

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2006

Wednesday, January 18, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes, 2nd Vice
Chairman
Doherty
Gray
Midget, Mayor's
Designee
Pace
Parmele
Chairman
Selph
Wilson

Members Absent

Horner
Taylor

Staff Present

Gardner
Hester
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Thursday, January 17, 1995 at 12:50 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 1:45 p.m.

Minutes:

Approval of the minutes of January 4, 1995, Meeting No. 2004:

On **MOTION** of, CARNES the TMAPC voted 7-0-2 (Carnes Doherty, Gray, Midget, Pace, Parmele, Selph "aye"; no "nays"; Ballard, Wilson "abstaining"; Horner, Taylor "absent") to **APPROVE** the minutes of the meeting of January 4, 1995 Meeting No. 2004.

REPORTS:

Committee Reports:

Budget and Work Program Committee

Ms. Wilson announced that the Budget and Work Program Committee will be rescheduled to January 25, since they were unable to meet today as scheduled due to the length of the Rules and Regulations Committee meeting.

Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee received an update of the East Lynn/Park Dale blanket zoning which was presented by Darin Akerman. Mr. Doherty advised that the Rules and Regulations Committee unanimously determined that there is sufficient interest from area residents to proceed with the rezoning application and recommended that TMAPC apply for the rezoning. He asked that the Chairman direct Staff to set an appropriate date for the public hearing.

Chairman Parmele instructed Staff to set this item for public hearing on March 22, 1995.

Mr. Doherty informed that a request from the City of Tulsa was also discussed regarding consideration of an amendment to Title 42, Section 1703 E. to raise fees paid for publication of Zoning Ordinances. He advised that fees currently being charged do not cover cost. Mr. Doherty informed that the Rules and Regulations Committee voted unanimously to recommend that this item be set for public hearing.

Chairman Parmele instructed Staff to set this item for public hearing on February 15, 1995.

Mr. Doherty advised of the request from the City Council for the Planning Commission to provide appropriate conditions for PUD 524; however, after discussion at the Rules and Regulations Committee no consensus was reached.

Director's Report

Mr. Gardner announced that work is complete regarding a street closing request from the City Council. Chairman Parmele instructed Staff to set the street closing on the agenda for January 25.

SUBDIVISIONS:

PRELIMINARY PLAT:

Storage Station (PUD-513)(3293)

(PD-18)(CD-9)

West of the southwest corner of East 51st Street South and South Harvard Avenue

Jones presented the plat with Gary Harkreader in attendance at the TAC meeting.

French recommended the limits of no access paragraph be added to the restriction and that the dedication language include East 51st Street.

French recommended a mutual access easement to the east property line.

Considerable discussion was given to the need of additional easements with it being determined that all utility easements meet with the approval of the utility companies. Harkreader agreed to an underground utility meeting.

Nelson requested the standard language regarding paving and landscaping in easements be included.

French stated a PFPI may be required for certain improvements.

Storage Station is a five-lot subdivision which contains 2.76 acres. The property will be developed under PUD-513 which permits office use on Lots 1 through 4 and mini-storage use on Lot 5.

Staff would offer the following comments and/or recommendations:

1. Show PUD-513 under title of plat.
2. Show street name for private street.
3. Lots 2, 3, and 4 do not meet 75' lot frontage as required in the PUD. A minor amendment must be approved before preliminary plat can be transmitted to TMAPC.
4. All conditions of PUD-513 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 shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S 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 owner(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 & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater 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).
11. A topo map shall be submitted for review by TAC (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. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
15. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
16. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
17. Limits of Access or LNA as applicable shall be shown on plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
18. 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 plat release.)
19. 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.
20. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
21. The key or location map shall be complete.
22. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
23. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
24. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
25. All other Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **NELSON**, the Technical Advisory Committee voted unanimously to **APPROVE** the Preliminary Plat of Storage Station, subject to all conditions listed above.

Staff Comments

Mr. Jones announced that the applicant is requesting a waiver of Subdivision Regulation 2.3.3A., which requires 15 days notice before the preliminary plat is heard by the Planning Commission. He informed that this plat was filed some time ago and reviewed by the TAC where it was noted that a minor amendment was needed because two additional lots were being created and variances of the frontages were required, which the Planning Commission approved. At the request of the applicant notices were mailed to abutting property owners; however, they received only seven days notice. Mr. Jones pointed out that with the previous activity on this property area residents are well aware of development plans for this property.

There were no interested parties in attendance.

Mr. Doherty advised that since the plot was discussed under the PUD process, all interested parties had opportunity to comment and were aware of development plans for the subject tract. He deemed that in this case, seven days notice is effective. Mr. Doherty made a motion for approval of waiver of the 15 day notice. Mr. Carnes seconded the motion.

Ms. Wilson asked Mr. Coutant about his contact with area residents.

Mr. Coutant informed of having conversation with Steve Schuller, representative for Judy McCormick a resident who lives near the proposed development, and other nearby residents all of who expressed no opposition.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **WAIVE** the 15 day required notice for Storage Station.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **APPROVE** the **PRELIMINARY PLAT** for Storage Station subject to conditions recommended by Staff.

PLAT WAIVER, SECTION 213:

Z-6474 (Unplatted)(794)

(PD-5)(CD-5)

West of the southwest corner of East 15th Street South and South 101st East Avenue.

Jones presented the plat waiver with Charles Norman and others in attendance at the TAC meeting.

Herbert stated that a PFPI may be required for drainage.

Norman pointed out that the north 5' was not rezoned *PK* to prohibit access to 15th Street.

