

# TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2269

Wednesday, March 21, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Carnes	Beach	Boulden, Legal
Harmon	Ledford	Bruce	
Hill	Selph	Dunlap	
Horner		Huntsinger	
Jackson		Matthews	
Midget		Stump	
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, March 20, 2001 at 11:05 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Westervelt called the meeting to order at 1:35 p.m.

## Minutes:

### **Approval of the minutes of February 21, 2001, Meeting No. 2265**

On **MOTION** of **BOYLE**, the TMAPC voted 7-0-0 (Boyle, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of February 21, 2001, Meeting No. 2265.

## Minutes:

### **Approval of the minutes of February 28, 2001 Meeting No. 2266**

On **MOTION** of **HORNER**, the TMAPC voted 6-0-1 (Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; Boyle "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of February 28, 2001, Meeting No. 2266.

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## **REPORTS:**

### **Chairman's Reports:**

Mr. Westervelt requested Mr. Stump to draft a letter for his signature reappointing Mr. Chester Cadieux to the River Parks Authority.

Mr. Westervelt stated that he will be abstaining from the preliminary plat for QuikTrip Commercial Center #96.

## **CONTINUED ITEMS:**

**APPLICATION NO.: Z-6810/PUD-646**

**AG TO RS-2/PUD**

**Applicant:** Charles Norman

**(PD-26) (CD-8)**

**Location:** East of Sheridan, south of Block 7 and 8, Forest Trails

### **Staff Recommendation:**

Applicant has requested a timely continuance to April 18, 2001.

**There were no interested parties wishing to speak.**

### **TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Boyle, Harmon, Horner, Hill, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **CONTINUE** Z-6810 and PUD-646 to April 18, 2001 at 1:30 p.m.

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**APPLICATION NO.: PUD-287**

**DETAIL SITE PLAN**

**Applicant:** Greg Price

**(PD-18) (CD-9)**

**Location:** 6800 South Utica Avenue

### **Staff Recommendation:**

Applicant has requested a continuance to March 28, 2001.

**There were no interested parties wishing to speak.**

### **TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Boyle, Harmon, Horner, Hill, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **CONTINUE** the detail site plan for PUD-287 to March 28, 2001 at 1:30 p.m.

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## **Committee Reports:**

### **Community Participation Committee**

Mr. Harmon reported that he had the opportunity to meet with the Brookside Infill Neighborhood Task Force members March 15, 2001. He commented that the meeting was a very good meeting and there is another meeting scheduled for March 22, 2001 at the Brookside Library, which he will be attending.

### **Rules and Regulations Committee**

Mr. Boyle reported that the committee had a meeting prior to the TMAPC meeting today. He stated that the committee reviewed proposed draft changes to the Subdivision Regulations.

Mr. Boyle congratulated and thanked the task force that has worked on the Subdivision Regulations. He explained that the task force has been working for a year to come up with constructive suggestions and there is more work to do before bringing the proposal before the TMAPC. He commented that it is work of the volunteer members of task forces like this who accomplish the hard part of the TMAPC's work. He extended his congratulations to the members.

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**Mr. Midget in at 1:40 p.m.**

### **Director's Report:**

Mr. Stump reported that there are four zoning items and one subdivision item on the City Council agenda for Thursday, April 22.

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**APPLICATION NO.: Z-6751/PUD-592-A**

**Applicant:** John Moody

(PD-18) (CD-8)

**Request for Reconsideration**

### **Applicant's Comments:**

**John Moody**, 7146 South Canton Avenue, Tulsa, Oklahoma 74136-6303, stated that he has discussed this request with Patrick Boulden, Legal, regarding whether the Planning Commission could consider the request for rehearing. After research, it was determined that the Planning Commission doesn't have any specific regulation governing how rehearings are to be done, Roberts Rules of Order would control. It has been determined that the Planning Commission can't consider rehearing this application. Mr. Moody requested that his request for reconsideration be withdrawn.

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## **SUBDIVISIONS**

**L-19184 - Mike Manley (592)**  
6450 West Edison

**(PD-10) (County)**

### **Staff Recommendation:**

The applicant has applied to split this tract into two parcels. Tract 1 will use 65<sup>th</sup> West Avenue for their access; however, a panhandle is required to have water service, which runs along Edison. The proposed configuration will result in Tract 1 having four side lot lines; therefore, the applicant is seeking a waiver of Subdivision Regulations that each tract have no more than three side lot lines.

Both tracts meet the RS bulk and area requirements. The Technical Advisory Committee advised that water service ended at 65<sup>th</sup> West Avenue and Edison, and an extension would result in a dead-end water line. They felt it appropriate to approve the panhandle lot in order to provide City of Tulsa water service to Tract 1. They will also require the subdivider to install a fire hydrant.

Staff believes this lot-split would not have an adverse effect on the surrounding properties and would therefore recommend **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split, subject to installation of a fire hydrant.

### **Interested Parties Comments:**

**Jerry Creekmore**, 6402 ½ West Edison, Tulsa, Oklahoma 74127, stated that the panhandle on the proposed lot-split is next to his property and they would have to go through his yard to put the water line in. He inquired if the applicant plans to have a mobile home and stated that he doesn't want a mobile home in his neighborhood. He indicated that his main concern is that the applicant will install a mobile home on the subject property.

Mr. Westervelt stated that the Planning Commission is only considering a lot-split today.

Mr. Beach stated that he is not aware of the intent of the use for the subject property; however, the proposed lot lines met the bulk and area requirements for the zoning district and any use that is not permitted by the Zoning Code would require approval by the Board of Adjustment.

### **Applicant's Comments:**

**Mike Manley**, 7307 South Yale, Suite 100, Tulsa, Oklahoma 74136, stated that he is the realtor involved with this application. He explained that the lot-split was at the request of the property owner. He indicated that there are three clients who cannot close on their contracts until this lot-split is resolved.

He indicated his agreement with the staff recommendation.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the waiver of Subdivision Regulations and of the lot-split for L-19184, subject to installation of a fire hydrant as recommended by staff.

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**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

<b><u>L-19100 – David Charney (3314)</u></b> 13101 East 66 <sup>th</sup> Street North	(PD-15) (County)
<b><u>L-19174 – Patricia Lochrie (2893)</u></b> 4349 South Jamestown	(PD-6) (CD-7)
<b><u>L-19198 – Sack &amp; Associates, Inc. (1402)</u></b> West of northwest corner East 36 <sup>th</sup> Street North & Cincinnati	(PD-25) (CD-1)
<b><u>L-19199 – Tulsa Development Authority (2502)</u></b> 2114 North Lansing	(PD-2) (CD-1)
<b><u>L-19200 – The Nordam Group (3413)</u></b> 6911 North Whirlpool	(PD-15) (County)

**Staff Recommendation:**

Mr. Beach stated that all these lot-splits are in order and staff recommends **APPROVAL**.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **RATIFY** these lot-splits given prior approval, finding them in accordance with Subdivision Regulations as recommended by staff.

