

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1909  
Wednesday, December 16, 1992, 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>
Buerge 2nd Vice Chairman	Ballard Broussard Neely Selph	Frank Gardner Hester Matthews Stump Wilmoth	Linker, Legal Counsel
Carnes Doherty, Chairman Horner Midget, Mayor's Designee Parmele, 1st Vice Chairman Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, December 15, 1992 at 12:22 p.m., as well as in the Reception Area of the INCOG offices. After declaring a quorum present, Chairman Doherty called the meeting to order at 1:34 p.m.

**Minutes:**

Approval of the minutes of December 2, 1992, Meeting No. 1907:  
On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to **APPROVE** the minutes of the meeting of December 2, 1992 Meeting No. 1909.

**REPORTS:**

**Chairman's Report:**

Chairman Doherty reported that as a result of recent state legislation authorizing tax increment financing, TMAPC has an appointment to the review committee. Chairman Doherty appointed himself to serve on this committee in view of his long-standing interest in this area. Chairman Doherty then announced invitations to the Planning Commission from City Council and Urban Development Departments' receptions.

Mr. Midget advised that he also had a statement regarding the tax increment financing item. Mr. Midget revealed that Mayor Savage had a recommendation for a representative to the Tax Increment Financing Committee.

Chairman Doherty declared that he talked to Mayor Savage, but that he has received no written correspondence regarding the appointment and pointed out that this is a TMAPC appointment.

Mr. Midget advised that he wanted to make the Planning Commission aware that the Mayor also had a recommendation for the appointment.

Chairman Doherty acknowledged that the Mayor wanted Mr. Midget to be appointed to the committee.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson reminded the Planning Commission of Budget and Work Program Committee meetings scheduled for January 6 at 11:30 a.m., January 19 at 11:30 a.m, and January 26 at 11:30 which will be optional should business not be concluded at the January 19 meeting. Ms. Wilson reminded the Planning Commission that the budget is to be submitted to the City of Tulsa by Friday, January 29. Ms. Wilson encouraged suggestions from the Planning Commissioners for the Work Program.

Chairman Doherty announced that at a meeting with Tulsa Development Authority Staff (TDA), a request was made that an additional overlay district might be useful to preserve neighborhoods on the verge of deterioration rather than when they reach a situation, such as Kendall-Whittier. Neighborhoods that are not old enough to qualify for HP zoning still need to be stabilized to prevent further decline.

Ms. Wilson explained that these areas are called "Conservation Districts" and are used elsewhere in the United States; she reported that other cities have experienced success using these districts. The Budget and Work Program Committee will review this and may choose to have it as a work item.

Rules and Regulations Committee

Mr. Parmele announced that the Committee voted to recommend TMAPC set for public hearing amendments to the Zoning Code regulating tent sales and open air sales of merchandise, consider amending the definition of family day care homes, and consider rezoning the Bolewood Acres area from RS-1 to RE.

TMAPC Action; 7 members present:

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to DIRECT Staff to set a PUBLIC HEARING to consider amending the Zoning Code to regulate tent and open air sales of merchandise on January 6, 1993.

\* \* \* \* \*

**TMAPC Action; 7 members present:**

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to DIRECT Staff to set a PUBLIC HEARING to consider amending the definition of a Family Day Care Home so that it agrees with the new State of Oklahoma definition (increase from 5 to 7 pre-school age children) on January 19, 1993.

\* \* \* \* \*

**TMAPC Action; 7 members present:**

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to DIRECT Staff to set a PUBLIC HEARING to consider possible rezoning of Bolewood Acres area from RS-1 to RE on February 3, 1993.

In response to Mr. Parmele's comment that there are individuals residing in Bolewood Acres who do not wish to be included in the RE rezoning, Mr. Gardner clarified that it is the intent of the Neighborhood Association and Staff to file an application on behalf of the Planning Commission for the entire area. At the time of the public hearing, individuals will have the opportunity to voice support or opposition to RE zoning.