French recommended that 20 additional feet of right-of-way be dedicated along East 15th Street to match existing dedication to the east. At a minimum, 10 additional feet of right-of-way be dedicated to meet the residential street 50' minimum.

Z-6474 is a request to rezone a 2.6-acre tract of unplatted property from *AG* to *PK* to permit a parking lot for an existing office building to the east. The TMAPC is scheduled to hear the request on December 14, 1994 and the City Council should hear the request approximately one month following that date.

Although the subject tract does not meet the typical guidelines for a plat waiver (less than 2.5 acres and already platted), because the use does not involve a building, Staff is supportive of the request.

Staff recommends **APPROVAL** of the plat waiver for Z-6474, subject to the following conditions:

1. The plat waiver is for parking lot use only, any other use and the property is again subject to the platting requirements.
2. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
3. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
4. Utility extensions and/or easements if needed.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the Plat Waiver for Z-6474, subject to all conditions listed above.

Staff Comments

Mr. Jones informed that the rezoning ordinance has not been published and in the past it has been Planning Commission action not to waive the plat until the rezoning Ordinance has been published. He informed that the City Council has voted on the rezoning ordinance and it is in the final stages of processing. Mr. Jones informed that Mr. Norman is requesting that that this item be waived subject to the ordinance being published.

Mr. Doherty asked Mr. Linker if that would be legally permissible. Mr. Linker replied in the affirmative.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **APPROVE** the PLAT WAIVER for Z 6474 as recommended by Staff.

LOT-SPLIT FOR WAIVER OF THE SUBDIVISION REGULATIONS:

L-18003 Ewing Revocable Trust (M. Ewing)(2093) (PD-6)(CD-9)
Southwest corner of E. 36th St. S. & S. Delaware Ave. *RS-1*

It is proposed to split an approximate 120' X 120' lot with a 15' wide "panhandle" extending north along the eastern boundary for 129' (Tract B) from a 120' X 249' lot. The "panhandle" is necessary for the new lot to have access to a public sewer line that runs along the northern boundary of the lot. Both lots resulting from the split will meet current zoning standards for the *RS-1* district. However, the creation of the "panhandle" has resulted in a residential lot that has more than three side lot lines and therefore does not comply with the Tulsa Subdivision Regulations. Applicant is requesting waiver of this requirement.

On the **MOTION** of **SOMDECERFF**, the Technical Advisory Committee voted **unanimously** to recommend **APPROVAL** of the waiver of the Subdivision Regulations for L-18003.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **APPROVE** the Waiver of Subdivision Regulations for L-18003 as recommended by Staff.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

| | |
|--|-----------------------|
| <u>L-17978 Wayne Chernicky (2593)</u> 8510 E. 44th St. S. | (PD-18)(CD-5) IL |
| <u>L-18011 Jerry Jenner (M. Tolson)(1893)</u> 1561 & 1567 E. 22nd St. S. | (PD-6)(CD-9) RS-2 |
| <u>L-18012 Alexander Memorial Fund (B. Robison)(2593)</u> 4354 S. 91st E. Ave. | (PD-18)(CD-5) IL |
| <u>L-18014 Virgil/Kenneth Crain (2013)</u> 9435 N. Evanston Ave. | (PD-12)(County) AG |
| <u>L-18015 GBK Corporation (D. Brown)(2893)</u> 3835 E. 51st St. S. | (PD-18)(CD-7) CO |
| <u>L-18016 Pearl Taylor (D. Kinard)(3602)</u> 508 E. Latimer | (PD-2)(CD-1) RS-3 |
| <u>L-18018 Geoffrey/Patty Turner (2993)</u> 4470 S. Gary | (PD-6)(CD-9) RS-1 |
| <u>L-18019 Mingo Valley Dev. Co. (T. Dunlap, Jr.)(3104)</u> 10950 E. Independence | (PD-16)(CD-6) IL |

Staff Comments

Mr. Jones announced that Staff has found the above-listed lot-splits to be in conformance with the lot-split requirements.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations.

CONTINUED ZONING PUBLIC HEARING:

Application No.: **PUD-456-A**
Applicant: Charles E. Norman
Location: Northeast corner of East 79th Street South and South Memorial Drive.
Date of Hearing: January 18, 1995
Presentation to TMAPC: Charles E. Norman

Major Amendment

The applicant is proposing to change the permitted uses in the PUD from offices to multifamily dwellings and other uses in Use Unit 8. The maximum number of dwellings would be 360, or 19.7 units per net acre. A 6' high screening fence and at least a 25' wide landscaped strip along the eastern boundary of the tract is proposed. This is the only boundary which abuts single-family residential. The development standards allow 3-story buildings but they are required to be at least 200' west of the eastern boundary. Minimum livability space is proposed to be 800 SF per dwelling unit more than required in the *RM-1* district.

The tract to the north has a partially developed office park fronting Memorial Drive, then an undeveloped area planned for multifamily elderly housing and finally, a nursing home is built on the east end of the tract. To the east and across Memorial Drive to the west are single-family dwellings and to the south is an undeveloped tract zoned *AG*. Access is proposed at two points onto Memorial Drive with the one at the southwest corner of the tract actually on the *AG* zoned tract so that it will line up with an existing median break.