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**FINAL PLAT:**

<b>Green Hill (PUD-637) (2993)</b> Northeast corner of 45 <sup>th</sup> Street and South Lewis Avenue	(PD-6) (CD-9)
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**Staff Recommendation:**

This plat consists of twenty-six lots in one block on 8.16 acres. The preliminary plat was approved October 18, 2000.

All releases are in and the plat is substantially in order. Staff recommends **APPROVAL** of the final plat with the following conditions: Plats shall not be signed until 1) Limits of No Access (LNA) are shown on the east side, Atlanta boundary along double frontage lots; 2) owner's papers are provided, and 3) comment of the Legal Department is satisfactorily addressed.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the final plat for Green Hill subject to conditions as recommended by staff.

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**Woodland Valley Office Park** (PUD 397)(0183) (PD-18)(CD-7)  
East 62<sup>nd</sup> Street South and South 90<sup>th</sup> East Avenue

**Staff Recommendation:**

This plat consists of twenty-four lots in three blocks on 9.6 acres. The preliminary plat was approved November 01, 2000.

All releases are in and the plat is substantially in order. Staff recommends **APPROVAL** of the final plat with the following conditions: Plats shall not be signed until, 1) owner's papers are provided; and 2) comments of the Legal Department are satisfactorily addressed.

Mr. Bruce stated that the comments of the Legal Department have been satisfactorily addressed; however, additional information from PSO has been provided. He explained that the applicant would like to have the ability to install power lines overhead in the interior of the subject plat. Subdivision Regulations do allow this, but the PUD does not address it. The language changing the covenants to allow overhead power lines is not completely clear and Legal would like the opportunity to review the language to make sure it is clear. Staff recommends **APPROVAL** of the final plat with the possibility for Legal to review the language prior to signature.

Mr. Bruce stated that staff would be reviewing overhead power lines within the interior plats in the future.

**The applicant indicated his agreement with staff's recommendation.**

There were no interested parties wishing to speak.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the final plat for Woodland Valley Office Park, subject to conditions as recommended by staff.

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**TSS Adult Day Care Services - Pine - (3602) (PD-2) (CD-1)**  
¼ mile west of North Peoria Avenue on south side of East Pine Street

**Staff Recommendation:**

This plat consists of one lot in one block on 1.312 acres. It will be developed for an adult daycare facility.

The property is zoned CS and CH. The use is categorized under Use Unit 5, which is a use by right in both zoning districts. The plat is voluntary.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the final plat for TSS Adult Day Care Services – Pine as recommended by staff.

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**Ashton Creek Office Park (PUD 600) (2183) (PD-18) (CD-8)**  
South side of East 91<sup>st</sup> Street at South Toledo Avenue

**Staff Recommendation:**

The property consists of 34 lots, four blocks, and five reserves. The site is situated west of "The Charter", containing condominium offices, and east of "Rolling Oaks Memorial Gardens" containing a cemetery. "Thousand Oaks", containing single-family residences, is to the north across 91<sup>st</sup> Street.

PUD-600 was approved in December 1998 with a major amendment in August 2000. This plat represents Development Area A of the PUD, which approved 140,000 SF of one-story and two-story offices. The major amendment added barber and beauty shops as additional uses in Development Area A.

The plat was originally submitted in two phases under different names. One was a sketch plat and the other was a preliminary plat. TMAPC approved the preliminary plat but it expired in June 2000. The plat has since been redrawn to include both phases.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the final plat for Ashton Creek as recommended by staff.

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**Garnett North - (3204)**

(PD-16) (CD-6)

East side of North Garnett, ¼ mile south of East Pine Street

**Staff Recommendation:**

The property was rezoned to IL in 1989. This rezoning triggered the platting requirement. A plat waiver request was denied by the TMAPC in June 1985.

This plat consists of one lot in one block on 8.27 acres. The property has had several development plans over the past few years. It will be developed as a mini-storage.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**



**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the final plat for Garnett North as recommended by staff.

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**Westview Center - (1402)**

(PD-25) (CD-1)

West of the northwest corner East 36<sup>th</sup> Street North and North Cincinnati Avenue

**Staff Recommendation:**

This plat was processed completely through the City Council in October 1998, but it was never filed with the County Clerk. Based on the simplicity of the plat and the lack of complex issues, staff advised the applicant to resubmit a draft final plat for review and release. If conditions in the area of this property have not changed significantly and reviewing agencies signified their agreement by their release letters, we would present the plat to the Planning Commission for final plat approval and process it through the City Council again.

This plat consists of one lot in one block on 2.65 acres. It will be developed for office use.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the final plat for Westview Center as recommended by staff.

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**Walden Pond - (PUD 587-A) (1683)**

(PD-18) (CD-8)

East 83<sup>rd</sup> Street South and South Urbana Avenue

**Staff Recommendation:**

The property is zoned RS-3/PUD-587-A which allows for single-family residential and accessory uses. It is Development Area C of the original PUD and was approved for up to 12 single-family residences. Major amendment 587-A

changed the approval to one single-family lot with cul-de-sacs on each street. A minor amendment was approved, which reverted to the original 12 lots but added a private cul-de-sac. It also reduced the building setback from 25 feet to 20 feet.

The original PUD required that Urbana and 83<sup>rd</sup> Street be connected. That requirement was modified by the major amendment to allow the streets not to be connected and to have a cul-de-sac at the end of each street. The minor amendment reverted to connecting 83<sup>rd</sup> Street and Urbana Avenue. There is a private cul-de-sac to serve the northerly six lots.

This plat consists of 12 lots in two blocks and one reserve on 3.78 acres. It will be used for single-family residences as approved under PUD-587.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

**And related Item:**

**APPLICATION NO.: PUD-587-A-2**

**MINOR AMENDMENT**

**Applicant:** R. L. Reynolds

(PD-18) (CD-8)

**Location:** East 83<sup>rd</sup> Street South and South Urbana Avenue,

**Staff Recommendation:**

The applicant is requesting an amendment from a required 55-foot setback from the centerline of a private right-of-way to a 50-foot setback for Lots 4 – 9, Block 2, of the proposed Walden Pond Subdivision.

Staff cannot support the minor amendment as proposed. The front setback for all the proposed lots around the cul-de-sac has been determined through a previous minor amendment approval. The proposed cul-de-sac is permitted as a private roadway and is a 30-foot width and radius. Staff recommends **DENIAL** of the minor amendment.

Mr. Dunlap stated that the original request was for the northern six lots, but after discussion with the applicant, it was determined that Lot 4 does not need to be included in this request. The application is for the northern five lots (Lots 5, 6, 7, 8 and 9).