**Interested Parties**

**Terese Birkbeck** 1218 E. 33rd St.  
Ms. Birkbeck owns property in Bolewood Acres and it is her intention to begin construction of a home. Ms. Birkbeck advised that she is opposed to RE zoning and has written a letter to the Planning Commission voicing her opposition.

Chairman Doherty announced the Sign Regulation Amendments to the Zoning Ordinance has been approved by the City Council. Irving Frank distributed copies of the Ordinance to the Planning Commissioners.

\* \* \* \* \*

Garrett Place (PUD 492) (1694) (PD-17) (CD-7)  
Southeast corner of E. 21st St. & S. 130th E. Avenue CS, RS-2

**Staff Comments**

This plat was reviewed by TAC on 7/21/92 and a sketch plat approval was recommended. It had been submitted for preliminary approval at

that time, but the PUD and zoning was still in progress so only sketch plat approval was recommended. The PUD has now been approved along with the zoning change, so the plat is ready to proceed as a preliminary. A copy of the TAC minutes of 7/21/92 was provided for reference. Since this was the only item submitted for the scheduled 12/8/92 TAC meeting, it was felt that it could be reviewed as "Old Business" at this time. Notices will still have to be given so it will be scheduled for TMAPC review accordingly.

The Staff presented the plat with the applicant represented by Tom Haynes at the TAC meeting.

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

1. The two residential lots (facing west) do not abut water or sewer. Extensions will be necessary.
2. Show Block numbers on face of plat. (Identify Mizel Center. (on large map.)
3. South 130th E. Avenue is not curbed and guttered, but as far as Staff can determine from previous platting, it is dedicated. Also by existing green street sign. Some improvement to this street may be required. (Subject to the Department of Public Works recommendation and approval.) (Ditches may need to be cleaned out.)
4. All conditions of PUD 492 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.
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. Include language for Water and Sewer facilities in covenants.
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. On site detention required. Show on plat.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
11. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
12. Street names shall be approved by the Department of Public Works and shown on plat.
13. All curve data, including corner radii, shall be shown on final plat as applicable.
14. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
15. Limits of Access or (LNA) as applicable shall approved by the Department of Public Works (Traffic). Include applicable language in covenants.
16. 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.
17. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
18. 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.
19. All (other) Subdivision Regulations shall be met prior to release of final plat.

**TMAPC Action; 7 members present:**

On MOTION of MIDGET, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to **APPROVE** the Preliminary Plat of Garrett Place as recommended by Staff.

\* \* \* \* \*

WAIVER REQUEST: SECTION 213:

BOA-15949 (Unplatted)(382)(PD-8)(CD-2) (City of Tulsa)  
2400 Block, West 61st Street S. (AG,RS-3)

This is a request to waive plat on a tract approved for City Park use by the Board of Adjustment on 2/25/92. A concept plan was approved as part of the Board application to use the property for park purposes. It is adjacent to Page Belcher Golf Course, also owned by the City. Since the property is owned by the City and all controls were put on the property by the Board of Adjustment, it is recommended that the waiver be **APPROVED**.

Note: W. 61st Street which parallels this tract is on the Street Plan for a secondary arterial which would require 50' of R/W from centerline. Park Dept. improvements will not encroach into the Street Plan and a check of the legal description shows the City owns the property all the way to the centerline of the street.

TMAPC Action; 7 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to **APPROVE** the Waiver of BOA 15949 as recommended by Staff.

\* \* \* \* \*

WAIVER REQUEST: SECTION 213

Z-5320 SPARTAN COURT SECOND (2603)(PD-16)(CD-3)  
NE/c East Reading St. & N. Sheridan Road (IL)

Staff Comments

This is a request to waive plat on Reserve A, Blk. 2 of the above named plat. The property was rezoned IL in 1979 but the platting requirement was never waived. The tract contains an existing building, is platted, and all rights-of-way required by the Street Plan is dedicated. Since all the requirements have been met by the existing plat, Staff recommends **APPROVAL** as requested.

