

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2061

Wednesday, March 27, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes,
Chairman
Doherty, 1st Vice
Chairman
Horner
Ledford
Midget, Mayor's
Designee
Pace

Members Absent

Dick
Edwards
Gray

Staff Present

Almy
Gardner
Stump

Others Present

Linker, Legal
Counsel
Romig,
Assistant
Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, March 26, 1996 at 11:16 a.m., in the office of the County Clerk at 10:58 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:38 p.m.

Minutes:

Approval of the minutes of March 13, 1996, Meeting No. 2059:

On **MOTION** of **HORNER**, the TMAPC voted **5-0-1** (Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; Boyle "abstaining"; Ballard, Dick, Edwards, Gray, Midget "absent") to **APPROVE** the minutes of the meeting of March 13, 1996 Meeting No. 2059.

REPORTS:

Committee Reports:

Comprehensive Plan Committee:

Mr. Ledford informed the Commission that the Comprehensive Plan Committee met on March 20 to discuss a request from Randy Pickard to study amending the Comprehensive Plan in the area between the Creek Turnpike and 101st Street South on the west side of Memorial Drive. The Committee recommends to direct Staff to include consideration of this in the Comprehensive Plan as a housekeeping item. Staff was in agreement with the Committee's recommendation.

Rules and Regulations Committee:

Mr. Doherty stated the Rules and Regulations Committee also met on March 20 to discuss regulations on outdoor advertising signs and policies for private streets and gated communities. The Committee will continue these items at their next meeting scheduled for April 10, 1996, 11:30 a.m. in the large conference room at INCOG.

Mr. Doherty informed the Commission that Corridor Site Plan Z-6503-SP-1 will be heard by the City Council at its meeting on March 28, 1996.

SUBDIVISIONS:

FINAL PLAT APPROVAL:

The Gardens (3094)

South of the southwest corner of E. 81st Street South & S. Garnett Road

(PD-17) (CD-5)
OM

Staff Comments:

Mr. Stump informed the Commission that Staff has received the release letters and recommends Final Plat Approval subject to Legal's approval of restrictive covenants.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to **APPROVE** the Final Plat Approval of The Gardens subject to Legal's approval of restrictive covenants.

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Heather Ridge South (983)

South of the southwest corner of E. 71st Street and South Yale Avenue

(PD-18) (CD-8)
CO

Staff Comments:

Mr. Stump informed the Commission that Staff has received the release letters and recommends Final Plat Approval subject to Legal's approval of restrictive covenants.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to **APPROVE** the Final Plat Approval of Heather Ridge South subject to Legal's approval of restrictive covenants.

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-18216 Herman Cotner (3684)
11219 Lynn Lane Road South
L-18261 Edward Allphin (404)
6200 N. 131st E. Ave.

(PD-19)(CD-0)
AG
(PD-15)
AG

Staff Comments:

Mr. Stump reported that both of these lot-splits comply with subdivision regulations.

TMAPC Action; 7 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to **APPROVE** the Lot-Splits for Ratification of Prior Approval, finding them in accordance with subdivision regulations.

ZONING PUBLIC HEARING:

Application No.: Z-6526
Applicant: Michael B. Tolson
Location: 20 and 22 East 24th Street South
Date of Hearing: March 27, 1996
Presented to TMAPC: Michael B. Tolson

Present Zoning: RS-2
Proposed Zoning: RD

Staff Comments:

Mr. Stump informed the Commission that this item must be continued to April 24, 1996, to provide corrected notice.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to **CONTINUE** Z-6526 to April 24, 1996.

* * * * *

Application No.: Z-6527
Applicant: Michael A. Daugherty
Location: 1412 North Sheridan Road
Date of Hearing: March 27, 1996
Presented to TMAPC: Michael A. Daugherty

Present Zoning: RM-2
Proposed Zoning: CS

Staff Recommendations:

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Medium Intensity Commercial.

According to the Zoning Matrix the requested CS is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is one acre in size and is located south of the southwest corner of East Oklahoma Place North and North Sheridan Road. It is flat, non-wooded, contains a single-family dwelling, and zoned RM-2.

Surrounding Area Analysis: The tract is abutted on the north and west by single-family dwellings, zoned RM-2; to the south by a commercial business, zoned CS; and to the east by a vacant building, zoned OL.