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-456-A 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-456-A 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): | 870,392 SF |
| (Net): | 797,148 SF |
| Permitted Uses: | Multifamily Dwellings, Duplexes, and customary accessory uses |
| Maximum Number of Dwelling Units: | 360 |

Maximum Building Height: 45' (not to exceed 3 stories including basement)

Minimum Building Setbacks

From east boundary of PUD:

Two-story buildings: 60'
Three-story buildings: 200'
Covered parking: 25'

From the north & south boundaries of PUD:

Two- or three-story buildings: 60'
Covered parking: 11'

From right-of-way line of Memorial Dr.: 100'

Minimum Livability Space: 800 SF per dwelling unit

Minimum Setback of Parking Areas From PUD Boundaries:

East: 25'
North & south: 11'
West: 20'

3. An 8' screening fence shall be provided along the entire eastern boundary of the PUD and the east 75' of the southern boundary. If the tract to the south establishes a screening fence on its eastern boundary, then the screening fence on the southern boundary of this PUD may be removed.
4. 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.
5. 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.
6. No sign permits shall be issued for erection of a sign until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 16 feet. No freestanding lights or lights greater than 8' in height are permitted in the east 60' of the PUD.
8. 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 have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit.

9. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have 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 and making the City beneficiary to said covenants.
10. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

TMAPC Comments

Mr. Gardner, in response to questions from Ms. Wilson, clarified that Staff did not recommend changing the minimum landscaped requirement noting that there is ample open space between the PUD boundary and covered parking areas on the tract. He pointed out that the multifamily zoning abutting the subject tract to the south is standard RM-1 allowing an average of 22 units per acre; the applicant is proposing less than 20 units per acre.

Mr. Gardner, in response to inquiry from Chairman Parmele, informed that the original office development proposed for this tract was one-story in height.

Mr. Gardner confirmed that covered parking is proposed along the eastern boundary.

Applicant's Comments

Mr. Norman informed that this application was continued for two weeks to permit the applicant, landscape and project architects to meet with interested parties in an attempt to resolve concerns of area residents. He advised that although all concerns were not resolved there were a number of modifications agreed upon. Mr. Norman commented on existing development patterns existing and the provisions of the Comprehensive Plan for the subject area, which contemplates office and/or apartment development. He commented that this parcel is isolated except for the abutting area to the east with ten residences that abut this tract. Mr. Norman presented a detailed description of the properties surrounding the tract. He noted that the property to the south has a stub street, East 79th Street, which during discussion with interested parties he suggested that residents apply for the closing of that stub street. Mr. Norman noted that one of the areas of modification is that this property will not at any time seek to acquire or use any access to 79th East Avenue noting that this is intended to be a self-contained residential complex with no need or intent to ever acquire access to that area. Mr. Norman explained that this development proposes retaining the lake and enlarging it to provide an amenity and a stormwater detention facility and described drainage for the property. He informed that this development is intended to be an upscale residential community with a development density of just under 20 units per acre with 800 SF of open space per welling unit. Mr. Norman described that during development the architects recognized the concern for the ten lots abutting the project and these concerns were incorporated into the development.

Mr. Norman advised that as a result of meetings with area residents the applicant is willing to make changes to the application as follows:

1. The applicant will construct along the east boundary of the property adjacent to the rear yards of the existing single-family residences a solid concrete screening wall at least 8' in height consisting of pre-cast concrete panels of 8' in height and 10' in length. Any design on the screening wall shall be the same on both sides. The concrete screening wall will be the same on both sides. The concrete screening wall

will be constructed prior to the commencement of the framing of buildings within the east 500' of the property.

2. The applicant will not attempt to obtain right-of-way south of the property in order to have access to East 79th Street South.
3. All buildings erected on the property shall have brick or masonry veneer on at least 60% of the exterior walls (excluding roof ends).
4. No buildings with flat roofs shall be permitted within the property except covered parking and accessory structures. Principal buildings shall have pitched roofs with a minimum pitch of 5/12.
5. The minimum building setbacks along the east property line shall be:

From the South ½ of the east property line:

| | |
|-----------------------|------|
| Two-story buildings | 90' |
| Three-story buildings | 200' |
| Covered Parking | 25' |

From the north ½ of the east property line:

| | |
|-----------------------|------|
| Two-story buildings | 70' |
| Three-story buildings | 200' |
| Covered Parking | 25' |

6. All receptacles for trash shall be located at least 200' from the east property line within enclosed structures so as to be screened from view from the east property line.
7. Access to the property shall be controlled by security gates except within the west 150' of the property.

Mr. Norman informed that the principal difference remaining is that residents want the above-listed provisions included in a separate restrictive covenant agreement. Another provision the residents want included was to state that no noxious or offensive activities shall be conducted on the property. The applicant's opinion was that this is the law and it is not necessary to place in the PUD a condition that is already a requirement of law.

Mr. Norman answered questions from Ms. Wilson regarding residents' concerns of the covered parking being so near the residences, the noise they will produce, etc., and responding to questions from Mr. Doherty gave a review of drainage of the subject property. He offered to include a condition that covered parking within the complex should not exceed 14' in height to the peak.

