in addition, the runoff from the roofs will be handled by underground guttering taking the runoff to the adjacent streets and storm sewer systems.

11. Guttering for the houses shall be of high quality, appropriate to the design.

12. All utilities will be underground.

13. Air conditioning units - all air conditioning units shall be placed out of line of sight from the streets and shall be screened to reduce sound by fencing or plantings.

14. No building permits shall be issued until a Detailed Site Plan, architectural elevations and drawings have been submitted to the neighbors for their review and until the Plans are approved by the TMAPC to insure the Plans comply with these conditions. Notice of the hearing on the Detailed Plan shall be given to the neighbors.

TMAPC Action; 8 members present:

On MOTION of WOODARD, the TMAPC voted 8-0-0 (Ballard, Doherty, Harris, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, "absent") to APPROVE PUD 473 subject to conditions as recommended by

staff and the submitted applicant's negotiated conditions made with the surrounding property owners.

Legal Description

Lot 5, Block 16, Third Amended Plat of Riverside Drive Addition

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Zoning Public Hearing

PUD 253-C: Major Amendment at southwest corner of East 51st Street South and South Marion Avenue

The applicant is requesting that the west 1200 SF of Building 2 in PUD 253-A be permitted to have a restaurant. Presently restaurant use is not permitted in Buildings 1 or 2. The concern staff has with this request is off-street parking. Buildings 1 and 2 presently have 43 spaces and there is no place to construct additional parking. If the restaurant is allowed and the remainder of Buildings 1 and 2 were allowed retail uses, as they presently are, then 51 parking spaces would be required. When the number of parking spaces becomes less than the parking demand, it is reasonable to expect that employees of these businesses would be asked to park along Marion Avenue in the residential area to free spaces for customers. To comply with the minimum off-street parking requirements the applicant has amended his request to limit the amount of commercial uses allowed in Buildings 1 and 2 with the remainder in non-medical Use Unit 11 uses.

Therefore, staff recommends PUD 253-C be **APPROVED** per the applicant's amended request with the following new limitations on the use of Buildings 1 and 2

Permitted Uses 11, 13, 14 and Eating Establishments

Maximum Building Floor Area:

Use Units 13, 14 and 11 uses requiring 2,300 SF greater than 1 parking space per 300 SF of floor area

Eating Establishments 1200 SF in the west end of Building 2

Comments

In response to a question from Commissioner Harris Mr. Stump explained establishments and their permitted uses in Use Units 13 and 14 and 11. What staff is attempting to relay is retail uses plus medical offices would be limited to 2,300 SF in those two buildings and the eating establishment would be limited to 1,200 SF in the eastern portion. The remainder of these buildings would have to have more traditional offices.

Applicant's Comments

Mr. Charles Norman, attorney representing the applicant, advised his client owned Country Club Plaza Shopping Center, which is the subject of this application. He gave a description of Gubser's Food Factory, the tenant wishing to expand, and a history of the business. Mr. Norman advised the Gubser family are well known in the community and operate a similar facility on 41st Street east of South Peoria.

Mr. Norman submitted photographs of the location. The applicant's proposal is to allow dining facilities served by the existing kitchens in the west 1,200 ft of building 2. He pointed out this location is isolated from the neighborhood by a solid wall and trees and landscaping and is the furthestmost distance from Marion Avenue. He acknowledged the problem with changes of occupancy in a small shopping center is the parking requirements calculated for any commercial use according to the type of occupancy within the building. These requirements may change depending upon mixes of tenants. Initial staff concern was whether there was sufficient parking to accommodate a restaurant. Mr. Norman prepared an analysis of tenant occupants in the buildings at this time, this is part of the agenda packet. This indicates allowing for the expansion of the business to have the dining area we would be required to have 40.34 parking spaces. Currently there are 42 spaces available. Allowing restaurant use in this location would meet the parking requirements of the zoning code. The amendment the applicant proposed was intended to limit use of the remainder of the center to any uses for which parking could be accommodated. His amendment was to restrict use of remainder of the center to only uses for which parking is available. He made two amendments not reflected. There will be no separate bar area. Mr. Gubser's plans are to have no waiting, bar or lounge area. He informed neighbors in the area he would make this amendment in the application. The second amendment is that no food would be served after 10:30 p.m. This is a second type of assurance this is purely a dining facility and not intended as an operation to be open late in the evening. These two limitations are significant in protecting the interest of the neighborhood from a bar or lounge as a primary use. This will not preclude to service of alcoholic beverages within the dining area, but there would be no separate lounge. He asks approval of staff recommendations with these two amendments, but also to change the floor area limitation to those permitted uses for which parking is available. He believes this will be properly managed and administered and satisfy the requirements of the code as the case with any other building.