TMAPC Action; 6 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-0** (Buerge, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Midget, Neely, Selph "absent") to **APPROVE** the Waiver of Spartan Court Second as recommended by Staff.

\* \* \* \* \*

BOA-16215 (Unplatted) (292,392) (PD-10) (CD-4) (City of Tulsa)  
1710 West Charles Page Blvd. (RS-3)

Staff Comments

This request covers land included in several other Board of Adjustment and plat waiver applications. Although there is an overlapping of legal descriptions and applications, this one covers all of Newblock Park. The park had never been formally approved for park uses, so this application will meet that requirement. Since the land is all owned by the City of Tulsa and has been used as a park for many years, the Staff recommends **APPROVAL** as submitted.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** ((Buerge, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Midget, Neely, Selph "absent") to **APPROVE** the Waiver of BOA 16215 as recommended by Staff.

\* \* \* \* \*

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- \*L-17599 ( 514) Wineland (PD15) (County) 11812 E. 121st St. N. AG
- L-17621 ( 883) Oral Robts. (PD-18) (CD-2) 2700 Blk E. 74th St. RS-1
- L-17625 (3393) Clemishire (PD-18) (CD-9) 5245 S. Lewis Ave RS-2
- L-17629 (2194) Pynetree Ltd (PD-17) (CD-6) 3181 S. 129th E. Ave. CS
- \*\*L-17631 (1283) Wenrick (PD-18) (CD-7) 1/2 mile east of the  
southeast corner of E. 71st & S. Memorial Drive CS, OL
- L-17632 ( 404) Goza (PD-15) (County) 5904 N. 138th E. Ave. RS
- L-17633 (404) Horton (PD-15) (County) 13800 Blk. E. 60th Pl. N. RS
- L-17634 (3483) 83rd & Delaware Ltd. Partn. (PD-26) (CD-8)  
S. Canton north of 121st St. S. RS-1
- L-17636 ( 583) Hill (PD-18) (CD-2) 6701 S. Timberland Rd. RS-1
- L-17637 (2492) Tumbleson (PD-6) (CD-9) 1103 E. 33rd Pl. RS-3
- L-17638 ( 593) Drury (PD-3) (CD-3) 2823 E. Admiral Pl. CS
- L-17639 (1783) Lewis (PD-18) (CD-8) 3167 E. 87th St. RS-2
- L-17640 (3093) Larson (PD-6) (CD-9) 4320 S. Victor Ave. RS-1

\*Mr. Wilmoth advised that L-17599 was heard by the County Board of Adjustment December 15, 1992 and was denied. Chairman Doherty declared L-17599 struck from the agenda.

\*\*Pending PUD Minor amendment approval (12-16-92)

Staff Comments

Mr. Wilmoth advised that staff has found the above-listed lot splits to be in conformance with the lot split requirements.

**TMAPC Action; 6 members present:**

On MOTION of PARMELE, the TMAPC voted 6-0-0 (Buerge, Carnes, Doherty, Horner, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Midget, Neely, Selph "absent") to RATIFY the above-listed lot splits having received prior approval.

\* \* \* \* \*

**ZONING PUBLIC HEARING**

ZONING PUBLIC HEARING

Application No.: Z-6382: Present Zoning: RM-1  
Applicant: Charles E. Norman Proposed Zoning: OM  
Location: West of the southwest corner of East 46th Street South  
and South Fulton Avenue  
Date of Hearing: December 16, 1992  
Presentation to TMAPC: Charles E. Norman

**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 OM District is not found in accordance with the Plan Map.

**Staff Recommendation:**

**Site Analysis:** The subject tract is approximately 1 acre in size and is located approximately 200' west of the southwest corner of East 46th Street South and South Fulton Avenue. It is nonwooded, flat, contains an office building and is zoned RM-1.