Zoning and BOA Historical Summary: The adjoining property on the south was zoned for commercial uses in 1960. The property north of the subject tract on the southwest corner of East Pine and North Sheridan Road was rezoned from RS-2 to CH in 1970, and has been developed for commercial use.

Conclusion: The Comprehensive Plan supports Medium Intensity Commercial in this area, and based on the surrounding development, Staff recommends **APPROVAL** of CS zoning for Z-6527.

Applicant's Comments:

Michael A. Daugherty, 8835 South 90th East Avenue, is in agreement with Staff's recommendation.

Interested Parties Comments:

Kathy Carpenter, 1412 North Sheridan Road, expressed concerns of requiring a privacy fence between the business and three rental properties to the north.

TMAPC Comments:

Mr. Carnes informed Ms. Carpenter that a privacy fence is a requirement of the zoning code.

Mr. Doherty informed Ms. Carpenter that if the fence is not installed, she needs to contact Code Enforcement and that the smooth side of the fence should face her property.

TMAPC Action; 7 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to recommend **APPROVAL** of CS zoning for Z-6527 as recommended by Staff.

LEGAL DESCRIPTION FOR Z-6527:

Lot 2, Block 2, Exchange Acres Addition, and located at 1412 North Sheridan Road, Tulsa, Oklahoma

Application No.: PUD 544
Applicant: Stephen A. Schuller
Location: 2640 East 11th Street South
Date of Hearing: March 27, 1996
Presented to TMAPC: Stephen A. Schuller

Present Zoning: CH/OL/RS-3
Proposed Zoning: CH/OL/RS-3/PUD-544

Staff Recommendations:

The proposal is for a used car lot with up to a one-story 2100 S.F. sales office on the south side of the property and a smaller one-story building for accessory storage and vehicle preparation. The existing commercial buildings on the lot would be demolished. NO building setback is proposed between the single-family residential lots on the south side of the PUD and the commercial buildings in the PUD. A ten-foot high screening fence is proposed along the boundary of the PUD abutting residentially-zoned property. The PUD proposes to provide access to the site from 11th Street, Birmingham Place and Columbia Avenue. A variance of the screening requirements would need to be given to allow access to Columbia Place. The applicant is proposing to provide 10-percent landscaping within the PUD, but no trees would be provided within 100 feet of 11th Street.

The Comprehensive Plan for District 4 designates this Special Consideration Area "C", which suggests that development and redevelopment of commercial and office uses in this area be to a neighborhood scale, with their principal focus of serving the TU Special District. The Plan also states that further encroachment of these commercial and office uses into the neighborhoods should be discouraged.

Staff believes this proposed PUD will have negative impacts on the surrounding neighborhood and on the appearance of 11th Street. The PUD promotes the elimination of existing neighborhood commercial buildings compatible with the commercial style of development along 11th Street and pushes commercial activities further south into the neighborhood. Staff recommends PUD 544 be **DENIED** because it does not comply with the requirements of Section 1107 D. of the PUD Chapter.

Applicant's Comments:

Steven Schuller, 320 South Boston, Suite 1024, is representing D.B. Wilkerson, the owner of the property. Mr. Schuller stated the proposed Planned Unit Development is an opportunity to create an extraordinary automobile sales facility on this property. In view of the location of the property and the existing uses of the land along 11th Street, Mr. Wilkerson would like to do something positive for the neighborhood by constructing a facility using the PUD process instead of merely taking advantage of the existing CH zoning. Mr. Schuller stated that the structure on the property is in such a condition that it cannot be utilized economically for commercial uses. Mr. Schuller presented photographs demonstrating the existing condition of the structure. Mr. Schuller stated that there is a limited market for the uses to which this building is suited. Mr. Wilkerson proposes to take this rundown property and turn it in to something attractive and in harmony with the surrounding area. Mr. Schuller presented a plot plan showing the proposed facility, consisting of a one-story 70' x 30' sales office located at the back of the property with a

small building for washing and preparing cars for sales located behind it. Mr. Schuller reviewed the Development Plan that was included in the agenda packets. Mr. Schuller stated that this property is located in an area of general commercial and industrial uses. Mr. Schuller emphasized that this proposed development presents no further encroachment into the residential area. The commercial activity on the property is presently there and exists on the entire property. The use of this property will be oriented towards 11th Street. The development plan submitted with the application shows that this development will meet or exceed the zoning code's building intensities, height requirement, set-back requirements, sign requirements, parking and loading requirements, and by meeting the landscaping requirements of the PUD Chapter, landscaping on this property will exceed the existing landscaping on other properties along 11th Street in this commercial development area. Mr. Schuller stated this is an attractive, progressive development which will improve the appearance of the neighborhood over what currently exists on this property.