Comments

Mr. Gardner advised staff's concern was with restaurants in particular because they require over 200% more parking requirement than retail uses. He pointed out, as an example, that at 71st and Yale there were more restaurants at that retail shopping center than they can meet parking. Staff wanted something that would flat this so there would not be a problem with off-street parking. We are saying that 1,200 SF that is now restaurant could go retail,

but not a restaurant. If it is a restaurant they have used up all the parking as long as those ratios remain the same.

Mr. Norman acknowledged this was clearly understood. This is why he filed the parking analysis to provide the base measurement for parking in the center. No more commercial could be added in the center with the restaurant there, but there are 1 1/2 extra spaces that would permit a slight change.

Interested Parties

Wesley Johnson	5147 S. New Haven, 74135
Mary Cottingham	3805 East 51st Pl 74135
Burl Burnett	5133 S. Marion Pl 74135
John Eastman	5150 S. Marion 74135
Rita Icenogle	5140 S. Marion 74135
Minnie Cottingham	3805 East 51st Place 74135

The above listed individuals voiced the following concerns

- * Limited ingress and egress into the neighborhood due to an existing street overflow parking problem.
- * Increased overflow parking on side streets.
- * Noise level of the shopping center.
- * Traffic problem exiting from Marion onto 51st Street.
- * Concerns of bar and bar related activities eventually becoming full bar facilities.
- * Objections to bar or alcohol being served in a facility this close to a residential area.
- * Covenant neighborhood granted several years ago with Sanditen should be upheld.
- * Allowing no parking on Marion would punish the residents by not allowing resident's guests to park in the street.
- * Degrading of neighborhood and property values
- * Concerns of overabundance of signs in the areas. Insure that no additional signs are added.
- * Buffer not be eradicated.

Ms. Mary Cottingham presented the Planning Commission with a petition of 30 signatures requesting the TMAPC to deny the request for rezoning of the property at 51st and Marion Avenue, which would permit a restaurant with bar on the property.

Ms. Wilson inquired as to the vehicles parking on Marion, if this was done during daytime hours or in the evening.

Mr. Johnson replied it was intermittent. At times there has been overflow from office and medical office. There is a lot of night parking. There have been times where there was parking on both sides of the street and this creates a bottle neck.

The Planning Commissioners asked questions of the residents and discussed ways to help alleviate the parking problems. It was determined this seemed an ideal location for the City Council to consider a new ordinance to ban parking at curb side to help protect the residents.

Commissioner Harris pointed out the parking study submitted represents average ratios, but does not consider the peak periods. During rush periods there could be overflow parking in the adjacent areas.

Ms. Cottingham pointed out that the signs would help the parking situation but not the noise problem.

In response to a question from Commissioner Harris Ms. Icenogle advised that the only buffer between the neighbors and the shopping center was a brick and wood fence.

Mr. Doherty advised that it would be helpful for the residents to make their councilman aware of their feelings on signs. He reported that last January a comprehensive overhaul of sign provisions of the zoning code. To date no action has been taken on this matter and it might be useful to inform the councilman of neighborhood frustrations with the sign problem.

Commissioner Harris wanted to pursue the matter of the covenant that was referred to.

Applicant's Rebuttal

Mr. Norman pointed out the purpose of the application is with respect to one tenant space and for the specific purpose of permitting expansion into this area to provide a dining service in addition to the food already prepared and sold to take home. He noted that the Sanditen family has tried to be cooperative with the neighborhood in several respects in the past and in particular realizing the difficulty of getting from Marion onto 51st Street and back into Country Club shopping center. The applicant has no desire or need for anyone to park on South Marion Avenue. If the neighbors so desire the Sanditens will join in a petition to the city to prohibit on street parking on any part of Marion the neighborhood and this Commission wishes to submit. He asked the Planning Commission to keep in mind the parking analysis he submitted indicates the shopping center will be in full compliance with the zoning code in so far as parking with the restaurant. At night time some of the other businesses would be closed so the full benefit of the 42 spaces could be utilized.

Mr. Norman declared that he nor Mr. Sanditen are aware of any covenant or agreement with the neighborhood other than what is

contained within the original PUD as approved by TMAPC. Mr. Norman advised this is really a question of a use since the parking requirements are fully satisfied by what is there and meet the requirements of the code. He added that this is a successful small family business in this location that would like to expand into an adjacent space and provide sit down dining of the food that is mentioned in the menu provided to the Commissioners. There would be no exterior changes to the property, no exterior signage different from what is currently there. Mr. Norman believes limiting or prohibiting any lounge or bar area, which was never the intent, and limiting the hours of service as proposed provide the protection against the kind of late night restaurant or bar or lounge that can become a problem for neighborhoods. He asked for approval of staff recommendation with the change in the way parking is to be administered in the future.