Mr. Dunlap stated that the initial standards for the PUD were RS-2 standards and there was a minor amendment to allow the minor street. During the minor amendment there was a request to allow 20-foot setbacks from the minor street and the request was denied. Staff does not see any changes in conditions since the last denial and staff again recommends denial of the 20-foot setback and continue to be a 25-foot setback.

**TMAPC Comments:**

Mr. Boyle asked if the staff recommendation is to disapprove of the minor amendment, but approve the final plat. In response, Mr. Beach stated that staff recommends approval of the final plat with the condition that there is a modification of the building line.

Mr. Westervelt asked where the building line is set at this time. In response, Mr. Beach stated that the building line is currently set at 20 feet. In response, Mr. Westervelt stated that staff feels the building line should be at 25 feet. Mr. Stump stated that the Planning Commission set the building line at 25 feet.

Mr. Boyle stated that the Planning Commission set the building line at 25 feet and staff recommends a 25-foot setback as well. Mr. Stump agreed and stated that the Planning Commission could approve the final plat with the condition that the applicant adjust his setback to 25 feet.

**Mr. Midget out at 1:55 p.m.**

**Applicant's Comments:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, Tulsa, Oklahoma, 74114, stated that his client agreed to all of the standards as recommended by staff at a previous hearing. He explained that the staff recommendation that came to the applicant did not have a strike-out indicating the change; the applicant requested 20 feet. The staff recommendation came back with 25 feet; however, the change was not noted or highlighted as it is typically done, and his client didn't see the change. The change came to his client's attention when he filed his plat, which was submitted with a 20-foot setback.

Mr. Reynolds explained that the reason his client needs a 20-foot setback is because of the triangular shape of the lots, which back up to 100-foot utility easements on one side and the back. He stated that his client is attempting to get as much flexibility in the architectural configuration of the homes. He commented that it was suggested that his client come back for relief on a case-by-case basis; however, that is easier said than done. This is an infill project and it is the last piece of land to be developed in the entire section. The problems are created by having to connect the public street and a smaller cul-de-sac than is typical. Moving the houses in five feet would not have any impact on anything.

**TMAPC Comments:**

Mr. Boyle asked Mr. Reynolds if there was any debate regarding 25 feet versus 20 feet at the previous hearing. In response, Mr. Reynolds answered affirmatively.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **APPROVE** the final plat for Walden Pond and **APPROVE** the minor amendment, subject to Lot 4 being withheld from the application as presented.

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**PRELIMINARY PLAT:**

**QuikTrip Commercial Center # 96 – (2083)**

Intersection of Delaware Avenue and Riverside Parkway, being north of Delaware Avenue and east of Riverside Parkway

**The following information was provided at the TAC meeting of 02/01/01.**

**GENERAL:**

The site sits in the triangle formed by South Delaware and the Southern Riverside Parkway. Riverparks is across the parkway to the west; commercial and multi-family development is located across Delaware to the east.

The setbacks off Riverside and Delaware are shown as 25'. Setbacks along arterials are 50'.

(Additional information was provided after the meeting – the Riverside and Delaware rights-of-way are larger than required by the Major Street and Highway Plan. The exact dimensions are being reviewed).

**STREETS:**

No internal streets are required. Access will be taken off Delaware and Riverside. A mutual access easement is located along the west side of the property in the north, apparently related to the Crown Woods Apartments.

LNA will be required along both streets.

The median in Riverside will have to be addressed.

**SEWER:**

Sewer is located along the north boundary of the parcel.

**WATER:**

Water is located along the east boundary of the parcel, along the west side of Delaware.

**STORM DRAIN:**

Underground drainage is located in the area. Staff does not have information on intent to tie in.

**UTILITIES:**

A PSO easement runs from east to west across the northern portion of the property. An ONG easement runs along the eastern boundary.

**Staff provides the following information from TAC.**

**STREETS:**

Somdecerrf, Traffic: requested book and page references for existing dedications along Riverside and Delaware. No additional dedications would be required.

French: Streets: indicated that access to the site at the existing median break at the north side of the project would be acceptable. Access from Delaware would also be acceptable. The purpose of the mutual access easement in the north was to allow emergency access to the apartment site from the median break.

Discussion ensued regarding additional "right in-right out" access off of Riverside. Mr. French indicated that the issue would be discussed.

**SEWER:**

Payne, Public Works: sanitary sewer would be extended south to serve the lot in the south. A Sanitary Sewer Improvement District was in place.

**WATER:**

Holdman, Public Works: the 12" line along Riverside should be extended to the intersection of Riverside and Delaware.

**STORM DRAIN:**

Spears, Public Works: tie to the existing system (southwest corner) would be required. Drainage for the area to the north should be included. Fees in lieu could be substituted for detention.

**FIRE:**

Calkins. Fire: no comment.

**UTILITIES:**

No comment.

**Staff recommends APPROVAL of the preliminary plat subject to the following:**

**WAIVER OF SUBDIVISION REGULATIONS:**

None.

**SPECIAL CONDITIONS:**

References for dedications as requested by Traffic.

Resolution of the request for additional access onto Riverside Parkway (not necessitating a median cut).

Extension of sewer and water lines to the south to the satisfaction of the Public Works Department.

**STANDARD CONDITIONS:**

1. 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.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Public Works Department.

11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. The key or location map shall be complete.
17. 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.)
18. 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.)
19. Applicant is advised to of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
20. If the owner is a Limited Liability Corporation (L.L.C.), a letter from an attorney stating that the L.L.C. is properly organized to do business in Oklahoma is required.
21. All other Subdivision Regulations shall be met prior to release of final plat.

**Interested Parties Comments:**

**Melinda Bennett**, 2623 West 68<sup>th</sup> Place, Tulsa, Oklahoma 74132, stated that her family has owned property south of the subject site since 1924. She explained that she is not opposed to development, but she is concerned about water drainage. She wanted to make sure that the water drainage problems are addressed.

Mr. Boyle informed Ms. Bennett that the Planning Commission does not address water drainage; however, her protection would be from Stormwater Management. He explained that Stormwater Management would make sure that her position is not worse than before the proposed project is developed.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Pace "aye"; no "nays"; Westervelt "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **APPROVE** the preliminary plat for QuikTrip Commercial Center #96 subject to special conditions and standard conditions as recommended by staff.

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**PLAT WAIVER:**

**BOA 18580**

Northeast corner of East 33<sup>rd</sup> Street North and North Delaware

**Trigger: Special Exception to allow church use in RS-3; 12/14/00**

**The following information was provided at the TAC meeting of 02/01/01.**

**GENERAL**

The site is located at the northeast corner of 33<sup>rd</sup> Street North and North Delaware. It is bounded on the east and south by Highway 75, on the west and northwest by Delaware with Rouzeau Park, a recreation center and police station beyond and on the north by large-lot residential development.