Interested Parties Comments:

David Bowery, 1120 South Columbia, expressed concerns of removing a building that was built in the 1930s and located in a historical district, Route 66, that is being renovated. Mr. Bowery stated that the building does need a lot of attention and that there are already several car lots in the area.

Tom Neal, 2507 East 11th Place, states he is a homeowner in this area and is also representing the Renaissance Neighborhood Association. Mr. Neal informed the Commission that the Association had sent a letter that was based on partial information and would like to withdraw the letter due to this incomplete information. Mr. Neal stated he is a design professional who was involved with architectural practices here, and would challenge some of the points Mr. Schuller made in regards to renovating and preserving the historical part of the neighborhood. Mr. Neal requested to preserve the original part of the building and work around it. Mr. Neal feels there are other options that should be explored so that the rights of the immediate neighbors and property owners can be compatible. Mr. Neal stated the PUD is a substantial change in zoning.

Sheila Swearingen, 1131 South College Avenue, stated she is currently the chair of the zoning and code enforcement committee for her neighborhood association and also a representative to Planning District 4. Ms. Swearingen is here to speak in opposition of this use of the property. Ms. Swearingen expressed being pleased with the reduction of car lots along 11th Street, and to the north there is a change taking place due to the University of Tulsa re-development. Ms. Swearingen would like to see fewer used car lots in this area. Another car lot will not benefit the neighborhood. Ms. Swearingen asked the Commission to consider the impact on their neighborhood.

Applicant's Rebuttal:

Mr. Schuller stated his client has a vested interest in preserving the character and quality of development in the neighborhood. However, his client needs more space, and this is an opportunity to acquire more space, do something attractive and provide a showcase for how the other auto sales facilities should look. Mr. Schuller emphasized that this building is not one that is economically feasible to save, and that this is a commercial and industrial area. The proposed PUD is to make this a more attractive development.

TMAPC Comments:

Mr. Doherty clarified the position of the Renaissance Neighborhood Association.

Mr. Midget questioned whether the area neighborhoods had met with Mr. Schuller to express their concerns.

Mr. Midget reminded the neighborhood that the owner would be within his right to tear the present building down, notwithstanding whether this proposal is approved or not.

Mr. Midget asked Staff if the 11th Street Study encourages auto sales to locate to the north.

Ms. Pace informed the Commission that the TU Master Plan included Neighborhood Consideration Areas which were areas that would be impacted by TU and whose development would impact TU. At the time of the study, the planning team recognized the size of the automotive-related activities along 11th Street and recommended that any of the expansion be on the north side of 11th Street. This was prior to the Urban Renewal Plan being adopted, which addresses school, park and the redevelopment of the Kendall-Whittier neighborhood. The south side would remain a neighborhood support-type commercial, with no further intrusion into the residential areas and small in scale.

Mr. Boyle addressed the issue of 10% landscaping without the use of trees. Mr. Boyle expressed he would like to maintain the neighborhood flavor on 11th Street and still allow the development that the applicant feels he needs.

Mr. Doherty clarified that the lot to the south is RS-3 underlying zoning. Mr. Doherty confirmed there would be access to Birmingham Place.

Mr. Carnes supported Mr. Boyles' suggestion that the neighborhood, the applicant and Staff try to resolve this matter to benefit everyone.

Mr. Horner expressed he is in support of the use of a PUD to clean up this property.

Ms. Ballard states that she does not find the cars offensive and the new facility would be an improvement to what is there.