Comments and Discussion

Chairman Parmele asked how important the service of alcoholic beverages would be to the operation.

Mr. Norman stated Mr. Gubser advised that his intent was to serve beer and wine with the meal. He commented that food service in restaurant operations are dependent upon the availability in a large part for economic success the availability of alcoholic beverages. The licensing laws and restrictions on hours of service are the best assurance this is in no way intended to be anything like a club operation where there might be activity that could be offensive to the neighborhood.

There was much discussion regarding parking availability for future potential customers of the restaurant.

Mr. Norman stated he did not believe this small a dining area that is being requested would create an additional parking problem.

Ms. Wilson asked what the seating capacity would be for the proposed restaurant.

Mr. Norman responded that 40-50 would be the maximum allowed in that size area. He added that Mr. Gubser would have no objection to prohibiting any kind of entertainment; this is purely a restaurant type of operation similar to the restaurant he and his mother have on 41st Street.

Mr. John Eastman noted that formerly this bar type of operation would not have been allowed in this area. He asked the motion be tabled for 30 days to allow time to study the covenant that was entered into.

Mr. Doherty informed Mr. Eastman the TMAPC did not enforce covenants unless they are made party to them. This would be a civil matter

Review Session

Mr. Doherty suggested permitting the requested use, limit hours of operation by making it close at 10:00 p.m., he shares concerns with the residents on serving of alcohol.

There was discussion on limiting types of alcohol which can be sold. Mr. Linker advised against doing this.

Mr. Doherty stated that given the location of the establishment and type of use possible in that space that alcohol would not be a problem. The issue of off-street parking should be the choice of residents on either side of Marion. He suggested these residents be encouraged to petition City Council, or TMAPC would on their behalf, to limit parking on that street, or provide for no parking at their option.

Commissioner Harris pointed out that limiting parking would be a punishment to the residents. There is also the possibility the City Council would consider denying curb parking during daytime hours.

The parking problems were discussed at length.

Ms. Wilson commented on the types of uses in the area now. These businesses are such that operate during daytime hours. The Commission needs to be aware of introducing a use that before was not allowed in considering the proposed restaurant use.

Chairman Parmele acknowledged they would be changing the use somewhat of what currently exists. He noted Gubser's now has walk-in traffic the addition would be for sit down dining. It does meet parking code and appears to be a logical expansion of an existing business.

Mr. Doherty moved approval of the major amendment as presented noting staff's language and the applicant's language are slightly different on the parking requirements.

Mr. Gardner suggested amended language to be subject to three conditions: (1) Permitted uses would be Use Units 11, 13, 14 and a maximum of 1,200 SF for an eating establishment (2) the eating establishment is restricted to the west end of building 2 and (3) all uses must meet off-street parking requirements of Tulsa Zoning Code within the boundaries of PUD 253-C.

Mr. Doherty made a motion incorporating the amended language stated above and restricting hours of operation of the dining establishment to 10:00 p.m. and to recommend to the residents facing Marion that at their option they petition for City Council with TMAPC's full support for limited parking or limited hours of parking should it become necessary.

Commissioner Harris stated that he was troubled by the subject of the covenant.

Mr. Norman advised Mr. Sanditen nor he was aware of any separate agreement with the neighborhood. He advised restrictive covenants are usually put on the property as a part of the PUD process subject to the PUD amendment process.

Mr. Doherty inquired that should such a covenant be discovered would the Sanditens honor it.

Mr. Norman assured Mr. Doherty that they would. They are honorable people and have demonstrated that by their many years of citizenship in the community.

TMAPC Action; 7 members present:

On MOTION of DOHERTY, the TMAPC voted 6-1-0 (Ballard, Doherty, Neely, Parmele, Wilson, Woodard, "aye"; Harris, "nay"; no "abstentions"; Carnes, Draughton, Horner, Midget "absent") to APPROVE PUD 253C with the conditions of approval as listed below.

Permitted Uses Use Units 11, 13, 14 and a maximum of 1,200 SF for an eating establishment (The eating establishment is only allowed in the west end of Building 2.)

Parking All uses must meet off-street parking requirements of the Tulsa Zoning Code within the boundaries of PUD 253-C

Hours of Operation Use Unit 12 uses - not later than 10:00 p.m.

Legal Description

Lot 1, Block 1, Southern Hills Mall Second Addition, a resubdivision of the north 125' of the east 50' of Lot 1, Block 1 and all of Lot 2, Block 1 of the Amended Plat of Southern Hills Mall Addition located in the City and County of Tulsa, Oklahoma.