Interested Parties

Ken Adams, Vice Chair Planning District 18-C

7227 East 65th Place 74133

Mr. Adams expressed support for a restrictive covenant agreement for the PUD. He reported on neighborhood meetings resulting in a proposed restrictive covenant agreement which Lincoln Properties rejected. Mr. Adams presented a copy of the proposed covenants to the Planning Commission highlighting the following:

5. No lighting of the property shall be permitted to directly diffuse into the adjacent residential areas.
16. Prior to commencement of grading or construction Lincoln Properties shall install the masonry wall outlined in item #6, and all construction, grading, paving or noxious activities that create an annoyance or a nuisance declared by individuals of the adjoining single-family residential areas will be limited to normal business hours (8AM to 5PM) Monday through Friday, excluding official holidays. A contact person shall be established by Lincoln Properties to be available to curtail any noxious activities that are declared an annoyance or a nuisance by either of the aforementioned Home Owner's Association, their officers, or designated individuals.
17. No trade, business or any noxious or offensive activity shall be permitted, nor shall anything be done on subject property which is or may become an annoyance or nuisance to the neighborhood. Subject property shall not be permitted to deteriorate to where it will become unsightly or cluttered with junk, nor shall any animals or fowl be kept or permitted to remain upon the property except domestic and household pets per the statutes of the City of Tulsa, Oklahoma, provided such permitted pets are not bred, or maintained for any commercial purpose.
18. No boats, trailers, campers (mobile or otherwise) or like recreational equipment shall be stored within the complex perimeter for more than 5 consecutive days, unless it is less than 7' in height and fits into a regular parking space. No imporative vehicles or machinery shall be stored or parked anywhere within the complex perimeter. All grassy areas shall be kept free from weeds and shall in all other ways conform to the appropriate code of the City of Tulsa.

Mr. Adams requested that if a covenant cannot be agreed to, the above-listed conditions be made a part of the PUD. He submitted these items on behalf of area homeowners and requested that they be added to the items submitted by Mr. Norman.

Since the property owners of the subject tract refuse to negotiate a restrictive covenant agreement, Mr. Adams asked that the application be denied. However, should the Planning Commission decide that the application might be approved he requested a continuance with instructions to the owner to negotiate a restrictive covenant agreement with the homeowners and Homeowners' Associations (HOA) in the area of the project.

Mr. Adams answered questions from the Planning Commission regarding what noxious activities are possible under the proposed zoning that they might want to preclude. He also answered questions as to what the homeowners would desire regarding lighting restrictions.

Hans Scheuter

7824 South 85th East Avenue 74133

Mr. Scheuter suggested that there be no parking east of the building closest to the residential area, in an attempt to lessen the noise from vehicles and alleviate lighting concerns. He suggested that parking be situated to the interior of the development.

Mr. Scheuter, representing himself and many individuals attending the public hearing, informed of having 163 signatures from individuals not able to attend and 15 letters from area residents in opposition to the development. He disclosed that area residents believe the development will cause a reduction in property values and quality of life. Mr. Scheuter

declared that when area residents purchased their homes they did so with a specific understanding of the existing zoning. He revealed that the development will create more than 3,000 apartment units in the area which will contribute to existing traffic congestion, an influx of students on area schools, increased demands on water supply and other infrastructure. Mr. Scheuter declared that the consensus of area residents is for development of RS-3 zoning which was in place prior to 1989. However, as an alternative residents urge that the PUD remain unchanged, OL zoning.

Mr. Doherty asked which would be most objectionable, lighting and noise of traffic close to the rear yard or encroachment of a two-story apartment with visibility into the rear yard.

Mr. Scheuter replied that he preferred the building closer to his rear yard rather than the parking.

Richard deJong **7523 South 85th East Place 74133**
Mr. deJong, with the Woodland HOA, containing 479 homes, distributed renderings of the office complex presented in 1989. He noted that at that time the Planning Commission was concerned over the effect that development would have on the existing neighborhood. He asked that concern be given to the proposed high density apartments. Mr. deJong also cited concerns over existing traffic congestion, overcrowding of schools, vandalism, noise, increased fire hazards, negative effect on property values, etc., that this development will have on the area.

Clint McClure **8607 East 77th Place 74133**
Mr. McClure expressed concern over the increased fire hazard the proposed two-and three-story apartments will have on the abutting residences.

Eric Housman **7520 South 83rd East Avenue**
Mr. Housman stated that he received no notification of this application nor of PUD 378 and asked for explanation of the notification procedure.

Chairman Parmele explained the notification procedure.

Mr. Housman also reiterated concerns of the adverse effect of increased traffic in this area.

Terry Tallent **8637 East 78th 74133**
Mr. Tallent advised that the points he wished to express to the Planning Commission have already been stated. He asked that the Planning Commission keep in mind changes made to the PUD 1989 and that their concerns regarding high density of development not be desensitized by the time that has lapsed. Mr. Tallent asked that the integrity of single-family areas abutting that property be protected.

Dean Tvinnereim **7530 South 84th East Avenue 74133**
Mr. Tvinnereim reiterated concerns over density of the 71st and Memorial area. He questioned whether planning was being practiced, since stores and apartments continue to be constructed without regard to providing sufficient access. Mr. Tvinnereim disclosed that two elementary schools in the area are presently at full capacity and declared that the subject development will add to overcrowding. Mr. Tvinnereim declared that the traffic and infrastructure is already overtaxed. He urged the Planning Commission to work at getting the traffic dispersed rather than having concentration in one area.

Applicant's Rebuttal

Mr. Norman expressed agreement to whatever lighting restrictions the Planning Commission mandates on the eastern boundary. He also expressed having no objection to the Planning Commission adding verbiage that no noxious activities shall be permitted within the project. Regarding residents' concerns over traffic and schools, Mr. Norman declared that these issues cannot be resolved by freezing development on the property. Mr. Norman believes that the Union Public Schools will provide adequate facilities for children as part of their responsibility as a governmental entity. Regarding traffic, he pointed out that this project is located on a fully-developed primary arterial street with access regulated by cuts in the median. Mr. Norman responded to concerns over the perceived fire hazard of a three-story structure, informing that the structures will be at least 200' away from area residences will be and fully sprinklered, as required by the Tulsa Building Code. He declared that the infrastructure is adequate to serve the project. Mr. Norman cited instances in Tulsa where single-family development abuts multi-family and that crime and vandalism has not increased, with the single-family area being preserved and been maintained.