**Surrounding Area Analysis:** The tract is abutted on the north by Children's Medical Center zoned OM; on the east by offices zoned OM; on the south by an apartment complex zoned RM-1; and on the west by a church zoned RS-2.

**Zoning and BOA Historical Summary:** Medium intensity zonings have been approved in the immediate are of the subject tract.

**Conclusion:** Although not in accordance with the Comprehensive Plan, Staff is supportive of the requested OM zoning based on the existing use of the subject tract and surrounding zoning and land use patterns.

Therefore, Staff recommends **APPROVAL** of OM zoning for Z-6382 as requested.

If OM zoning is approved by the City Council, Staff would recommend an amendment to the Comprehensive Plan to reflect the change.

TMAPC Comments

Chairman Doherty acknowledged receipt of a letter from the Congregational Council of Bethany Lutheran Church stating that they have no objection to the change in zoning, but requested that they be kept informed of construction plans as they develop.

Applicant's Comments

Mr. Norman presented photographs of the area, highlighted the proposed changes, and gave a brief report of Sweet Adelines International, occupants of the existing two-story building requesting expansion.

TMAPC Action; 7 members present:

On MOTION of BUERGE , the TMAPC voted 7-0-0 ((Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to recommend APPROVAL of Z-6382 for OM zoning as recommended by Staff.

LEGAL DESCRIPTION

The following described real estate situate in the County of Tulsa, State of Oklahoma, to-wit: The West 120 'of Lot 1, Block 1, Magnolia Manor Second Addition, a Resubdivision of part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 1, Allens Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

\*\*\*\*\*

ZONING PUBLIC HEARING

Application No.: Z-6383 Present Zoning: RS-3  
Applicant: Kenneth Gibson Proposed Zoning: OL  
Location: West of the northwest corner of East 30th Place South and South Jamestown Avenue  
Date of Hearing: December 16, 1992  
Presentation to TMAPC: Charles E. Norman

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 found in accordance with the Plan Map.

Staff Recommendation:

**Site Analysis:** The subject tract is approximately 50' x 135' in size and is located east of the northeast corner of East 30th Place and South Harvard Avenue. It is nonwooded, flat, contains a single-family dwelling and is zoned RS-3.

**Surrounding Area Analysis:** The tract is abutted on the north and east by single-family dwellings zoned RS-3; on the south by the rear of a shopping center zoned CH; and on the west by accessory parking then a shopping center zoned OL and CH.

**Zoning and BOA Historical Summary:** Staff and TMAPC concurred in denial of OL zoning on the subject tract in 1981.

**Conclusion:** After review of Z-5501 and field investigation, Staff can find no change in physical conditions or facts which would make this case different. Based on the Comprehensive Plan and the previous case, Staff is not supportive of the rezoning.

Therefore, Staff recommends **DENIAL** of OL zoning for Z-6383.

Applicant's Comments

A presentation was made by Charles Norman, attorney for the applicant, giving a history of the subject property, surrounding area, and highlights of the proposed changes. Mr. Norman declared the request for light-office would allow a use which would not be as detrimental, or have as much effect on the remaining single-family properties as would parking, which Staff indicated in an earlier request they could support if the property were for commercial use. Mr. Norman presented photographs of the surrounding area.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted 7-0-0 ((Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to recommend **APPROVAL** of Z-6383 for OL zoning.

Chairman Doherty advised that the Planning Commission may wish to review the Comprehensive Plan for this area.

Mr. Gardner suggested the remaining area be considered for zoning only when it is a logical extension of today's approval and keep away from spot zoning.