Ms. Pace stated that the PUD is not compatible with the zoning along the old arterial where most of the zoning is RS-3, a low intensity, next to CH zoning, one of the highest intensities. The Renaissance Neighborhood Association has recently formed to save this landmark. Ms. Pace stressed that the Commission needs to look at the entire area before any rezoning is approved. Ms. Pace stated that the north side of 11th from Harvard to Columbia, possibly on to Birmingham, will be University-owned. Therefore, it will be limited as to commercial use. This will put a lot of demand on the remaining arterial streets. Ms. Pace divulged she would vote for the continuance; however, she would request the City Commission to combine the 11th Street Corridor Study with the TU Study and see what type of rezoning would be applicable.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-1** (Boyle, Carnes, Doherty, Horner, Ledford, Midget, Pace "aye"; no "nays"; Ballard "abstaining"; Dick, Edwards, Gray "absent ") to **CONTINUE** the Zoning Public Hearing on PUD-544 to the April 24, 1996 meeting.

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Application No.: Z-4789-SP-5 (Corridor Site Plan for a Fruit & Vegetable Stand)
Applicant: John W. Moody
Location: East of southeast corner of the Mingo Valley Expressway and
71st Street South
Date of Hearing: March 27, 1996
Presented to TMAPC: John W. Moody

Staff Recommendations:

The applicant is requesting approval of a Corridor Site Plan for a fruit and vegetable sales tent on the south side of 71st Street South, approximately half way between Garnett Road and the Mingo Valley Expressway. The maximum floor area of the tent would be 1200 S.F. and the applicant is requesting that if granted a variance from the Board of Adjustments, he be allowed to provide no landscaped areas, gravel parking and be set back only 108' from the centerline of 71st Street South. The temporary use would be for five years.

Staff can support the proposed use and agrees that landscaping for a temporary use would not be necessary. Staff does, however, believe that if this fruit stand is to be there for five years, the parking and access areas should be paved. Therefore, Staff recommends that corridor site plan Z-4789-SP-5 be approved as requested except all graveled areas shall be paved areas and subject to BOA granting the necessary variances.

Applicant's Comments:

John W. Moody, 5555 West 71st Street, is representing McGraw-Cummins Limited Partnership, the owner of the property. McGraw-Cummins has entered into a lease of this property with Sooner Produce. Mr. Moody informed the Commission that the owner is amending the application for only a two-year period in order to request that the applicant not be required to pave the parking lot. Mr. Moody stated that this is traditional for these types of operations that are limited in time. Mr. Moody stated that this is a transitional area and he anticipates that in a few years, fruit and vegetable stands will no longer exist. Mr. Moody is therefore requesting approval of the Corridor Site Plan for a two-year period subject to any conditions imposed by the Board of Adjustment.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Dick, Edwards, Gray, Midget "absent ") to recommend **APPROVAL** of the Corridor Site Plan Z-4789-SP-5 for a two-year period without pavement subject to the granting of needed variances and any conditions imposed by the Board of Adjustments.

LEGAL DESCRIPTION FOR Z-4789-SP-5:

A tract of land that is part of the NE/4 of Section 7, T-18-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: starting at the Northeast corner of said Section 7; thence N 89°46'10" W along the Northerly line of Section 7 for 1,087.49'; thence S 00°13'50" W for 25.00' to a point on the Southerly right-of-way line of East 71st Street South; thence S 84°06'54" W along said Southerly right-of-way line for 20.18' to the Point of Beginning of said tract of land; thence S 00°13'50" W for 172.85'; thence N 89°46'10" W for 160.00'; thence N 00°13'50" E for 155.71' to a point on said Southerly right-of-way line; thence N 84°06'54" E along said Southerly line for 160.92' to the Point of Beginning of said tract of land, and located east of the southeast corner of U. S. 169 and E. 71st Street South, Tulsa, Oklahoma.

Application No.: Z-6528
Applicant: Dwayne Wilkerson
Location: 600 feet east of 83rd Street South and Mingo Road
Date of Hearing: March 27, 1996
Presented to TMAPC: Dwayne Wilkerson

Present Zoning: AG
Proposed Zoning: RS-3

Staff Recommendations:

Relationship to the Comprehensive Plan:

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

According to the Zoning Matrix the requested RS-3 is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is ten acres in size and is located south and east of the southeast corner of East 81st Street South and South Mingo Road. It is gently sloping, non-wooded, contains two large accessory buildings (hangers), and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by a private airport, zoned AG; to the west by vacant land, zoned CO; to the south by single-family dwellings that are under construction, zoned CO; and to the east by vacant property, zoned AG.