TMAPC Review

Mr. Midget asked about relocating the covered parking abutting the property to the east and moving the residential structure closer to the single-family area in an attempt to keep noise to a minimum. There was lengthy discussion over this suggestion with some Planning Commissioners expressing concern over more noise and lighting disturbance to the residential areas when buildings are moved closer to the property line than noise from vehicle parking.

Ms. Pace asked for information from Staff regarding population per census tract around 81st and Memorial and percentage of apartment dwellers, on average the number of children expected live at this development and trip generation information.

Commissioner Selph asked Mr. Norman how this development will affect existing traffic patterns.

Mr. Norman informed that according to traffic counts this area of Memorial is well below capacity; however, he noted that 71st and Memorial is the largest concentration of commercial activity in the City. He surmised that the contribution to traffic from a residential project of this density is not as great as from an office project which would generate more trips per day. Mr. Norman pointed out that this location has a fully improved primary arterial street across its entire frontage.

Mr. Gardner informed that single-family would produce a minimum of approximately 600 trips per day, multifamily approximately 2,160 and office approximately 7,830 on a tract this size.

Mr. Doherty informed that Ms. Wilson had to leave early, but wanted to ask that the issue of three-story apartments and whether they are appropriate for this development be addressed.

Mr. Gardner informed that three-story apartments would be appropriate with a 200' setback and appropriate screening and will not be visible from the rear yards of the abutting single-family residences.

Mr. Doherty also noted that Ms. Wilson asked that consideration be given for covered parking to be internal to the project and not along the eastern boundary. Mr. Doherty asked if there is a design reason that this should not be done.

Mr. Stump informed that when the buildings are moved closer to the residential structures this allows visibility into the rear yards causing a loss of privacy.

Ms. Pace discerned that a change such as relocating the structure and parking as proposed should be discussed among area residents before such a change is made.

Mr. Doherty was concerned that setback is part of the Development Standards and was concerned about determining setbacks at the detail site plan, especially since the Planning Commission has always determined setbacks at the time of PUD recommendation. He asked Mr. Gardner if it would be appropriate to defer the eastern building and parking setback to the detail site plan.

Mr. Stump suggested that on the eastern boundary, a minimum and maximum range could be required for setbacks for both parking and the structure.

Mr. Gardner suggested reversing the position of the existing southern structure with the car ports.

There was discussion over whether a building setback of 35' would be sufficient.

TMAPC Action; 7 members present:

On **MOTION** of Doherty, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph "aye"; no "nays"; none "abstaining"; Ballard, Horner, Taylor, Wilson "absent") to recommend **APPROVAL** with the following conditions:

1. The applicant will construct along the east boundary of the property adjacent to the rear yards of the existing single-family residences a solid masonry screening wall at least 8' in height consisting of pre-cast concrete panels of 8' in height and 10' in length. The concrete screening wall will be the same on both sides. The screening wall will be constructed prior to the commencement of the framing of buildings within the east 500' of the property.
2. The applicant will not attempt to obtain right-of-way south of the property in order to have access to East 79th Street South.
3. All buildings erected on the property shall have brick or masonry veneer on at least 60% of the exterior walls (excluding roof ends).
4. No buildings with flat roofs shall be permitted within the property except covered parking and accessory structures. Principal buildings shall have pitched roofs with a minimum pitch of 5/12.
5. The minimum building setbacks along the east property line shall be:

From the South ½ of the east property line:
 Two-story buildings 90'
 Three-story buildings 200'
 Covered Parking 25'

From the north ½ of the east property line:
 Two-story buildings 70'
 Three-story buildings 200'
 Covered Parking 25'

6. All receptacles for trash shall be located at least 200' from the east property line within enclosed structures so as to be screened from view from the east property line.
7. Access to the property shall be controlled by security gates except within the west 150' of the property.
8. Covered parking within the complex should not exceed 14' in height to the peak.
9. No roof-mounted equipment.
10. All lights on the eastern portion not be directly visible from the ground floor windows of adjacent homes.
11. If possible, open parking and covered parking is to be internal to the project (west of the eastern most apartments) on the eastern boundary, If designated in this manner, the minimum building setback on the eastern boundary would be 35'.
12. Covered parking height of 15' for those adjacent to the wall on the east side.
13. The option of deciding building setback line to be decided at detail site plan.
14. No trade, business or noxious or offensive activities.

Mr. Norman informed of his intent to meet with area residents and provide them with profiles of visibility over an 8' wall and 14' covered parking and two-story building. He will also work with them to determine acceptable setbacks.

LEGAL DESCRIPTION

The South Half of the Northwest Quarter of the Southwest Quarter of Section 12, T-18-N, R-13-E, in the City and County of Tulsa, Oklahoma, and being located north of the northeast corner of South Memorial Drive and E. 81st Street South, Tulsa, Oklahoma.

* * * * *

Application No.: **PUD-360-A-1**

Applicant: Pamela S. Gotcher

Location: West of the northwest corner of East 91st Street South & South Memorial Drive.

Date of Hearing: January 18, 1995

Presentation to TMAPC:

Minor Amendment

The applicant is requesting approval of a reduction in the setback from the 91st Street right-of-way from 90' to 75'.

Staff has reviewed the request and finds that the existing setbacks are designated as follows: 150' from centerline (90' from right-of-way) on the westerly 220' of the proposed parcel and 110' from centerline (50' from right-of-way) on the easterly 59'.