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Z-6335: Northeast corner of East Tecumseh Street and North Erie Avenue

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Commercial and Low Intensity -- Residential.

According to the Zoning Matrix the requested IL or CH District is not in accordance with the Plan Map for the Low Intensity - Residential portion.

Staff Recommendation:

Site Analysis: The subject tract is approximately 140' x 150' in size and is located at the northeast corner of East Tecumseh Street and North Erie Avenue. It is nonwooded, flat, contains a vacant building and is zoned RM-1 and CH.

Surrounding Area Analysis: The tract is abutted on the north by a single-family dwelling zoned RM-1; on the east by vacant commercial buildings zoned RM-1 and CH; on the south by vacant commercial buildings zoned CH; and on the west by vacant commercial buildings zoned RM-1 and CH.

Zoning and BOA Historical Summary: NONE

Conclusion:

Based on the Comprehensive Plan and existing zoning pattern which includes the well defined CH/RM-1 boundary line, Staff cannot support the request. Staff views the request as an encroachment of nonresidential zoning which could have a detrimental impact on the remaining residential uses.

Therefore, Staff recommends **DENIAL** of any additional IL or CH zoning.

Applicant's Comments

Ken Smith, attorney representing Sooner Egg, distributed a map of the area and photographs to the Planning Commissioners. He reported that in attempting to sell the property it was determined the northern most lot was zoned RM-1. The building creating the problem extends 5' over the line. The applicant is in a situation where he cannot say this is a non conforming use and can't now petition for a use variance. The applicant feels for the facility to have value it needs to have this one lot zoned so it is not RM-1.

Comments and Discussion

Mr. Doherty asked if this were to be recommended for IL zoning, at what point would the screening fence be required to be installed.

Mr. Gardner responded the screening fence is triggered based on any construction and if there were no new construction there would be no requirement. Staff has suggested that since only 5' of the building extends over the line 10' of CH would cover the building and the balance could be parking. If the entire lot is to be zoned staff recommends IL zoning.

Discussion ensued regarding zoning the property to IL.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget "absent") to **APPROVE** IL zoning for the entire tract of Z-6335.

Legal Description

Lots 13-18, Block 27 Original Town of Dawson, Tulsa County, Oklahoma

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Z-6336: Southwest corner of East 31st Street and South Gary Place

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 131' x 140' in size and is located at the southwest corner of East 31st Street. It is nonwooded, flat, contains a single-family dwelling and is zoned RS-1.

Surrounding Area Analysis: The tract is abutted on the north by an office building zoned OM; on the east by office use zoned OL; on the south and west by single-family residences zoned RS-1.

Zoning and BOA Historical Summary: The Board of Adjustment has denied office use on the subject tract via a home occupation.

Conclusion:

Based on the Comprehensive Plan and existing zoning pattern, Staff considers the request as an encroachment into an established residential subdivision.

Therefore, Staff recommends **DENIAL** of OL zoning for Z-6336 as requested.

Applicant's Comments

Mr. Beattie gave a description of the area surrounding the property pointing out areas that now contain business offices. The view from this property is of businesses; there are no residential homes that can be seen. The view from the property and location of the property destroys the aesthetic value and livability for residential use. He stated that if vehicles are able to access the property from the circle drive and not be seen or heard by or bother residents in the residential area he fails to understand how it could ill effect the neighborhood. Mr. Beattie advised that for the past 25 years this property had been used for business. None of this has had any ill effect of the neighborhood; it is not suited for residential. He reported the newspaper estimated that there are 28,000 cars that drive along 31st Street in front of this house. This promotes a littering problem and frequent use of the

driveway on the property as a turn-around. Mr. Beattie advised he has tried to communicate to the area residents that this property is in a business location and highest and best use is light office use.

In response to a question from Commissioner Harris Mr. Beattie stated he has owned the property for 5 years and it has been up for sale for 4 years. There is no one interested in buying the property zoned as it is. Mr. Beattie pointed out that all the property from Harvard to Yale was residential and zoned as such, but has been changed.

Interested Parties

The following listed individuals were present opposing the zoning change request.

Jan Haggard	3142 S. Gary Ave.	74105
Jim Heil	3121 S. Florence St	74105
John Howard	3156 S. Gary Pl	74105
Randy Bercher	1510 W. 49th St	74107
Kenneth L. Gibson	3414 S. Gary Pl	74105
Anestina Wayland	3139 S. Florence Pl	74105
Ted Osgood	3436 So Gary Ave	74105
Gerald E. Sherrod	2864 E. 35th St.	74105
Lynne Brady	3136 S. Florence Pl	74105
Ruth Pilkington	3125 S. Gary Ave.	74105
Ancel Owens	3139 E. 31st St.	74105
Mary Mead	2852 E. 35th St.	74105
Antoinette Eads	3211 So Florence	74105
Dorothy Biery	3207 E. 34th St.	74105
W.B. Brinson	3245 S. Florence	74105
Maralou Sherrod	2864 E. 35th St.	74105
Lisa Klein	3142 S. Florence Pl	74105
John Klein	3142 S. Florence Pl	74105
*John Boyd	111 W. 5th St., Ste 800	74103

*Mr. John Boyd was not at the TMAPC meeting, but asked his name be added to the list so he could be notified of any activity regarding this zoning.