**PURPOSE**

The purpose of the request is to construction of a 6000 square foot building for church-related uses with required parking in the northwest portion of the parcel.

**ZONING**

The site and surrounding area are zoned RS-3.

**STREETS**

The site plan shows access onto Delaware.

**SEWER**

Sewer is present on the site in the northeast corner.

**WATER**

Water is present in the northwest corner.



**STORM DRAIN**

Drainage information has not been provided.

**UTILITIES**

A 30' easement is shown on the west boundary with a 25' utility easement on the north and a 10' utility easement on the east against the expressway.

**Staff provides the following information from TAC.****STREETS:**

Somdecerrf, Traffic: additional right-of-way would be required along Delaware. Discussion subsequent to the meeting indicates that the required right-of-way will be an additional 20' on the east side of the centerline.

French: Streets: No comment.

**SEWER:**

Payne, Public Works: the existing sewer in the northeast corner is a 15" line at approximately 20' deep. The applicant will need to extend an eight-inch line off of the existing manhole sufficient to allow tie-in of a service line. The line may end in a lamp hole. Extension farther to the south will not be required.

**WATER:**

Holdman, Public Works: the existing line should be extended south onto the property to serve the first building. No additional structures will be allowed without additional water line extension to the south. The applicant agreed.

**STORM DRAIN:**

Spears, Public Works: detention will be required.

**FIRE:**

Calkins, Fire: a fire lane should be added on the east side of the proposed parking lot.

**UTILITIES:**

No comment.

**Additional Staff comments:**

Although extensions are required, the sanitary sewer will be extended only as far as is needed to allow tie-in for the service line, and the water line can be extended farther south over time. No new easements are required.

The Delaware dedication is not to comply with the Major Street & Highway Plan; it is meant to provide right-of-way for operational purposes. Right-of-way to the north is 60', and to the south it is 50'.

Based on discussion with the individuals who will review and approve the changes and the following checklist, which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for plat waiver with the following conditions:

1. Dedication of 20' of ROW on the east side of Delaware, per Public Works.
2. Extension of water and sewer onto the site, per Public Works.
3. Detention to the satisfaction of Public Works.
4. A fire lane to the satisfaction of the Fire Department.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

**A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:**

	Yes	NO
1. Has Property previously been platted?		X
2. Are there restrictive covenants contained in a previously filed plat?		X
3. Is property adequately described by surrounding platted properties or street R/W?	X	

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

4. Is right-of-way dedication required to comply with major street and highway Plan?		X
5. Will restrictive covenants be filed by separate instrument?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?	X	
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?	X	
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?	X	
iv. Are additional easements required?	X	

7. Floodplain
  - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
  - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
8. Change of Access
  - a) Are revisions to existing access locations necessary? X
9. Is the property in a P.U.D.? X
  - a) If yes, was plat recorded for the original P.U.D. X
10. Is this a Major Amendment to a P.U.D.? X
  - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X

If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

**TMAPC Comments:**

Mr. Boyle stated that there seems to be several check marks on the wrong side of the ledger in order to approve. In response, Mr. Bruce stated that the dedication required is not off of the Major Street and Highway Plan, and the in the past it has been the practice that easements over a detention area has been acceptable in a plat waiver situation.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted 6-1-0 (Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; Boyle "nay"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **APPROVE** the plat waiver subject to conditions as recommended by staff.

\*\*\*\*\*

**Mr. Midget in at 2:15 p.m.**

**BOA 18923 (0483)**

West of the southwest corner of South Yale Avenue and East 61st Street South

**The following information was provided at the TAC meeting of 02/01/01.**

Trigger: Special Exception to allow church use in RS-3, RM-1; 1/23/01

## **GENERAL**

The site is located at the southwest corner of Yale Avenue and 61<sup>st</sup> Street South (Kirk of the Hills Presbyterian Church). It is bounded by single-family residences on the south, east and north (across 51<sup>st</sup>). Open space is located to the east, with a hotel beyond. The proposed project is the expansion of church-related uses on the site.

## **PURPOSE**

The purpose of the request is to allow new construction including a community center with a gym, offices and workrooms, parking and a parking structure.

## **ZONING**

The site is zoned RS-3/RM-1 with AG to the north, RS-2 to the south, RS-1 to the west, RS-2 across 51<sup>st</sup> to the northwest, RS-3 to the north and CH beyond the park to the east.

## **STREETS**

The site plan shows access onto 61<sup>st</sup> Street and also south onto South Quebec.

## **SEWER**

The site is sewered per stub under 61<sup>st</sup> Street from the north.

## **WATER**

A 12" waterline runs on the south side of 61<sup>st</sup> Street.

## **STORM DRAIN**

Drainage information has not been provided to accommodate the new construction.

## **Staff provides the following information from TAC.**

### **STREETS:**

Somdecerrff, Traffic: 30' radius return will be required at the corner of 61<sup>st</sup> and Richmond with a 25' return at the corner of Richmond and Quebec.

French: Streets: no comments.

### **SEWER:**

Payne, PW: no comment.

### **WATER:**

Holdman, PW: no comment.

### **STORM DRAIN:**

Spears, PW: no comment.

**FIRE:**

Calkins, Fire: no comment.

**UTILITIES:**

No comment.

Based on discussion with the individuals who will review and approve the changes and the following checklist, which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for plat waiver with the following conditions:

1. A 30' radius return at 61<sup>st</sup> and Richmond, and a 25' return at Richmond and Quebec.

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

**A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:**

- |  | Yes | NO |
|--|-----|----|
| 1. Has Property previously been platted?   | X   |    |
| 2. Are there restrictive covenants contained in a previously filed plat?             | X   |    |
| 3. Is property adequately described by surrounding platted properties or street R/W? | X   |    |

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

- |  |   |
|--|---|
| 4. Is right-of-way dedication required to comply with major street and highway Plan? | X |
| 5. Will restrictive covenants be filed by separate instrument?                       | X |
| 6. Infrastructure requirements:  |   |
| a) Water   |   |
| i. Is a main line water extension required?  | X |
| ii. Is an internal system or fire line required?                                     | X |
| iii. Are additional easements required?  | X |
| b) Sanitary Sewer  |   |
| i. Is a main line extension required?  | X |
| ii. Is an internal system required?  | X |
| iii. Are additional easements required?  | X |
| c) Storm Sewer   |   |
| i. Is a P.F.P.I. required?   | X |
| ii. Is an Overland Drainage Easement required?                                       | X |

- |  |   |
|--|---|
| iii. Is on site detention required?  | X |
| iv. Are additional easements required?   | X |
| 7. Floodplain  |   |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain?                          | X |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain?                                  | X |
| 8. Change of Access  |   |
| a) Are revisions to existing access locations necessary?                                       | X |
| 9. Is the property in a P.U.D.?  | X |
| a) If yes, was plat recorded for the original P.U.D.   | X |
| 10. Is this a Major Amendment to a P.U.D.?   | X |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | X |

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the plat waiver for BOA-18923, subject to conditions as recommended by staff.