LEGAL DESCRIPTION

Lot 8, Block 6, Bellaire Heights Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

\* \* \* \* \*

ZONING PUBLIC HEARING

Application No.: PUD 166-E Present Zoning: CS/PUD166-D
Applicant: Roy D. Johnsen Proposed Zoning: PUD-166-E
Location: Major Amendment - Northeast corner of Sheridan Road and
93rd Street South
Date of Hearing: December 16, 1992
Presentation to TMAPC: Roy D. Johnsen

The applicant is requesting a major amendment for Development Area 3 of PUD 166-D to change the permitted use. Presently, Development Area 3 is allowed restaurant, ice cream/food establishment, and office uses; providing a bar is prohibited. The amendment would make a garden center the only permitted use. A reduction in building setback is the only other requirement of PUD 166-D proposed to be changed. Staff feels only slight modification of the development standards are needed to accommodate the new use.

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 166-E 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 166-E subject to the following conditions:

1. Development Standards:

- Land Area (Net) 0.95 acres
Permitted Uses Garden Center, greenhouse retail sales, and customary accessory uses.
Maximum Building Floor Area 7,000 SF
Maximum Building Height 23'
Maximum Stories 1
Minimum Building Setbacks:
from centerline of Sheridan 100'
from property line abutting 93rd St. \*35'
from north development area line 10'
from east development area line 10'

\*Staff recommendation amended at meeting.

**Minimum Off-street Parking** As required for the applicable use by the Tulsa Zoning Code.

**Minimum Interior Landscaped Open Space** 10% of net area excluding landscaped street right-of-way.

**Maximum Signage Ground Signs** One ground sign is permitted with a maximum height of 20' and display surface area of 100 SF. The sign shall be on the Sheridan Road frontage and shall be setback at least 150' from the property line abutting 93rd Street.

**Wall Signs** The aggregate display surface area of wall or canopy signs shall not exceed 1½ SF per lineal foot of building wall to which the sign or signs are affixed. No wall signs are permitted on the south or east face of any building.

2. No vehicular access shall be permitted to the development area from East 93rd Street South.
3. Required screening and landscaping shall include a 20 foot buffer, excluding street right-of-way, with a 6' screening fence on the north side of the buffer along the south boundary and a 6' screening fence along the east boundary. At the time of Detail Landscape Plan review, the TMAPC may alter the screening fence requirements if the landscaping accomplishes the intended purposes of the screening fence.
4. No trucks larger than a pick up truck or delivery van nor truck trailers shall be parked on site except while loading and unloading merchandise.
5. Open air storage or display of merchandise, other than plants, shall be screened from view by residents south of 93rd Street and shall not be permitted at all south or west of the building.
6. 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.

7. 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.
8. 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.
9. All trash, mechanical and equipment areas shall be screened from public view. No trash receptacles shall be located on the south 100' of the development area.
10. 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.
11. 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.
12. No Building Permit shall be issued until the requirements of Section 1107E 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.
13. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

Applicant's Comments

Mr. Johnsen disclosed that Mr. Flood, of Tierra Vista Nursery, had meetings with area residents and explained his operation to them. Mr. Johnsen advised that the residents appeared to be satisfied with his explanation, as evidenced by the fact that no interested parties are in attendance.

Chairman Doherty announced receipt of a letter from the Heatheridge Homeowners Association expressing support of the PUD.

There were no interested parties present.

**TMAPC Action; 7 members present:**

On **MOTION** of **BUERGE**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to recommend **APPROVAL** of PUD 166-E as recommended by Staff.

**LEGAL DESCRIPTION PUD 166-E**

Part of Lot 2, Block 1, Sheridan Square, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, more particularly described as following: Beginning at the Southwest corner of said Lot 2, thence N 00°09'03" W along the West line thereof a distance of 185.00' to a point; thence N 89°50'57" E a distance of 224.88' to a point; thence S 00°09'03" E a distance of 181.51' to a point on the South line of said Lot 2, said point lying on the North line of East 93rd Street South; thence Westerly along the said South line of Lot 2 as follows; thence S 84°48'23" W a distance of 19.30' to a point of curve; thence along said curve to the right, said curve having a radius of 462.56', a central angle of 5°02'34", a distance of 40.71' to a point of tangent; thence S 89°50'57" W a distance of 165.00', to the point of beginning, containing 41,528 square feet more or less, and being approximately located on the northeast corner of South Sheridan and East 93rd Street South.