Comments and Discussion

Chairman Parmele advised there were a large number of people present in opposition to this zoning request. He went on to say considering the case history of the property and the recommendation of staff it might be appropriate to consider a motion.

Commissioner Harris stated that he could not support the request for zoning change.

Mr. Doherty commented that creation of an eyesore did not justify rezoning and the use of property for hobby does not include storing inoperative vehicles in the front yard. He expressed surprise that neighbors have not complained to code enforcement.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget "absent") to **DENY** request of OL zoning for Z-6336.

Legal Description

Lot 1, Block 4, Ranch Acres Addition to the City and County of Tulsa, Oklahoma.

* * * * *

Z-6337: Northwest corner of West 51st Street South and U. S. Highway 75 (Beeline)

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 - No Specific Land Use and Low Intensity -- Residential.

According to the Zoning Matrix the requested CS District is in accordance with the Plan Map for the Medium Intensity portion and is not in accordance with the Plan Map for the Low Intensity portion.

Staff Recommendation:

Site Analysis: The subject tract is 5.87 acres in size and is located at the northeast corner of West 51st Street South and U.S. Highway 75. It is partially wooded, flat contains single-family dwellings and is zoned RM-2 and RS-3.

Surrounding Area Analysis: The tract is abutted on the north by office, industrial buildings and single-family dwellings zoned OL and RS-3; on the east by Highway I-44 and U.S. Highway 75 zoned RS-3; on the south by mini-storage zoned OL and CS; and on the west by a shopping center zoned CS.

Zoning and BOA Historical Summary: NONE

Conclusion:

Based on the Comprehensive Plan and existing zoning patterns, Staff can support the requested CS zoning on that portion of the subject tract designated as Medium Intensity -- No Specific Land Use (west 150'). Staff is not supportive of any zoning on the balance of the tract other than RS-3.

Therefore, Staff recommends **APPROVAL** of CS zoning on the west 150' of the subject tract and denial of any zoning other than the existing RS-3 on the balance.

Comments

Mr. Gardner explained the plan did not designate the eastern portion of the tract as Medium Intensity is because of Santa Fe Avenue, a residential street stubbing into the north side of that area. Commercial traffic going north into that residential area would be a detriment to that area.

Applicant's Comments

Mr. McCormick commented that the street Mr. Gardner referred to is not paved. Retaining a narrow strip along the north as RS-3 to prevent commercial traffic from going through the residential area is agreeable to him.

There were no interested parties present wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget "absent") to **APPROVE** Z-6337 for CS zoning on the entire tract, except the north 10' of the tract where it abutts RS-3.

Legal Description

CS: Lots 3 and 4, Block 5 and Lot 3, Block 6 and the vacated street between Lot 4, Block 5 and Lot 3, Block 6 All in Suburban Highlands, City of Tulsa, Tulsa County, Oklahoma; less and except the right-of-way of Interstate-44 and U.S. Highway 75 and the north 10' of the east 153' of Lot 4, Block 5 and the north 10' of Lot 3, Block 6 and the vacated street between Lot 4, Block 5 and Lot 3, Block 6.

* * * * *

PUD 476 East of the northeast corner of East 41st Place and South Peoria Avenue

Staff Recommendation

The applicant is proposing to develop a parking lot and mini storage on a tract proposed to be zoned from RM-2 to CS (Z-6338). The west 50' of the tract is designated medium intensity-commercial by the Comprehensive Plan with the east 100' designated medium intensity-residential. The proposed 4,000 SF of mini storage would not require that the entire tract be rezoned CS; therefore, staff is recommending that only the west 60' be approved for CS and the remainder continue to be RM-2. A ten foot building setback is proposed from the apartment building to the east with this being grassed open space with existing trees. It appears the use, if developed as proposed, will not be harmful but in fact beneficial to the apartments in the area.