\* \* \* \* \*

**CHANGE OF ACCESS ON FINAL PLAT:**

**Lot 1, Block 1, Tara Addition (1993)**

4738 South Atlanta

**Staff Recommendation:**

This application is made to allow a residential driveway onto East 47<sup>th</sup> Place, instead of the private Atlanta Avenue.

The Traffic Engineer has reviewed and approved the request.

Staff recommends **APPROVAL** of the change of access.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to **APPROVE** the change of access on recorded plat for Lot 1, Block 1, Tara Addition as recommended by staff.

\* \* \* \* \*

**CONTINUED PUBLIC HEARING TO CONSIDER AMENDING THE  
TULSA ZONING CODE TEXT, TITLE 42, TRO**

**Public Hearing to Consider Amending The Tulsa Zoning Code  
Text, Title 42, TRO**

**Staff Recommendation:**

In order to facilitate the adoption of most of the Infill/Housekeeping Amendments, staff is recommending the following contentious amendments be extracted from the others and be referred back to the Rules and Regulations Committee for additional study:

1. Section 1504, which enables Public Works staff to administratively grant limited relief from the provisions of the Zoning Code.
2. Section 1217.C., which eliminates a prohibition on the outdoor display of merchandise related to Use Unit 17 uses.
3. Section 401 – Table 1, relating to Use Unit 10 and Section 404.J., which would allow off-street parking (Use Unit 10) by special exception in more residential districts if they qualify under the conditions proposed in Section 404.J.

Also during the public input process on these amendments, interested citizens suggested that additional regulation of lights in and/or near residential areas is needed. Staff would agree that continued investigation of light regulations is warranted and would recommend this item also be referred to the Rules and Regulations Committee for further study.

**(Words deleted are shown as strikeout; words added or substituted are underlined.)**

**SECTION 210. YARDS**

**B. Permitted Obstructions in Required Yards**

Obstructions are permitted in required yards as follows:

1. Cornices, canopies, eaves, fireplaces, and similar architectural features may project not more than two feet into a required yard.

2. Fire escapes may project not more than 4-1/2 feet into a required yard.
3. Fences, plant materials, berms, walls, and permitted signs may be located in any required yard provided that the same do not constitute a nuisance as provided in Title 24, Tulsa Revised Ordinances, Chapter 1, Section 103.A. Fences and walls within required yards shall not exceed a height of 8 feet. Any fence or wall which projects into or encloses a required front yard shall not exceed a height of four feet; however, this height limitation shall not apply to townhouse or multifamily developments containing more than 15 dwelling units. The Board of Adjustment, as a special exception, may modify these limitations.
4. Signs which are permitted as accessory uses in residential districts may be located within any yard which is bounded by a public street.

**5. Permitted Obstructions in the Required Rear Yards in the RE, RS and RD Districts**

- a. A detached accessory building, not exceeding one story nor 18 feet in height, nor 10 feet in height to the top of the top plate, may be located in a required rear yard provided the building does not cover ~~more than 20% of the area~~ than the following portion of the required rear yard:

<u>RS-3, RS-4 and RD Districts</u>	<u>30%</u>
<u>RS-2 District</u>	<u>25%</u>
<u>RS-1 and RE Districts</u>	<u>20%</u>

- b. Detached accessory buildings shall be and is located at least three feet from any lot line, provided, however, where said lot line abuts a public street, the detached accessory building shall be set back from the centerline of the street 20 feet plus one-half of the right-of-way designated on the Major Street and Highway Plan, or 45 feet from the centerline of the street if said street is not designated on the Major Street and Highway Plan.

- c. Where an existing nonconforming detached accessory building in the rear yard is less than three feet from any lot line, such building may be expanded or demolished, reconstructed and/or expanded without being three feet from any property line; provided the reconstructed and/or expanded building complies with the following requirements:

1. It is no closer to any lot line than the existing non-conforming structure,
2. It is not over one story in height,



3. It does not cover more of the required rear yard than permitted in Section 210.B.5.a. above, and
4. It does not exceed 500 square feet in building floor area if the building does not comply with the setback requirements of Section 210.B.5.b. above.
6. Swimming pools, tennis courts, and fallout shelters, except in required front yards.
7. Mobile home hitches.
8. Customary accessory structures, such as clotheslines, barbecue pits, playground equipment, except in required front yards.
9. Antennas and their supporting structures and guy lines may be located in the required rear yard.

\* \* \* \* \*

#### **Amend Section 224 to read as follows:**

#### **SECTION 224. SCREENING AND SETBACKS FROM R DISTRICTS WHICH ARE FREEWAYS OR NON-RESIDENTIAL USES FENCES ABUTTING FREEWAYS**

When the erection of a screening wall or fence or special setback is required by this code because a use abuts an R District, such wall, fence or setback shall not be required if the use of the abutting R District is a freeway, expressway, turnpike, non-residential use previously approved by the BOA or non-residential development area in a PUD. ~~when a use abuts an R District, such wall or fence shall not be required if the abutting R District is a freeway, expressway or turnpike.~~—This exemption from screening along a freeway, expressway or turnpike shall not apply when the abutting use is a Use Unit 28 use.

\* \* \* \* \*

#### **SECTION 302. ACCESSORY USES PERMITTED IN THE AGRICULTURAL DISTRICT**

##### **A. Accessory Uses Permitted**

Accessory uses customarily incident to a principal use permitted in an Agriculture District are permitted in such district. In addition, the uses set forth in Table 2 are permitted as accessory uses.

**Table 2**  
**Accessory Uses Permitted In the Agriculture District**

USES	DISTRICTS
1. Bulletin Boards	AG
2. Home Occupations	
<u>AS permitted by Section 402.B.b.a.</u>	AG
<u>As permitted by Section 402.b.6.b. and 404.B.</u>	AG*
3. Identification Signs	AG
4. Real Estate Signs	AG
5. Parking/Storage of Recreational Vehicles	AG
6. Antennas and Supporting Structures	AG

\*By Special Exception requiring Board of Adjustment approval subject to the requirements set forth in Section 404.B.