\* \* \* \* \*

**OTHER BUSINESS**

**PUD 179-0-2** Minor Amendment to revise development standards and split an existing lot, Detail Site Plan and Detail Landscape Plan review. West of the southwest corner of East 71st Street South and South 92nd East Avenue.

---

**MINOR AMENDMENT**

The applicant is requesting a minor amendment which would split the north 318 feet of Lot 2, Block 1 into a separate lot and establish new development standards for each of these lots within the subdivision. Development Area "A" is described as Lot 1, Block 1, Woodland Hills Annex. Development Area "B" is identified as Lot 2, Block 1, less the north 318'. Development Area "C" is identified as the north 318' of Lot 2, Block 1.

Staff can support the proposed changes if access to Area "C" is improved. As presently proposed it will have only one point of ingress and egress. The location of that access is such that when other parts of the PUD are developed their traffic will block egress from this lot. To correct this an additional access to the north/south internal road is required. This could be provided across Area "A" at the southeastern portion of Area "C" or across Area "B" at the southern end of Area "C". These accesses must also be developed prior to occupancy of Areas "B" or "C".

With the following changes to conditions related to Lot 2, Block 1, Woodland Hills Annex, Staff recommends **APPROVAL** of Minor Amendment PUD 179-0-2:

1. **Development Standards Changes**

**Minimum Landscaped Open Space per Development Area** 10%

**Maximum Building Floor Area**

Area "B" 60,400 SF\*  
 Area "C" 7,000 SF

\*Of which a maximum of 54,000 SF may be Use Unit 12, 13, or 14 uses.

**Minimum Building Setbacks**

Area "B"  
 East boundary 60'  
 South boundary \*60'  
 West boundary 40'

\*Changed by the Planning Commission at the request of the applicant.

Area "C"  
 East boundary 10'  
 West boundary 40'  
 South boundary 10'  
 Centerline of 71st Street 140'

**Ground Signs**

Area "B" None Permitted.  
 Area "C" One with a maximum display surface area of 112 SF and a maximum height of 25'.

2. An additional access shall be provided to the existing mutual access in Area A at the southeast or south side of Area "C", and the access shall be improved to 71st Street with a 24' wide private roadway prior to issuance of an occupancy permit in Area "B" or "C".

---

---

**DETAIL SITE PLAN**  
**(Development Area "C")**

After review of the submitted site plan, Staff finds it complies with the development standards proposed in PUD 179-0-2 with the exception of the requirement for a second point of access. Therefore, Staff recommends **APPROVAL** of the Detail Site Plan provided 3 parking spaces are eliminated on the southern boundary 20' from the western property line in order to provide a 24' wide access point. This access point shall then be connected to the mutual access drive immediately east of Area "C" by a new mutual access drive immediately south of Area "C". Both mutual access drives shall be paved all the way to 71st Street prior to issuance of an occupancy permit for development in Area "C".

---

---

**DETAIL LANDSCAPE PLAN**  
**(Development Area "C")**

Staff has reviewed the proposed landscape plan for Area "C" and finds it to be acceptable with the following additions: (1) a tree should be planted in the three landscaped islands not showing any plantings at the southwest portion of the tract. This would then make the landscape plan comply with the standard for trees recommended in the proposed landscaping ordinance; (2) all landscaped areas should have sprinkler systems. With these changes Staff recommends **APPROVAL**.

TMAPC Comments

Chairman Doherty announced receipt of a letter from John Boyd, attorney, representing Mr. and Mrs. Carrell Cotner, owners of 24.35 acres abutting this PUD on the west. The Cotner's wish to go on record that they do not necessarily acquiesce to continuing an access road across their property, and while they cannot object to the stubbing of a private street, since it is not on their property, they wish to have the Planning Commission on notice to that effect.

