

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

Minutes of Meeting No. 1967

Wednesday, March 9, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

**Members Present**

Ballard  
Carnes, 2nd Vice  
Chairman  
Doherty, Secretary  
Harris  
Horner  
Midget, Mayor's  
Designee  
Neely, 1st Vice  
Chairman  
Pace  
Parmele  
Chairman  
Wilson

**Members Absent**

Broussard

**Staff Present**

Gardner  
Hester  
Stump

**Others Present**

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, March 8, 1994 at 1:19 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:32 p.m.

**Minutes:**

Approval of the minutes of February 23, 1994, Meeting No. 1965:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard "absent") to **APPROVE** the minutes of the meeting of February 23, 1994 Meeting No. 1965.

**REPORTS:**

Committee Reports:

Budget and Work Program Committee

Ms. Wilson reported on the Budget and Work Program Committee meeting held today regarding the request from Jack Baker, Planning District 16 Chair, to consider updating the District 16 Plan. Ms. Wilson informed that after discussion it was decided that it was not necessary to update the District 16 Plan until the Airport Authority has completed work in the area. Should an item of major significance arise, then the Budget and Work Program Committee will consider updating the District 16 Plan.

Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee met to consider the proposal to include a requirement in the Subdivision Regulations that house numbers be shown on preliminary and final plat. The Rules and Regulations Committee voted to set this item for public hearing.

Chairman Parmele instructed Staff to set this item for public hearing May 4, 1994.

Mr. Doherty informed that the Rules and Regulations Committee also continued discussion regarding transitional living centers, convict pre-release centers, etc., at length and the Committee could not agree on a recommendation. He advised that two options will be presented at the public hearing on March 16.

Director's Report

Mr. Gardner reported on the items scheduled for the City Council meeting.

**SUBDIVISIONS:**

**FINAL APPROVAL AND RELEASE:**

Solid Rock Fellowship (3292) (PD-9)(County)  
North of the NE/c of West 61st Street South & South 65th West Avenue.

Staff Comments

Mr. Stump advised that all releases have been received and the Legal Department has approved the plat as to form; therefore, Staff was recommending approval.

**TMAPC Action; 9 members present:**

On **MOTION** of **WILSON**, the TMAPC voted **9-0-0** (Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard "absent") to **APPROVE** the FINAL PLAT of Solid Rock Fellowship and **RELEASE** same as having met all conditions of approval as recommended by Staff.

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Trinity Park Amended (3304) (PD-16)(CD-6)  
NE/c of I-244 Expressway & North 129th East Avenue.

Staff Comments

Mr. Stump advised that all releases have been received and the Legal Department has approved the plat as to form; therefore, Staff was recommending approval.

**TMAPC Action; 9 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **9-0-0** (Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard "absent") to **APPROVE** the FINAL PLAT of Trinity Park Amended and **RELEASE** same as having met all conditions of approval as recommended by Staff.

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## ZONING PUBLIC HEARING:

Application No.: **PUD-405-C /Z-5722-SP-5**

Applicant: Charles Norman

Location: Northwest corner of East 93rd Street South and South Memorial Drive,  
Development Area 1-F.

Date of Hearing: March 9, 1994

Presentation to TMAPC: Charles Norman

Major Amendment to PUD and Corridor Site Plan -  
northwest corner of East 93rd Street South and South Memorial Drive,  
Development Area 1-F

The applicant is requesting to add automobile and light truck sales and service uses to the permitted uses in Development Area 1-F (Block 3, 9100 Memorial). Staff can support the added uses under certain conditions, because of the completion of the Creek Turnpike and the additional uses permitted in Lot 2, Block 4 immediately south of this area. Staff recommends **APPROVAL** of **PUD-405-C** subject to the following conditions:

1. That the requirements of PUD-405 as amended remain in force unless modified below.
- \*2. Permitted Uses in Development Area 1-F be expanded to include automobile and light truck sales as well as service accessory thereto. Automobile and truck service as a principal use will be allowed but restricted to Lot 1, Block 3.
3. The number of vehicles which may be displayed along Memorial Drive shall not exceed one vehicle per each 20' of Memorial Drive frontage.
4. The number of vehicles which may be displayed along 92nd and 93rd Streets shall not exceed one vehicle per each 15' of 92nd and 93rd Street frontage.
- \*5. Minimum setback for vehicle displays from public street right-of-way shall be 10'.
6. All vehicle service and work areas shall be inside a building and openings to those work areas shall not be visible from Memorial Drive.
7. All building exteriors shall be of concrete or masonry and shall be of a compatible architectural style with the auto sales buildings in Development Area 1-A.
8. 10% of net land area shall be devoted to landscaped open space.
- \*9. Vehicle body work and painting may be permitted by minor amendment within an enclosed structure.
10. No truck larger than one ton or equivalent shall be displayed or offered for sale.
11. The use of banners and streamers shall be prohibited.

\*Changes made at TMAPC meeting.

12. One ground sign per lot with a maximum of 25' in height and 160 SF of display surface area is permitted in Tract A, Lot 2 and Tract B, Lot 2 of Block 3. No ground sign is permitted in Lot 1, Block 3. Monument signs are ground signs. Per lot-split application #17670.
13. Only one access point from Block 3 directly onto Memorial Drive is permitted. Such access shall be mutually available to Tracts A and B of Lot 2.

#### TMAPC Comments

Chairman Parmele informed that he has a conflict of interest regarding this application and will abstain from discussion and voting. He then turned the meeting over to Mr. Neely.

#### Applicant's Comments

Charles Norman, attorney for the applicant, expressed agreement with the major portion of the Staff recommendation. He took exception to the following:

2. Permitted Uses in Development Area 1-F be expanded to include automobile and light truck sales as well as service accessory thereto.

Mr. Norman wanted to ensure that this would permit automobile and light truck sales or service as a principal use rather than accessory to sales. He noted that anything that comes before the Planning Commission, in the way of a garage, would require site plan approval, structural conformity and compatibility with other structures in the area. He noted the possibility that another dealership might have a service facility as a principal use on part of Block 3 without being part of the sales.

Mr. Stump explained that Staff's intent was to impose the same restrictions as those placed on Joe Marina and that service had to be in the main building of the dealership. He stated that especially tracts A and B which front Memorial should not be allowed only a service facility fronting Memorial, since the PUD went to great lengths to ensure an attractive appearance along Memorial.

Mr. Norman did not believe that to be objectionable if service use was the sole use and would be limited to Lot 1 of Block 3. He asked that a condition be added so that automobile and truck service as a principal use be restricted to Lot 1, Block 3.

5. Minimum setback for vehicle displays from public street right-of-way shall be 40'.

Mr. Norman reminded the Planning Commission that display limitations already expressed in conditions three and four are the same as those in the Marina sales area and the Fred Jones area to the south. He referred to the plat indicating mutual access easement providing for an internal service road which was actually constructed. Mr. Norman explained that in that block which originally provided for automobile sales and display, there was a 40' setback because the internal service road is there and the setback pushed the cars back further. In Block 3 there would not be an internal service road, only right-turn-only entrance from Memorial with no other access to 92nd or 93rd Streets. This would essentially eliminate the permitted use by forcing it back from the right-of-way itself, particularly on South Memorial. Mr. Norman did not see a need for any setback from right-of-way because of curb and landscape requirements of street frontage. He believes there is sufficient protection under site plan review without forcing the first car back 40' from the right-of-way.

Mr. Stump pointed out that the landscape ordinance requires a minimum of 5' landscaped strip along the street frontage. He noted that the 40' comes from attempting to make this development consistent with the Joe Marina requirements to the north. He conceded that Joe

Marina does have a frontage road, mutual access between the street right-of-way and the pod display areas.

9. Vehicle body work and painting shall not be permitted.

Mr. Norman noted that at the Fred Jones complex, the provision is made that vehicle body work and painting is permitted within an enclosed structure and asked that it be stated that it may be permitted by a minor amendment approved by TMAPC.

12. One ground sign per lot with a maximum of 25' in height and 160 SF of display surface area is permitted in Tract A, Lot 2 and Tract B, Lot 2 of Block 3. No ground sign is permitted in Lot 1, Block 3. Monument signs are ground signs.