#### **B. Accessory Use Conditions**

##### **1. General Conditions**

- a. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, and shall comply with the requirements applicable to the principal building.
- b. Accessory buildings shall meet the minimum yard or building setback requirements.
- c. Antennas and their supporting structures which are accessory to a residential use are permitted to be mounted on a residential dwelling or customary accessory building; provided that it does not exceed sixty-five (65) feet in height measured from the average ground elevation at the residential dwelling to the highest horizontal point of the antenna supporting structure and that the surface area of all such mounted antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. These provisions do not apply to principal use antennas or to antennas which are accessory to uses requiring Board of Adjustment approval.
- d. Structures other than a dwelling or customary accessory building which are used to support accessory antennas (including guy lines) shall:

- (1) be located in the rear yard only, and limited to one such structure,
  - (2) not exceed 65 feet in height, measured from the average ground elevation at the residential dwelling to the highest horizontal point of the antenna supporting structure;
  - (3) not encroach upon the land or airspace of any abutting property, and
  - (4) not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.
- e. Uses within Use Units 12, 12a and 15 through 28 inclusive shall not be considered as home occupations and are prohibited in the agricultural district.

\* \* \* \* \*

#### **SECTION 304. REQUIREMENTS FOR SPECIAL EXCEPTION USES IN AN AGRICULTURE DISTRICT**

The Special Exception Uses permitted in the Agriculture District, as designated in Table 1, are subject to the requirements set out below, and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- A. The accessory use provisions of the Agriculture District pertaining to signs are applicable to accessory signs for uses permitted by special exception.
- B. Special Exception uses shall conform to the bulk and area requirements of the use district in which located, unless the use unit requirements are more restrictive, in which case the more restrictive shall control.
- C. A nursing home shall meet the use conditions as set forth in Section 1202.C.5 of this Code. A community group home, convent, monastery and novitiate shall meet the use conditions as set forth in Section ~~1205.C~~ 1208.C.4 of this Code.

\* \* \* \* \*

## SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS

The principal uses permitted in the Residential Districts are designated by use unit. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use of an RE, RS, RD or RT District for access to any RM, O, C, or I District, or the use of an RM District for access to any O, C, or I District is prohibited unless permitted through an approved Planned Unit Development. The use units permitted in Residential Districts are set forth below in Table 1.

**Table 1**  
**Use Units Permitted in Residential Districts\***

Use Units		Districts					
No.	Name	RE	RS	RD	RT	RM	RMH
1.	Area-Wide Uses by Right	X	X	X	X	X	X
2.	Area-Wide Special Exception Uses #	E	E	E	E	E	E
4.	Public Protection & Utility Facilities	E	E	E	E	E	E
5.	Community Services & Similar Uses	E	E	E	E	E	E
6.	Single-Family Dwelling	X	X	X	X	X	E
7.	Duplex Dwelling		E**	X	X	X	
7a.	Townhouse Dwelling				X	X	
8.	Multifamily Dwelling & Similar Uses	E****	E****	E****		X	
9.	Manufactured Home Dwelling	E	E	E		E	X
10.	Off-Street Parking		E**	E	E	E***	E
11.	Offices, Studios & Support Services					E***	
16.	Mini-Storage					E*****	

\*X = Use by Right

E = Special Exception

\*\* = Duplexes Permitted only in RS-3 and RS-4 Districts.

~~\*\*\* = In RM-2 and RM-3 Districts only.~~

\*\*\* = In RM-1, RM-2, and RM-3 Districts only.

\*\*\*\* = Assisted living facility, community group home, convent, life/care retirement center, monastery, and novitiate are the only uses within Use Unit 8 permitted by special exception in the RE, RS and RD Districts

\*\*\*\*\* = Mini-storage is permitted only in the RM-1, RM-2, and RM-3 Districts

# = Detention/Correctional Facilities, Emergency and Protective Shelters, Homeless Centers, Transitional Living and Residential Treatment Centers are not allowed in RE and RS Districts.

\*\*\*\*\*

## SECTION 402. ACCESSORY USES IN RESIDENTIAL DISTRICTS

### B. Accessory Use Conditions

#### 1. General Conditions:

- a. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, and shall comply with the requirements applicable to the principal building.
- b. A detached accessory building or accessory building not erected as an integral part of the principal building shall not be located in the front yard.
- c. Within the rear yard, a detached accessory building shall comply with the requirements of Section 210.B.5. ~~be located at least three feet from any lot line; provided, however, where said lot line abuts a public street, the detached accessory building shall be setback from the centerline of the street 20 feet plus one-half of the right-of-way designated on the Major Street and Highway Plan, or 45 feet from the centerline of the street if said street is not designated on the Major Street and Highway Plan.~~
- d. Detached accessory buildings and accessory buildings not erected as an integral part of the principal building, in the aggregate shall not exceed 750 square feet of floor area in the RS-1 or RE district nor 500 square feet in the RS-4, RS-3 and RS-2 districts, or 40% of the floor area of the principal residential structure, whichever is greater.
- e. Antennas and their supporting structures which are accessory to a residential use are permitted to be mounted on a residential dwelling or customary accessory building; provided that:
  - (1) the antenna supporting structure is considered part of the residential building and shall comply with the building height restrictions of the district; and
  - (2) the surface area of all such mounted antennas shall not exceed ten (10) square feet. Only one (1) side having the largest surface area is to be calculated. This provision does not apply to principal use antennas or to antennas which are accessory to uses requiring Board of Adjustment approval.
- f. Structures other than a dwelling or customary accessory building which are used to support accessory antennas (including guy lines) shall:
  - (1) be located in the rear yard only, and shall be limited to one such structure;

- (2) not exceed 65 feet in height, measured from the average ground elevation of the rear building wall of the residential dwelling to the highest horizontal point of the antenna supporting structure;
- (3) not encroach upon the land or airspace of any abutting property, and
- (4) not exceed 24 inches in width above 25 feet in height, exclusive of guy lines.

\* \* \* \* \*

## SECTION 403. BULK AND AREA REQUIREMENTS IN RESIDENTIAL DISTRICTS

### 1. Bulk and Area Requirements in the RE, RS, RD, RT and RM Districts.

**Table 3**

	<b>Districts</b>										
	<b>RE</b>	<b>RS-1</b>	<b>RS-2</b>	<b>RS-3</b>	<b>RS-4</b>	<b>RD</b>	<b>RT</b>	<b>RM-O</b>	<b>RM-1</b>	<b>RM-2</b>	<b>RM-3</b>
<b>LOT WIDTH</b> (Min. Ft.)											
Single-Family Dwelling	150	100	75	60	50	60-50	60-50	60-50	60-50	60-50	60-50
Duplex Dwelling						60	60	60	60	60	60
Multifamily Development								100	100	50	100
<b>LOT AREA</b> (Min. SF)											
Single-Family Dwelling	22,500	13,500	9,000	6,900	5,500	6,900	6,900	6,900	6,000	6,000	6,000
Duplex Dwelling						5,500	5,500	5,500	5,500	5,500	5,500
Multifamily Development						6,900	6,900	6,900	6,900	6,900	6,000
								10,000	10,000	6,000	24,000
<b>LAND AREA PER D.U.</b> (Min. SF)											
Single-Family Dwelling	26,250	16,000	10,875	8,400	6,750	8,400	8,400	7,500	7,500	7,500	7,500
Duplex Dwelling						6,750	6,750	6,750	6,750	6,750	6,750
Multifamily Development						4,200	4,200	4,200	4,200	4,200	4,200
Within a PUD								2,800	1,700	1,200	500
Not within a PUD											
One bedroom or less								3,600	2,200	1,400	500
For each additional bedroom add								400	400	400	400
Townhouse Development											
Development Width (Min. Ft.)							70	70	70	70	70
Lot Width (Min. Ft.)							20	20	20	20	20
Lot Area (Min. SF)							1,600	1,600	1,600	1,600	1,600
Land Area of Development per D.U. (Min. SF)							4,200	4,000	3,000	2,200	2,200