Chairman Doherty asked this file be flagged so that when the adjacent property comes in for zoning the Planning Commission will be reminded of this letter.

Applicant's Comments

Roy Johnsen, attorney for the applicant, asked that the building line to the south be reduced to 60' to have a consistent building line with the building line to the north.

Mr. Johnsen expressed concern over the manner in which the sign portion of Area "A" has been written.

Mr. Stump clarified Staff's intention after which Mr. Johnsen expressed agreement.

**TMAPC Action; 7 members present:**

On MOTION of BUERGE, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to APPROVE PUD 179-0-2 Minor Amendment, with the south setback decreased to 60', Detail Site Plan, and Detail Landscape Plan as amended by Staff.

\* \* \* \* \*

**PUD-124-6:** Minor Amendment to reduce required off-street parking for 2481 E. 73rd Place and conversion of the space into a room.

The applicant is requesting to reduce the off-street parking per dwelling unit in the PUD from 3 to 2, so that the area can be converted to a room. Other units in this condominium project have already done what is proposed here and the unit will still have the 2 spaces required by the zoning code. The requirement for 2 enclosed spaces and one unenclosed parking space is a PUD condition. Staff considers the request to be minor in nature and in keeping with the intent of the PUD.

Therefore Staff recommends APPROVAL of PUD 124-6 as requested.

Applicant's Comments

**Selman Kremer**

**2481 E. 73rd Place**

Mr. Kremer read a letter from the Esplanade Condominiums Board of Administrators granting approval for the proposed construction project for closing in the driveway to add another room onto his unit. Mr. Kremer gave a detailed description of the surrounding area and noted his unit is the extreme corner unit and the loss of one parking space would not cause any shortage of parking.

Interested Parties

**Charles P. Gotwals, Jr.**

**7204 S. Atlanta Ave. .74136**

Mr. Gotwals advised that he resides approximately one block away from the area in question. Mr. Gotwals advised that he is opposed to the proposed project because he feels others may wish to do the same thing, which would destroy a common element. Mr. Gotwals declared that Mr. Kremer's project would not detract from the area because of its location, a dead end to the east of the property. Mr. Gotwals cautioned against setting a precedent. He declared this is poor development and makes it non-uniform. Mr. Gotwals

declared this violates the unity of what was intended when this property was made a PUD as condominiums.

Concern was expressed by the Planning Commission over setting precedent, and the extent the Planning Commission could be held to that precedent should an applicant from the interior request a similar treatment. There was also concern expressed over changing an area that was under common ownership of the condominium association.

Mr. Linker explained that this would depend on the agreement of understanding and terms of the documents involved. Mr. Linker explained that the Planning Commission is reviewing this from a zoning point of view; whether or not this can be permitted under the terms of the condominium agreement is much like a private covenant and the Planning Commission is not a party to that.

Chairman Doherty perceived that this sun room on the extreme corner of these condominiums would not cause any problem. He advised there would possibly be a problem at some other locations, but in this instance he could support approval.

It was the consensus of the Planning Commission that, since this is the extreme corner lot and does not impinge on any other residence, that they can support the application.

**TMAPC Action; 7 members present:**

On **MOTION** of **BUERGE**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to **APPROVE** PUD 124-6 Minor Amendment and Site Plan.

\* \* \* \* \*

**PUD 486-2:** Minor Amendment of the required 30' front yard.  
Located at 5829 East 103rd Street South

The subject tract is an irregular-shaped lot which is located on a cul-de-sac and is abutted by a detention facility to the north. The applicant is requesting a minor amendment to reduce the required 30' front yard to 26'. As the enclosed plot plan shows, only the center portion of the dwelling will encroach on the 30' required yard.

Therefore, Staff recommends **APPROVAL** of minor amendment 486-2 subject to the applicant's submitted site plan.

There were no interested parties present.