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 476 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 476 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)	22,178 SF
(Net)	18,750 SF

Permitted Uses	Mini storage, customary accessory uses and off-street parking
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Maximum Floor Area	4,000 SF
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Minimum Landscaped Open Space	1,875 SF (10%)
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Minimum Building Setback

From centerline of 41st Place	50'
West boundary of PUD	0'
East boundary of PUD	10'
North boundary of PUD	10'

Maximum Building Height	14'
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3. No outside storage of vehicles, recreational vehicles or other items shall be permitted in the east 100' of the PUD.
4. A screening wall or fence with masonry columns shall be provided on the east side of the PUD from the north property line to a point even with the front of the apartment building to the east. The solid masonry walls of the mini storage building may be used to provide portions of this screening.
5. No parking area shall be closer than 20' to the east boundary of the PUD.
6. A 5' wide landscape strip shall be provided along the south property line and a 10' wide landscaped strip shall be provided along the east boundary of the PUD with the

- required screening wall on the west side of the landscaped area.
7. No ground signs are permitted in the PUD and only one wall sign, not to exceed 50 SF is allowed.
 8. No garage type doors accessing storage areas shall be visible from ground level on the south and east sides of the PUD.
 9. No Zoning Clearance Permit shall be issued 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.
 10. 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 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.
 11. 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.
 12. All trash, mechanical and equipment areas shall be screened from public view.
 13. 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 feet.
 14. 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.
 15. No Building Permit shall be issued until the requirements of Section 1107 E 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.

Z-6338 Nordic General Partnership (PD-6) (CD-9) RM-2 to CS & PUD
East of the Northeast corner of East 41st Place South and South Peoria Avenue

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the western most lot as Medium Intensity -- Commercial and the eastern most lots as Medium Intensity -- Residential.

According to the Zoning Matrix the requested CS District is in accordance with the Plan Map for the west lot and is not in accordance with the two east lots.

Staff Recommendation:

Site Analysis: The subject tract is approximately .4 acres in size and is located 107 feet east of the northeast corner of East 41st Place South and South Peoria Avenue. It is partially wooded, flat, vacant and is zoned RM-2.

Surrounding Area Analysis: The tract is abutted on the north by a restaurant and commercial center zoned CS and CH; on the east by apartments zoned RM-2; on the south by apartments zoned RM-1 and RM-2; and on the west by vacant apartments and check cashing facility zoned CH.

Zoning and BOA Historical Summary: None

Conclusion:

Based on the Comprehensive Plan and existing zoning pattern, Staff is supportive of CS zoning on the western portion of the subject tract which permits enough floor area for PUD 476.

Therefore, Staff recommends **APPROVAL** of CS zoning on the west 60' of the subject tract and **DENIAL** of the balance.

Applicant's Comments

Tim Clark expressed agreement with staff recommendations.

There were no interested parties wishing to speak.

Comments and Discussion

Mr. Neeley asked since the mini storage is in Use Unit 17, and RM-2 doesn't allow Use Unit 17 how this could be allowed.

Mr. Gardner noted that the fact that the granting of CS Commercial Zoning does permit mini storage and the spreading of that use is permitted under the PUD.

There were no interested parties present wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **WOODARD**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget, "absent") to **APPROVE** PUD 476 and Z-6338 Nordic General Partnership as recommended by staff.

Legal Descriptions

PUD 476

Lots 18, 19, and 20, Block 1, Jennings Robards Addition in the City and County of Tulsa, Oklahoma according to the recorded plat thereof.

Z-6338

Lot 20 and the west 10' of Lot 19, Block 1, Jennings Robards Addition in the City and County of Tulsa, Oklahoma.

* * * * *

Subdivisions

Twin Oaks (PUD 452) (3293) (PD-18) (CD-9) (RS-2, RS-3)
East 55th Street and S. Delaware Court

This plat has a sketch plat approval by TAC on 7/30/9. A copy of the conditions and minutes were provided for information. Staff noted that this is being done in two phases. The PUD conditions cover all of the property, including phase II to be platted at a later date.

The Staff presented the plat with the applicant represented by Jack Cox, Engineer, and Gary Harkreader, the developer.

Mr. Cox provided an up-dated plat which included the drainageway as recommended by the Department of Public Works (Stormwater).

On **MOTION** of **HILL**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY** plat of **Twin Oaks**, subject to the following conditions:

1. Show a 20' building line around perimeter where applicable. (Rear of lots 9-12 as per PUD.) (Or if actual boundary of PUD is different, include in applicable area.)
2. All conditions of PUD 452 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code, in the covenants.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.

14. All other Subdivision Regulations shall be met prior to release of final plat.

Mr. Wilmoth advised staff was recommending preliminary approval.

There was no one present wishing to speak.

Comments and Discussion

Mr. Doherty asked how close this was to getting over the cul-de-sac limit.

Mr. Wilmoth replied it was well within limits and noted staff is recommending waiver of the scale requirement.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget, "absent") for APPROVAL OF Preliminary Plat of Twin Oaks waiving the subdivision regulations to permit a 1" = 30' scale and subject to staff conditions.