Staff also finds that the 1989 Major Amendment to the PUD which created the existing setbacks reduced the setbacks from a minimum 200' from the centerline of 91st Street. At that time, Staff recommended approval of the setbacks with an eye toward "consistency of shopping center setbacks" along South Memorial Drive and East 91st Street South. Staff specifically referenced proposed development east of the subject tract (the existing Wal-Mart) which was approved for setbacks 150' from centerline in March 1989.

Development south of 91st Street (car sales) is set back significantly from 91st Street through the use of an internal vehicle circulation system south of 91st Street and a large setback (200' from centerline) for used car sales buildings.

As additional information, Staff notes that the configuration of the subject parcel as proposed would create an odd-shaped parcel in the central portion of the PUD. The existing Homeland parking does not abut the proposed parcel on the north as shown, but is located 115' to the north.

Based on the above, Staff recommends **DENIAL** of the requested setback reduction, finding the current setback in conformance with existing area conditions. Staff also finds no hardship created by PUD standards and is of the opinion that design/lot configuration alternatives exist in lieu of the requested setback.

Staff Comments:

Mr. Stump informed that the applicant submitted a possible layout for parking for the panhandle parcel between the existing Homeland site and proposed bank site still including the road accessing 91st Street.

Chairman Parmele asked if there had been consideration of the Planning Commission's suggestion of a monument sign only.

Mr. Stump informed that the applicant informed him that they did not want to commit to being restricted to only monument signs on the remaining undeveloped portion of the tract.

Mr. Doherty pointed out that the from the corner of McDonalds to across the corner of the bank's drive-in, the visual line comes back to the desired building setback, in the middle of the access road. There was discussion among the Planning Commission of placing the

monument sign at approximately the 50' setback, even with the easternmost row of west-facing parking of the bank lot. Mr. Doherty suggested a monument sign at the 50' setback and the bank sign set back 75'.

Mr. Doherty made a motion for approval of the applicant's revised submission with building setback reduced to 75', minimum ground sign setback 50', and monument sign only with a maximum height of 14'. Mr. Midget seconded the motion.

Mr. Carnes informed that he would be voting against the reduction of setback.

Ms. Pace informed that she also would be voting against the proposed development because she believes that the setbacks of PUD should be adhered to.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **4-2-0** (Doherty, Gray, Midget, Parmele, "aye"; Carnes, Pace "nays"; none "abstaining"; Ballard, Horner, Selph, Taylor, Wilson "absent") to recommend **APPROVAL** of PUD 360-A-1 amended as follows:

- 1) Building setback reduced to 75' from right-of-way of 91st Street.
- 2) Minimum ground sign setback 50' from right-of-way of 91st Street and only one ground sign with a maximum height of 14' and of a monument style is permitted.

* * * * *

ZONING PUBLIC HEARING:

Application No.: **Z-6477**
Applicant: Mark G. Kachigian
Location: 1739 - 41 South Carson Avenue
Date of Hearing: January 18, 1995

Present Zoning: RM-2
Proposed Zoning: OL

Relationship to the Comprehensive Plan:

The District 7 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Stonebraker Heights Office-Residential Area (Area C).

According to the Zoning Matrix the requested OL **may be found** in accordance with the Plan Map. Planned Unit Developments and/or Board of Adjustment approval for appropriateness of development site designs are encouraged within this area.

Staff Comments:

Site Analysis: The subject property is 66' x 129' in size. It is non-wooded, steeply sloping, contains a duplex dwelling on the property, and is zoned RM-2.

Surrounding Area Analysis: The subject tract is abutted on the north by a three story office building and parking, zoned OM; to the west by a vacant office, zoned OM and a single-family dwelling, zoned RM-2; to the south and east are duplex dwellings, zoned RM-2.

Zoning and BOA Historical Summary: Previous rezoning applications have been filed and approved for OL and OM zoning in the immediate area.

Conclusion: Based on the Comprehensive Plan and existing zoning and development patterns, Staff can support the requested rezoning. This area is zoned for a mixture of multifamily dwellings and office uses. Therefore, Staff recommends **APPROVAL** of OL zoning for Z-6477 as requested.

Other than the applicant there were no interested parties in attendance.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Midget, Pace, Parmele "aye"; no "nays"; none "abstaining"; Ballard, Horner Selph, Taylor, Wilson "absent") to recommend **APPROVAL** of OL zoning for Z-6477 as recommended by Staff.

LEGAL DESCRIPTION

The North 21' of Lot 8 and all of Lot 9, Block 1, Buena Vista Park Addition, an addition to the City of Tulsa, State of Oklahoma, and located at 1739 through 1741 South Carson Avenue, Tulsa, Oklahoma.

Application No.: **Z-6478/PUD-179-T**

Applicant: Ted Sack

Location: West and south of the southwest corner of East 71st Street South and South 92nd East Avenue.

Date of Hearing: January 18, 1995

Presentation to TMAPC: John Moody

Present Zoning: OL

Proposed Zoning: CS

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Low Intensity - No Specific Land Use.

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

Staff Comments:

Site Analysis: The subject property is 18.5' x 450' in size. It is non-wooded, flat, is vacant, and it is zoned OL/PUD-179-O.

Surrounding Area Analysis: The subject tract is abutted on the north by a new restaurant presently under construction and zoned CS and OL/PUD-179-O; to the east by apartments, zoned OL and RM-1; to the south by vacant land, zoned OL, then an apartment complex, zoned RS-3/PUD-179 and to the west by vacant property, zoned RM-1/PUD-507.