**TMAPC Action; 7 members present:**

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to APPROVE PUD 486-2 Minor Amendment as recommended by Staff.

\* \* \* \* \*

**PUD 360-A:** Northwest Corner of East 91st Street South and South Memorial Drive

**DETAIL SITE PLAN**

Staff has reviewed the submitted detail site plan for McDonald's Restaurant and finds it to be in accordance with the approved standards of the PUD.

Therefore, Staff recommends APPROVAL of the detail site plan as submitted.

**DETAIL SIGN PLAN**

Staff has reviewed the detail sign plan for McDonald's and finds it consistent with the sign standards of the PUD, except the proposed height of the pole sign shall not exceed 25' in height.

Therefore, staff recommends APPROVAL of the submitted detail sign plan as amended.

**TMAPC Action; 7 members present:**

On MOTION of PARMELE, the TMAPC voted 7-0-0 (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to APPROVE PUD 260-A Detail Site Plan and Detail Sign Plan as recommended by Staff.

\* \* \* \* \*

**PUD-347-6** Minor amendment to reduce garage setback and change livability space requirement.  
Located at 2611 and 2615 W. 64th Place

The applicant is requesting to reduce the garage setback from 25' to 20' for Lots 11 and 12, Block 1, Fairway Park Amended. The applicant is also requesting to change the livability space

requirement from an average of 4000 SF per dwelling unit for the entire PUD to 40% of the lot area for each of these two lots. Both of these lots are on a short cul-de-sac where the traffic is slight and speeds are very low. The added sight distance provided by an extra 5' of setback for garages is not critical in locations such as this.

The requested change in the method of calculating required livability space will be an improvement over what is presently in the PUD.

Therefore, staff recommends **APPROVAL** of Minor Amendment PUD 347-6.

TMAPC Comments

Chairman Doherty advised that at last week's TMAPC meeting the Planning Commission wanted to be assured that adequate notice was given to interested parties regarding this item.

There were no interested parties present.

TMAPC Action; 7 members present:

On **MOTION** of **BUERGE**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to **APPROVE** PUD 347-A Minor Amendment as recommended by Staff.

\* \* \* \* \*

**PUD 208** Detail Sign Plan - Southeast corner of 71st Street South and Yale Avenue.

The applicant is requesting Detail Sign Plan approval for a wall sign for "Reading Glasses to Go" on the north face of the shopping center. The store front is 25' wide and the sign display surface area calculated under the newly-adopted zoning code amendments will be less than 1½ SF per lineal foot of building wall to which it is affixed. Therefore, Staff recommends **APPROVAL** of the Detail Sign Plan as requested.

There were no interested parties present.

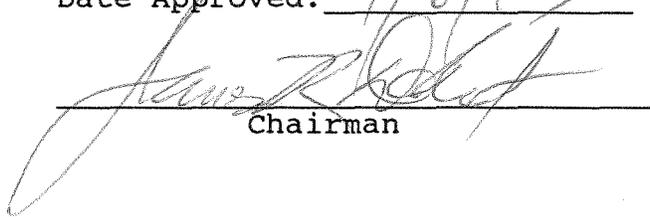
TMAPC Action; 7 members present:

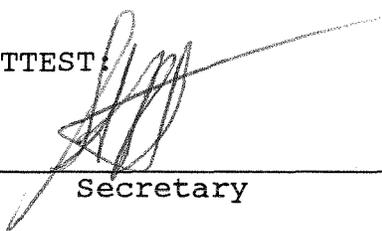
On **MOTION** of **BUERGE**, the TMAPC voted **7-0-0** (Buerge, Carnes, Doherty, Horner, Midget, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Neely, Selph "absent") to **APPROVE** PUD 208 Detail Sign Plan as recommended by Staff.

\* \* \* \* \*

There being no further business, the Chairman declared the meeting adjourned at 2:39 p.m.

Date Approved: 1/6/93

  
Chairman

ATTEST:   
Secretary