Zoning and BOA Historical Summary: A number of tracts surrounding the subject tract have been approved for CO zoning.

Conclusion: The RS-3 zoning is compatible with the Comprehensive Plan for this area and with the existing development, therefore, Staff recommends **APPROVAL** of RS-3 for Z-6528.

TMAPC Comments:

Mr. Doherty expressed concern with the platting process, stating that with TJC to the east and uncertain use to the north, it would be very easy to isolate this interior land with just one point of access.

TMAPC Action; 7 members present:

On **MOTION of DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to recommend **APPROVAL** of RS-3 for Z-6528 as recommended by Staff.

LEGAL DESCRIPTION FOR Z-6528:

The South 10 acres of the east 20 acres of Government Lot 1, Section 18, T-18-N, R-14-E, and located south and east of the southeast corner of East 81st Street South and South Mingo Road, Tulsa, Oklahoma.

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Application No.: CZ-224
Applicant: Stephen Schuller
Location: 6400 North Mingo Valley Expressway
Date of Hearing: March 27, 1996
Presented to TMAPC: Stephen Schuller

Present Zoning: AG
Proposed Zoning: IL or CS

Staff Recommendations:

Relationship to the Comprehensive Plan:

The District 15 Plan, a part of the North Tulsa County Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Rural Residential - Recreation and Open Space - Development Sensitive.

According to the Zoning Matrix the requested IL or CS is **not in** accordance with the Plan Map. All zoning districts are considered may be found in accordance with special district guidelines.

Staff Comments:

Site Analysis: The subject property is 21 acres in size and is located in the southwest corner of East 66th Street North and U.S. 169. It is sloping, wooded, vacant, and zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by vacant property and single-family dwellings, zoned AG and IM; on the northwest by vacant property, zoned RMH; to the south and southwest by vacant property, zoned AG/and to the east by U.S. Highway 169, zoned AG.

Zoning and BOA Historical Summary: IL zoning has been approved on the southeast corner of East 66th Street North and U.S. 169, the tract across East 66th Street North to the north is zoned IM. RMH zoning has been approved to the west and to the east of the subject property.

Conclusion: The North Tulsa County Comprehensive Plan for the Tulsa Metropolitan Area, recommends that this area be used for Rural Residential - Recreation and Open Space. It is designated as being Development Sensitive and it is intended that open space areas be developed to preserve the significant natural features, enhance the visual character of North Tulsa County, buffer adverse effects of certain land uses and serve conservation purposes. Development in this area should be coordinated with the development of a flood/storm drainage management program. The North Tulsa County Comprehensive Plan also designates that intensity within this development sensitive area will generally be one half of the rural residential intensity, unless developed under the PUD supplemental zoning district provisions. Staff does not feel that either IL or CS zoning are appropriate zoning for this tract.

Therefore, Staff recommends **DENIAL** of IL and/or CS zoning for CZ-224.

Applicant's Comments:

Steven Schuller, 320 South Boston, Suite 1024, is representing Robert M. Preston, owner of the property. Mr. Schuller stated that the subject property is vacant. Mr. Schuller presented photographs that display the development and uses in the area. Mr. Schuller pointed out that the surrounding area is used as industrial and commercial property and asked the Commission to recognize the changed condition of this area. Mr. Schuller feels that this area is not suited to the residential uses that Staff suggests are appropriate for this parcel. The few existing residential uses do not appear to be encouraged or thriving in any way. Mr. Schuller requested approval of the application.

TMAPC Comments:

Mr. Carnes stated he viewed the area and it appears that the area is being used as light industrial. Mr. Gardner responded that according to the Tulsa County Inspector, this tract is in a floodway and no structures will be permitted; therefore, a change in zoning is not needed. Mr. Gardner stated that the tract is a quarter-mile deep, and if rezoning for the entire tract was approved, as opposed to the north half of it, zoning lines of an industrial or commercial nature would be extended that do not match up with anything else in the area. The north side of 66th Street North is designated as industrial, but that is not the case to the south of 66th Street North.