**STRUCTURE HEIGHT (Max. Ft.)**

35	35	35	35	35	35	35	35	35	35	NA
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**LIVABILITY SPACE PER D.U. (Min. SF)**

12,000	7,000	5,000	4,000	2,500	2,000	1,200	1,200	600	200	NA
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**FRONT YARD AND ANY YARD ABUTTING A PUBLIC STREET:**

Measured from the CENTERLINE OF ABUTTING STREET; add to the distance designated in the column to the right, 1/2 of the right-of-way width designated on the Major Street Plan, or 25 feet if the street is not designated on the Major Street Plan: (Min. Ft.)

Arterial or Freeway Service Rd	35	35	35	35	35	35	35	35	35	35	35
Not an Arterial	35	35	30	25	20	25	10	25	25	10	25
<b>REAR YARDS (Min. Ft.)</b>	25	25	25	20	20	20	20	20	20	10	25
<b>SIDE YARDS (Min. Ft.)</b>											
One side yard	15	10	10	5	5	5	5	10	10	10	25
Other side yard	15	5	5	5	5	5	5	10	10	10	25

3. Required livability space within a townhouse development shall be provided on each townhouse lot, or may be provided in common areas within the townhouse development as designated on the recorded subdivision plat.
4. When a lot or portion of a lot abuts a cul-de-sac having a radius greater than 25 feet, or when a lot or portion of a lot abuts a nonarterial street right-of-way which exceeds 50 feet in width, the setback distance designated in the column to the right shall be measured from the property line.
5. When a single-family or duplex lot abuts a non-arterial street right-of-way on two sides, the owner may select the front yard and the other yard abutting the non-arterial public street shall not be less than 15 feet; provided that garages which access this street shall be setback a minimum of 20 feet.
6. Side yards shall not apply to interior lot lines of townhouse developments.
7. Front yard requirements in the RE, RS-1, RS-2, and RS-3 districts may be reduced 5 feet with Board of Adjustment approval as a special exception.
8. The minimum required side yard for a single-family or duplex dwelling in a RM district shall be five feet on each side.

\*\*\*\*\*

## ADD A NEW SUBSECTION 404.J.

### SECTION 404. SPECIAL EXCEPTION USES IN RESIDENTIAL DISTRICTS, REQUIREMENTS

The Special Exception Uses, permitted in the Residential Districts, as designated in Table 1, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- J.** In the RS-3 and RS-4 districts Use Unit 10 uses may be permitted only on lot(s) that are contiguous to an O, C, I or SR district, but in no case shall a Use Unit 10 use be more than 120' from an O, C, I or SR district at its furthestmost point.

\*\*\*\*\*

### SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS

The principal uses permitted in the Office Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 12. The use units permitted in Office Districts are set forth below in Table 1.

**Table 1**  
**Use Units Permitted in Office Districts\***

Use Unit		Districts			
No.	Name	OL	OM	OMH	OH
1.	Area-Wide Uses	X	X	X	X
2.	Area-Wide Special Exception Uses #	E	E	E	E
4.	Public Protection & Utility Facilities	E	E	E	E
5.	Community Services & Similar Uses	E	X	X	X
6.	Single-Family Dwelling	E	E	E	E
7.	Duplex Dwelling	E	E	E	E
7a.	Townhouse Dwelling	E	E	E	X
8.	Multifamily Dwelling and Similar Uses	E	E	E	X
10.	Off-Street Parking Areas	X	X	X	X
11.	Offices, Studios & Support Services	X**	X	X	X
12.	Eating Establishments Other than Drive-Ins				X
13.	Convenience Goods and Services	E****	E****	E****	E****
16.	Mini-Storage	E	E	E	E
19.	Hotel, Motel and Recreational Facilities			E***	E***



- \*X = Use by Right
- E = Special Exception
- \*\* = Drive-in bank facilities whether a principal or accessory use, require Board of Adjustment approval of special exception in OL Districts.
- \*\*\* = Limited to hotel and motel
- # = Residential Treatment and Transitional Living Centers are allowed by right in OM, OMH, and OH Districts.
- \*\*\*\* = Limited to barber and beauty shops.

\* \* \* \* \*

#### **SECTION 604. SPECIAL EXCEPTION USES IN OFFICE DISTRICTS, REQUIREMENTS**

The Special Exception Uses permitted in the Office Districts, as designated in Table 1 and Table 2, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment.

- C. Accessory convenience goods and services and accessory shopping goods and services in the OM and OMH Districts shall comply with the following requirements:
  1. No convenience goods and services and shopping goods and services shall be permitted unless the principal building shall contain a minimum of 50,000 square feet.
  2. The permitted convenience goods and services and shopping goods and services listed below shall be located entirely within the principal building and shall have no exterior pedestrian access except through the general building entrances.
  3. Permitted convenience goods and services and shopping goods and services are limited to the following uses and use groupings:
    - a. Book, stationery and office supply store
    - b. Gift, novelty and florist shop
    - c. Medical, dental, optical and orthopedic supply (prescription service only)
    - d. Tobacco and candy store

4. The permitted convenience goods and services and shopping goods and services listed above shall not occupy more than 10% of the gross floor area of the building in which located, and each goods and services use or use grouping shall be limited to a maximum of 2,000 square feet of floor area; provided that if a restaurant and/or private club is requested or existing that the total amount for all accessory uses, including restaurants and private clubs, shall not exceed 12.5% of the gross floor area of the principal building.
- D. Private clubs in the OM and OMH Districts, shall comply with the following requirements:
1. The private club shall be located entirely within the principal building.
  2. The private club shall not occupy more than 5% of the gross floor area of the building in which located.
  3. Exterior business signs identifying the private club are prohibited.
- E. Except as provided in Section 209 for public protection and utility facilities, a minimum frontage of 100 feet is a requirement of the Special Exception uses unless the use unit requirements are more restrictive, in which case the more restrictive shall control.
- ~~F. Barber and beauty shops may be permitted as either accessory or principal uses in an OL, OM, or OMH District by Special Exception.~~
- F. G. Special housing facilities in Use Unit 2 (Area Wide Special Exception Uses), Use Unit 6 (Single-Family), and Use Unit 8 (Multifamily) shall meet applicable Use Conditions and Off-Street Parking and Loading Requirements as provided in Chapter 12.
- G. H. Mini-storage facilities located in the Office Districts shall comply with the following requirements:

\* \* \* \* \*

## SECTION 805. SITE PLAN REVIEW

### D. City Commission Council Action on Site Plan Review

Upon receipt of the application, site plan, and Planning Commission recommendation, the ~~Board of City Commission~~ Council shall hold a hearing, review the site plan, approve, disapprove, modify, or return the site plan to the Planning Commission for further consideration. Approval by the ~~City Commission~~ Council shall be authorization for the processing of a subdivision plat incorporating the provisions of the site plan.