Mr. Norman suggested that as a housekeeping matter, there be reference to the lot-split application.

There were no interested parties in attendance.

TMAPC Review

There was discussion over right-of-way requirements for Memorial. It was decided that 5' for landscaping would be appropriate.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-1** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Wilson "aye"; no "nays"; Parmele "abstaining"; Broussard, "absent") to recommend **APPROVAL** of PUD 405-C/Z-5722-SP-5 subject to Staff recommendation and the following:

2. Permitted Uses in Development Area 1-F be expanded to include automobile and light truck sales as well as service accessory thereto. Automobile and truck service as a principal use will be allowed but restricted to Lot 1, Block 3.
5. Minimum setback for vehicle displays from public street right-of-way shall be 10'.
9. Vehicle body work and painting may be permitted by minor amendment within an enclosed structure.
12. One ground sign per lot with a maximum of 25' in height and 160 SF of display surface area is permitted in Tract A, Lot 2 and Tract B, Lot 2 of Block 3. No ground sign is permitted in Lot 1, Block 3. Monument signs are ground signs. Per lot-split application #17670.

LEGAL DESCRIPTION

Block 3, 9100 Memorial Addition to the City of Tulsa, Tulsa County, Oklahoma.

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**OTHER BUSINESS:**

**PUD-207-12:** Minor Amendment to reduce required yards - 9600 Maplewood, Lot 3, Block 1, Mill Creek Pond

The applicant is requesting a reduction of the required garage front yard from 25' to 20' and the side yard from 10' to 5' on one side. Due to a pipeline easement at the rear of the lot, the buildable area is greatly reduced. This has required the dwelling to be moved closer to the private street and produced the need for the reduction in the setback of the garage. The side yards are required to be 10' to assure there is 10' of separation between dwellings. The applicant's request to reduce this to 5' on the northeast property line will still produce a 10' or greater separation between dwellings. Many Minor Amendments to reduce either front yards or side yards have previously been approved by the Planning Commission in this PUD. Staff recommends **APPROVAL** of **PUD-207-12**, subject to the applicant's submitted plot plan.

**TMAPC Comments**

Chairman Parmele acknowledged receipt of a letter from Mr. and Mrs. Dave Valentine, 9610 South Maplewood expressing opposition to the application and noted that the Planning Commission considered their concerns.

Mr. Gardner informed that the encroachment is on the north side and not on the side Mr. Valentine expressed concern over.

There was discussion over the pipeline easement, 55' wide, along the rear yard causing the buildable area to be rather small and forcing it to the front.

**TMAPC Action; 10 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard "absent") to **APPROVE** PUD 207-12 **MINOR AMENDMENT** as recommended by Staff.

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**PUD-272-A:** Detail Site Plan for portion of Development Area "A" - southwest corner of East 81st Street South and South Sheridan Road

Chairman Parmele announced receipt of a letter from the applicant requesting continuance of this item to March 16, 1994. There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Broussard "absent") to **CONTINUE** PUD 272-A to March 16, 1994.

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**PUD-467: Revised Detail Sign Plan - 4009 East 51st Street South**

The applicant is requesting approval of a 60 SF temporary construction site sign for a Piccadilly Cafeteria located at the northeast corner of the tract near I-44. Staff recommends **APPROVAL** contingent upon removal of the sign prior to issuance of an occupancy permit or 18 months from March 9, 1994, whichever comes first.

There were no interested parties in attendance.

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard "absent") to **APPROVE** PUD 467 DETAIL SIGN PLAN as recommended by Staff.

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**Resolution - Amendment to the T.U. Master Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area.**

Mr. Gardner referred to a change made to the following item.

- 4.3.6 The University will identify and utilize off-site parking locations and shuttle service during peak usage periods of the Convocation Center *and sports facilities.*

Chairman Parmele announced that the amendment was approved at the public hearing of March 2 and this is the resolution reflecting those amendments.

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Harris, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard "absent") to **ADOPT** the Resolution.

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There being no further business, the Chairman declared the meeting adjourned at 2:05 p.m.

Date Approved: 3/23/94  
[Signature]  
Chairman

ATTEST:

[Signature]  
Secretary