Zoning and BOA Historical Summary: Previous rezoning applications have approved for CS zoning on the north 330' along E. 71st Street South.

Conclusion: Based on the Comprehensive Plan and existing zoning and development patterns, Staff cannot support the requested CS zoning. This 18.5' wide strip does not abut any CS zoned area and is 60' from the closest CS zoned area to the north. In Staff's opinion this would be spot zoning. Therefore, Staff recommends **DENIAL** of CS zoning for Z-6478.

AND

PUD-179-T: West and south of the southwest corner of East 71st Street South and South 92nd East Avenue

The applicant is proposing to add Use Unit 19 uses (Hotel, Motel and Recreation Facility) to the south 263' of PUD-179-O. Also requested is a 6,400 SF increase in the permitted building floor area, an increase to 3-stories of the permitted building height, and to reduce the building setback from the west boundary from 40' to 17'6".

The PUD amendment is accompanied by a rezoning request (Z-6478) for CS zoning to provide enough underlying commercial zoning to accommodate the requested increase in floor area. Staff cannot support the rezoning request which is contrary to the Comprehensive Plan and spot zoning. Therefore, we cannot support the increase in floor area. Staff also cannot support the inclusion of all Use Unit 19 uses into the PUD because of their potential incompatibility with residential development abutting the subject tract on the south and east.

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-179-T 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-179-T subject to the following conditions:

1. All the current development standards for Development Area B in PUD-179-O shall apply except as follows:
2. Permitted Uses: Use Units 11, 12, 13, 14 and Hotel, Motel and Health Clubs, except no accessory use bar is permitted in hotels or motels.

3. Minimum Building Setbacks From PUD Boundaries:

| | |
|-------|-------|
| North | 10' |
| West | 17.5' |
| East | 60' |
| South | 60' |

4. Maximum Building Floor Area:

| | |
|--------------------------|-----------|
| Use Units 12, 13 and 14* | 54,000 SF |
| All uses combined | 60,400 SF |

5. Maximum Building Height: 3 stories

*Amended by Staff at the TMAPC meeting after the applicant amended his rezoning request.

TMAPC Comments

Chairman Parmele announced that the applicant has amended the rezoning application (Z-6478) from CS to OMH zoning.

Staff Comments

Mr. Stump informed that Staff could reluctantly support OMH zoning, noting that Staff recommendation needs to be changed to increase the floor area permitted in the PUD to that requested by the applicant.

Mr. Doherty made a motion for approval of the amended submission. Ms. Ballard seconded the motion.

Ms. Pace questioned whether residents in the RS-3 zoned portion, south of the proposed development, were within the notification boundary.

Chairman Parmele responded in the affirmative, and pointed out that there were no interested parties in attendance.

Applicant's Comments

John Moody, attorney representing the owner, Tom Wenrick, informed that the proposed use is for a Hampton Inn and Fairmont Inn, which are residential inns of the Marriott Corporation. He informed that there will be no restaurants on the premises or other type of retail activities. Mr. Moody presented renderings of the proposed development depicting elevations and the site plan. He declared that the proposed use provides good transition between existing restaurants on 71st Street and the residential apartments to the south. Mr. Moody noted that the Hampton Inn does not have parking or access to the rear of the structure, making it more compatible with the surrounding neighborhood.

There were no interested parties in attendance.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to recommend **APPROVAL** of the amended application for Z-6478/ PUD 179-T for OMH zoning as recommended by Staff and increase the allowable floor area as requested by the applicant.

LEGAL DESCRIPTION Z-6478

An 18.5' wide tract of land that is part of Lot 2, Block 1 of Woodland Hills Annex, an Addition in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, said tract of land being more particularly described as follows, to-wit: starting at the most Westerly Northwest corner of said Lot 2; thence S 00°02'45" W along the westerly line of Lot 2 for 330.00' to the Point of Beginning of said tract of land; thence due East parallel with the Northerly line of Lot 2 for 450.00' to a point on the Easterly line of Lot 2; thence S 00°02'45" W along the Easterly line of Lot 2 for 18.50'; thence due West parallel with the Northerly line of Lot 2 for 450.00' to a point on the Westerly line of Lot 2; thence N 00°02'45" E along said Westerly line for 18.50' to the Point of Beginning of said tract of land.

LEGAL DESCRIPTION PUD 179-T

South 262.80' of Lot 2, Block 1 of Woodland Hills Annex, an addition to the City of Tulsa, Tulsa County, Oklahoma.

Application No.: **PUD-467-4**

Applicant: Don Beatt

Location: Lot 2, Block 1, Dickens Commons, 3915 East 51st Street South.

Date of Hearing: January 18, 1995

Minor Amendment

The applicant, Lone Star Steak House, requests approval of a Minor Amendment to allow a ground sign along the I-44 frontage in the northwestern portion of the site.

Staff has reviewed the request with the applicant and recommends **APPROVAL** subject to the following:

1. The existing 8' X 14' sign which is located along 51st Street shall be relocated to the I-44 frontage and shall have a maximum height of 25'.
2. A monument sign not to exceed 8' in height or 64 SF in display surface area shall be located at the site vacated by the above described ground sign.

Other than the applicant, there were no interested parties in attendance.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **APPROVE** PUD 467-4 Minor Amendment as recommended by Staff.

Application No.: **PUD-489-5**

Applicant: Joe E. Donnelson

Location: Lot 1 and Lot 6, Block 1, 71 Mingo Center - north and east of the northeast corner of East 71st Street South and South Mingo Road

Date of Hearing: January 18, 1995

Minor Amendment

The applicant is requesting to increase and reallocate floor area within the PUD.