Mr. Carnes asked if the applicant was requesting the zoning in order to install outdoor advertising signs. Mr. Schuller stated that the applicant would like to install outdoor advertising signs if possible.

Mr. Boyle feels that the request cannot be denied based on the evidence provided that suggest this is an appropriate use in the area.

Mr. Doherty asked where the boundary lines of the flood plain are located in this area. Staff responded that boundary line information was not available.

After some discussion by the Commission, Mr. Doherty made a motion to approve IL zoning on the northeastern portion of the tract that is 550 feet from the northern boundary and 330 feet from the eastern boundary.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **3-3-1** (Carnes, Doherty, Ledford, "aye"; Ballard, Boyle, Horner, "nay"; Pace "abstaining"; Dick, Edwards, Gray, Midget "absent ") to recommend **APPROVAL** of IL zoning on the northeastern portion of the tract that is 550 feet from the northern boundary and 330 feet from the eastern boundary

Motion failed.

TMAPC Action; 7 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **3-4-0** (Ballard, Boyle, Horner, "aye"; Carnes, Doherty, Ledford, Pace, "nay"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to recommend **APPROVAL** of IL zoning for CZ-224.

Motion failed.

TMAPC Action; 7 members present:

On **MOTION** of **PACE**, the TMAPC voted **5-2-0** (Carnes, Doherty, Ledford, "aye"; Ballard, Boyle, Horner, "nay"; Pace "abstaining"; Dick, Edwards, Gray, Midget "absent ") to **RECONSIDER** the first motion.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **4-3-0** (Carnes, Doherty, Ledford, Pace, "aye"; Ballard, Boyle, Horner, "nay"; none, "abstaining"; Dick, Edwards, Gray, Midget "absent ") to recommend **APPROVAL** of IL zoning on the northeastern portion of the tract that is 550 feet from the northern boundary and 330 feet from the eastern boundary.

LEGAL DESCRIPTION FOR CZ-224:

The north 550 feet of the east 330 feet of the following:
All that part of Lot 4 of Section 5, T-20-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof, lying West of the U.S. Highway, more particularly described as follows: Beginning at the Northwest corner of said Lot 4, thence East 677.8' to the West line of said Highway; thence South 00°04' West 40'; thence South 20°43' East 140.9'; thence South 00°04' West 1,119.2' to the South line of said Lot 4; thence West 718.4' to the Southwest corner of said Lot 4; thence North to the point of beginning, and located on the southwest corner of East 66th Street N. and N. Mingo Valley Expressway, Tulsa, Oklahoma.

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Application No.: PUD 379-3

(Minor Amendment to increase size of permitted ground sign)

Applicant: Thomas Vogt

Location: 6800 South Memorial Drive

Date of Hearing: March 27, 1996

Presented to TMAPC: Thomas Vogt

Staff Recommendations:

The applicant is requesting amendment to the PUD to allow an increase in the maximum allowable display area for ground signs on the site. The purpose of the request is to allow an increase in from 176 S.F. to 310 S.F. on the north sign and from 352 sf to 480 within the PUD as a whole. The maximum height of 20' is not being amended.

Staff has reviewed the request and finds that the applicant has control over 481.48 linear feet of frontage, which he proposes as the basis for calculation of allowable signage. Staff also notes that there is approximately 568 linear feet of frontage in the PUD which is not included in the calculation of allowable display area. Therefore, the proposed signage is approximately 1/2 of that allowed by the zoning code within the PUD.

Staff opinion is that the amount of signage requested is within the usual range for this commercial corridor. Therefore, Staff recommends **APPROVAL**.

Applicant's Comments:

Tom Vogt agrees with Staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **7-0-0** (Ballard, Boyle, Carnes, Doherty, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Dick, Edwards, Gray, Midget "absent ") to **APPROVE** the Minor Amendment Z-379-3 as recommended by Staff.

LEGAL DESCRIPTION FOR PUD 379-3:

Lot 1, Block 1, and Lot 4, Block 2, The Village at Woodland Hills. The property is located at 6800 South Memorial Drive, Tulsa, Oklahoma.

There being no further business, the Chairman declared the meeting adjourned at 2:54 p.m.

Date Approved: 4-10-96



Chairman

ATTEST:



Secretary