* * * * *

Shadow Ridge Park Second (PUD 298-8) (PD-18) (CD-8) (RS-3)
East 88th Court and S. 92nd East Avenue

Staff Recommendation

This is the second phase of this development, also known as "Tract 1-B" of PUD 298-8 as amended 8/15/90.

The Staff presented the plat with the applicant represented by Clayton Morris.

On MOTION of SILVA, the Technical Advisory Committee voted unanimously to recommend APPROVAL of the PRELIMINARY Plat of Shadow Ridge Park Second, subject to the following conditions:

1. Due to small size of plat, Staff has no objection to a waiver of Subdivision Regulations to permit the 1" = 50' scale as shown.
2. Up-date location map. Dimension east building line on Lot 4, Block 1.
3. Covenants: Page 1, Paragraph 4, 2nd line; should be Sections 1100-1107. (Dates OK)
4. All conditions of PUD 298-8 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat.

5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
6. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. Show LNA along 92nd E. Avenue at Lots 11-13, Block 2. Provide sight distance data for corner visibility at 92nd E. Avenue and 88th Court, including fence design at corner.
15. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.

16. All other Subdivision Regulations shall be met prior to release of final plat.

Comments and Discussion

Mr. Wilmoth advised staff is requesting waiver of scale.

Mr. Doherty commented that at times legal counsel required a separate vote for waivers of subdivision regulations, and inquired if this should also be done for waiver of scale.

Mr. Linker advised that it was better procedure to do so, but noted that it was listed in the conditions.

TMAPC Action; 7 members present:

On MOTION of WOODARD, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget, "absent") for APPROVAL of Preliminary Plat of Shadow Ridge Park Second waiving the subdivision regulations to permit a 1" = 50' scale and subject to staff conditions.

* * * * *

Final Approval and Release:

West Highlands IV Amended (PUD-159-1) (382) (PD-8) (CD-2) (RS-3)
W. 62nd Street & South Waco Avenue.

Staff Recommendation

Mr. Wilmoth advised all releases are in and staff recommends approval.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Horner, Midget, "absent") for FINAL APPROVAL AND RELEASE of West Highland IV Amended.

* * * * *

South Springs (PUD-405-5) (2383) (PD-18) (CD-8) (CO, AG)
East 91st Street & South 73rd East Avenue

Staff Recommendation

Mr. Wilmoth advised all letters of release have been received

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") for FINAL APPROVAL AND RELEASE of South Springs.

* * * * *

Waiver Request

BOA-15818 Z-5591 and Z-5050 Berean Fellowship (PD-17) (CD-6)
(Unplatted) (1694)
S/side E. 21st E. of 135th E. Avenue (OL, RM-1, RMO)

Staff Recommendation

Board of Adjustment action on 9-10-91 allowed church use on this 9.5 acre tract. An existing structure is to be renovated for church activities. No new construction or expansion of the existing structure is planned at this time. The plot plan approved by the Board of Adjustment shows an existing drive on the east side of the tract to 21st Street and a proposed new access drive on the west. Maps show the 120' of right-of-way requirement on 21st Street has been met.

It is recommended that waiver be granted on the northern 600' covering the existing improvements, subject to the concept and plot plans as submitted to and approved by the Board of Adjustment and subject to the following:

1. Grading and drainage plans subject to approval of the Department of Public Works (Stormwater Management) in the permit process.
2. Approval of access subject to review and approval of Traffic Engineering in the Permit Process. An access agreement is required.
3. Utility easements as recommend by utilities (north & west perimeters)

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the plat waiver on BOA 15818 and Z-5591 and Z-5050 limited to the northerly 600' as per staff recommendation.

STAFF NOTE -- THE UNDERLYING ZONING CASES ARE ALSO INCLUDED FOR CLARIFICATION, BUT THE CONTROLS APPLICABLE TO BOA-15818 WILL PREVAIL. THE ZONING CASES ALSO OVERLAP EACH OTHER. THIS WAIVER COVERS THE NORTH 600' OF THE E2,E2, NE4, NW4 OF SECTION 16, T-19-N, R-14-E.]

Mr. Wilmoth advised the two requirements were an access agreement and a utility easement. These were received this morning; therefore, there are no conditions other than grading and drainage plan through the permit process. Staff recommends approval.

TMAPC Action; 7 members present:

On MOTION of WOODARD, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") for APPROVAL of Waiver Request for BOA-15818/Z-5591/Z-5050 as recommended by the Staff.

* * * * *

Lot Splits for Discussion

L-17462 Ellison (1993) (PD-6) (CD-9) 2211 E. 39th St.