The requested reallocation would increase the allowable floor area within Lot 6 by 15,500 SF from 176,000 SF to 191,500 SF. The request would also reduce allowable floor area in Lot 1 by 8,800 SF from 47,000 SF to 38,200 SF. The net effect will be to increase the allowable floor area within the PUD by 6,700 SF from 385,000 SF to 391,200 SF, an increase of 1.7%.

Staff has reviewed the request and finds that the project as proposed substantially complies with the previously approved site plan and conforms to parking, landscaping, setback, circulation and access requirements. Staff also finds that underlying zoning would allow such increase and that the proposed increase falls within allowable increases for PUD's (up to 15%).

Therefore, Staff recommends **APPROVAL**.

There were no interested parties in attendance.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **APPROVE** PUD 489-5 **MINOR AMENDMENT** as recommended by Staff.

Application No.: **CZ-219**
Applicant: F.L. McCollam
Location: 7035-37 North Peoria Avenue.
Date of Hearing: January 18, 1995
Presentation to TMAPC: Brent Skalnik

Present Zoning: RS
Proposed Zoning: CG

Relationship to the Comprehensive Plan:

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designated the property as Special District - Commercial.

According to the Zoning Matrix the requested CG zoning **may be found in** accordance with the Plan.

Staff Comments:

Site Analysis: The subject property is approximately 1.34 acres in size, it is non-wooded, flat, with a non-conforming auto repair business, and is zoned RS.

Surrounding Area Analysis: The subject tract is abutted on the north by a single-family dwelling, zoned CS; to the south and east by single-family dwellings, zoned RS; and to the west by an auto repair business, zoned IL.

Zoning and BOA Historical Summary: Commercial zoning has been approved on the east side of North Peoria Avenue and industrial zoning exists on the west side of Peoria.

Conclusion: This area is currently developed as strip commercial with a mixture of commercial uses on the east side of Peoria and industrial on the west side. The area is committed to commercial development and the trend is not likely to be reversed. The uses allowed within this district should be considered to ensure compatibility with other existing and planned uses. The Comprehensive Plan can support commercial zoning for this area but no CG zoning exists in the area and some of the uses potentially allowed in a CG district, such as the proposed auto body shop would be incompatible with abutting residential uses. Therefore, Staff recommends **DENIAL** of CG zoning and **APPROVAL** of CS zoning for CZ-219.

Applicant's Comments

Brent Skalnik, 1316-B West 4th Street, Skiatook, OK, attorney for the applicant asked if CS would allow the existing use of an auto-body shop.

Chairman Parmele explained that it would not allow that use and would require an application to the Board of Adjustment.

Mr. Stump added that auto painting would not be allowed even with a special exception.

Mr. Skalnik described the businesses surrounding the subject tract and gave a history of property. He explained that there is an existing auto repair/body shop on the property and a frame shop has recently been added.

Interested Parties
Maxine Capps
Glenna Long

7140 North Peoria 74126
7128 North Peoria 74126

The above-listed individuals described the subject property as an eyesore and as a storage for junk cars. They described the property as a salvage yard and suggested that the applicant should have erected a wooden fence to place the cars behind and painted the building. The interested parties declared that their properties are being surrounded by salvages. They asked that the Planning Commission deny this request.

Applicant's Rebuttal

Mr. Skalnik noted that there are other similar businesses in the area and asked that the applicant be allowed to operate an auto frame repair shop, since a business has always operated at this location. He acknowledged that there needs to be cooperation between the owner, residents and other businesses in the vicinity to improve this area.

TMAPC Review

Chairman Parmele noted that if the Planning Commission determines that CS is an appropriate land use for the area, then that should be considered whether or not it forces the applicant to appear before the Board of Adjustment to get part of his use approved.

Ms. Pace urged that it be required for a solid fence to be installed.

Mr. Midget commented that this area is saturated with salvages and there are many unresponsive owners of these types of operations in the area.

TMAPC Action; 6 members present:

On **MOTION** of **GRAY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Gray, Midget, Pace, Parmele "aye"; no "nays"; none "abstaining"; Ballard, Horner, Selph, Taylor, Wilson "absent") to recommend **DENIAL** of CG zoning and **APPROVAL** of CS zoning as recommended by Staff.

LEGAL DESCRIPTION

Lot 7, Block 9, Golden Hills Addition to the City of Tulsa, Oklahoma.

OTHER BUSINESS:

PUD-378: Detail Site Plan Review - Lot 1, Block 1, Blockbuster Center - southwest corner of East 101st Street South and South Memorial Drive

The applicant is requesting Site Plan approval for Blockbuster Video.

Staff has reviewed the request and finds that the proposed request conforms to parking, landscaped area, setback, access and circulation requirements.

Therefore, Staff recommends **APPROVAL**.

NOTE: Site Plan approval does not constitute Landscape or Sign Plan approval.

TMAPC Action; 9 members present:

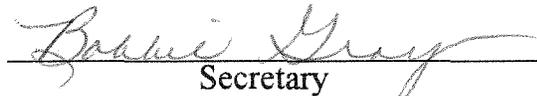
On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Midget, Pace, Parmele, Selph, Wilson "aye"; no "nays"; none "abstaining"; Horner, Taylor "absent") to **APPROVE** PUD 378 **DETAIL SITE PLAN** as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 4:25 p.m.

Date Approved: 2-1-95


Chairman

ATTEST:


Secretary