Chairman Parmele announced this item to be stuck from the agenda if there are no objections. He asked interested parties to place their names on the sign-in sheet so they can be notified if this item should be placed back on the agenda at a future date. There were no objections to striking the item.

L-17458 Foyil (3691) (PD-23) 5689 S. 86th W. Ave.

Chairman Parmele announced this item to be stuck from the agenda if there are no objections. He asked interested parties to place their names on the sign-in sheet so they can be notified if this item should be placed back on the agenda at a future date. There were no objections to striking the item.

Lot Splits for Ratification of Prior Approval

- L-17459 Oliver (893) (PD-4) (CD-4) 1608 S. Gary Pl.
- L-17460 Johnson (3503) (PD-5) (CD-5) 7100 Block E. Easton Pl.
- L-17461 King/Jones (794) (PD-5) (CD-5) 1645 S. 101st E. Ave.
- L-17464 TDA (3602) (PD-2) (CD-1) 400 Block E. Newton Pl.
- L-17465 TDA (3602) (PD-2) (CD-1) 500 Block E. Pine
- L-17467 L.B. Assoc.(794) (PD-5) (CD-5) 11th St. west of Mingo Valley Expressway
- L-17468 McCall/King (3092) (PD-23) 5012 S. 165th W. Ave.
- L-17469 Johnson (594) (PD-17) (CD-6) 704 S. 127th E. Ave.
- L-17470 Elliot/Bevan(1292) (PD-7) (CD-2) 1625 & 1631 S. Boston Ave.
- L-17473 Wright (3492) (PD-8) (CD-2) 5528 S. 32nd W. Ave.

TMAPC Action; 7 members present:

On MOTION of WILSON, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") to RATIFY the above listed lot splits having received prior approval.

* * * * *

Other Business

PUD 468 Revised Detail Site Plan Lot 1 - northwest corner of South Mingo Road and East 71st Street South

Staff Recommendation

The applicant wishes to revise the layout of the Sam's Store which will result in an increase of 4,500 SF of floor area to 137,920 SF. This amount of floor area is well below the maximum allowable in the PUD. All setbacks are still in conformance with the PUD development standards. Therefore, staff recommends **APPROVAL** of the revised Detail Site Plan for Lot 1 of PUD 468.

TMAPC Action; 7 members present:

On **MOTION** of **WOODARD**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") to **APPROVE** the Revised Detail Site Plan showing a 4,500 SF expansion of the Sam's building on lot 1.

* * * * *

PUD 221-D-1: Minor Amendment to decrease setback -- east of the southeast corner of 43rd Place South and South 129th East Avenue

Koala Care wishes to expand their existing daycare facility on the west side of their building. This would require a reduction of the setback on that side from 25 to 10 feet. Since the area to the west is planned to be used for offices, staff has no objection to this reduction.

Therefore, staff recommends **APPROVAL** of PUD 221-D-1 as requested.

TMAPC Action; 7 members present:

On **MOTION** of **HARRIS**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") to **APPROVE** PUD 221-D-1 per staff recommendation.

* * * * *

PUD 307-3: Minor Amendment to increase the floor area and Detail Site Plan -- 2021 East 71st Street South

Staff Recommendation

The applicant is requesting that the maximum floor area allowed at the Tulsa Jewish Community Center be increase by 600 SF to allow installation of a temporary pre-fabricated classroom building adjacent to the south wall of the community center. The minimum

building setbacks would also be amended to allow the temporary classroom in the location shown in the Detail Site Plan. The applicant is requesting that this classroom be allowed in this location for a period of one year.

Staff finds the request to be minor in nature and recommends **APPROVAL** of PUD 307-3 and the Detail Site Plan showing the location of the classroom

Comments and Discussion

Mr. Doherty asked if staff anticipated the applicant returning at the end of the one year period and ask for an extension and then continue to extend for a year at a time.

Applicant's Comments

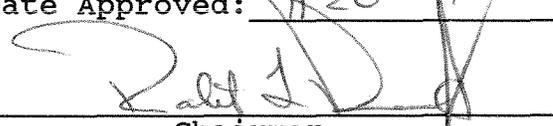
A representative stated there was a temporary overcrowding of classrooms at Camp Shalom. It is intended to remedy this in the near term and then to make room in the existing building or to ask for site review and a PUD amendment for additional construction.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 7-0-0 (Ballard, Doherty, Harris, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes Draughon, Horner, Midget, "absent") to **APPROVE** PUD 307-3 for a temporary classroom for Camp Shalom per staff recommendation.

* * * * *

There being no further business, the Chairman declared the meeting adjourned at 4:10 p.m.

Date Approved: 11-20-91

Chairman

ATTEST:


Secretary