**E. Subdivision Plat**

A corridor subdivision plat shall be filed with the Planning Commission and shall be processed in accordance with the Subdivision Regulations, and in addition, to the requirements of the Subdivision Regulations, shall include:

1. Details as to the location of uses and street arrangements.
2. Provisions for the ownership and maintenance of the common open space as will reasonably insure its continuity and conservation. Open space may be dedicated to a private association or to the public, provided that a dedication to the public shall not be accepted without the approval of the ~~Board of City Commissioners~~ Council.
3. Such covenants as will reasonably insure the continued compliance with the approved site plan. In order that the public interest may be protected, the City of Tulsa shall be made beneficiary of the covenants pertaining to such matters as location of uses, height of structure, setbacks, screening, and access. Such covenants shall provide that the City of Tulsa may enforce compliance therewith, and shall further provide that amendment of the covenants shall require the approval of the Planning Commission and the filing of record of a written amendment to covenants, endorsed by the Planning Commission.

**H. Abandonment**

Abandonment shall require the ~~City Commission's~~ Council's approval, after recommendation by the Planning Commission. Upon final action authorizing abandonment, no building permit shall be issued until a subsequent site plan has been approved, and platting completed as hereinbefore provided or until the property has been rezoned to another district and permits sought in accordance with the restrictions of the applicable district.

\* \* \* \* \*

**SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS**

The principal uses permitted in the Industrial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in the Industrial Districts are set forth below in Table 1.

**Table 1**  
**Use Units Permitted in Industrial Districts\***

Use Units		Districts		
No.	Name	IL	IM	IH
1.	Area-Wide Uses	X	X	X
2.	Area-Wide Special Exception Uses #	E	E	E
3.	Agriculture	X	X	X
4.	Public Protection and Utility Facilities	X	X	X
5.	Community Services & Similar Uses	E	E	E
9.	Manufactured Home Dwelling	E	E	E
10.	Off-Street Parking Areas	X	X	X
11.	Offices, Studios, and Support Services	X	X	X
12.	Eating Establishments, Other than Drive-Ins	<del>E</del> X	<del>E</del> X	<del>E</del> X
12a	Adult Entertainment Establishments	E	E	E
13.	Convenience Goods and Services	<del>E</del> X	<del>E</del> X	<del>E</del> X
14.	Shopping Goods and Services	<del>E</del> X	<del>E</del> X	<del>E</del> X
15.	Other Trades and Services	X	X	X
16.	Mini-Storage	X	X	X
17.	Automotive and Allied Activities	X	X	X
18.	Drive-In Restaurants	<del>E</del> X	<del>E</del> X	<del>E</del> X
19.	Hotel, Motel, and Recreational Facilities	E	E	E
20.	Commercial Recreation: Intensive	E	X	X
21.	Business Signs, Outdoor Advertising	X	X	X
22.	Scientific Research and Development	X	X	X
23.	Warehousing and Wholesaling	X	X	X
24.	Mining and Mineral Processing		E	E
25.	Light Manufacturing and Industry	X	X	X
26.	Moderate Manufacturing and Industry	E	X	X
27.	Heavy Manufacturing and Industry		E	X
28.	Junk and Salvage Yards		E	X

\*X = Use by Right

E = Special Exception

# = Residential Treatment and Transitional Living Centers are allowed by right in IL Districts.

(Words deleted are shown as ~~strikeout~~; words added or substituted are underlined.)

## SECTION 1104 BULK AND AREA REQUIREMENTS

### E. ~~OPEN SPACE~~ LANDSCAPED AREA

Within a PUD, minimum landscaped ~~open-space area~~ area is required for each type of non-residential development area as follows:

- |    |                |                 |
|----|----------------|-----------------|
| 1. | Office Use     | 15% of lot area |
| 2. | Commercial Use | 10% of lot area |
| 3. | Industrial Use | 5% of lot area  |

## SECTION 1216. USE UNIT 16. MINI-STORAGE

### A. Description

A structure(s) which contains separate, small size, self-service storage facilities leased or rented to individuals or small businesses. These facilities are designated to accommodate access only from regular-size passenger vehicles and two-axle trucks.

### B. Included Uses:

Mini-Storage

### C. Use Conditions

1. The uses included in Use Unit 16, when located on a lot which is abutting an R district, shall be screened from the abutting R District by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R District.
2. Within the CS District, there shall be no open air storage of any kind that is visible at ground level from an R District, O district or from a public street.
3. The development site shall have frontage on and access to an arterial street.
4. Within the RM-1, RM-2 and RM-3 Districts the development conditions contained in Section 404.I shall apply as well as the conditions contained herein.

\* \* \* \* \*

## DELETE THE FOLLOWING SECTIONS:

### SECTION 1207. USE UNIT 7. DUPLEX DWELLING

#### C. Use Conditions

##### 1. A duplex dwelling Unit:

- e. ~~Have a core area of living space in each dwelling unit at least 20 feet by 20 feet in size; exclusive of an attached garage.~~

\* \* \* \* \*

### SECTION 1207a. USE UNIT 7a. TOWNHOUSE DWELLING

#### C. Use Conditions

##### 1. A single-family attached townhouse dwelling shall.

- c. Have a core area of living space in each dwelling unit at least 20 feet by 20 feet in size, exclusive of an attached garage.

\* \* \* \* \*

### SECTION 1217. USE UNIT 17. AUTOMOTIVE AND ALLIED ACTIVITIES

#### C. Use Conditions

- 1. The uses included in Use Unit 17, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or liens in common with the R district.

#### Alternative A:

- 2. ~~Within CS District, there shall be no open air storage or display of merchandise offered for sale within 300 feet of an adjoining R district.~~

#### Alternative B:

- 2. Within CS District, there shall be no open air storage or display of merchandise offered for sale within 300 feet of an adjoining R district, except the merchandise listed in 1217.B.1. of this section.

\* \* \* \* \*

## **CHAPTER 13      OFF-STREET PARKING AND OFF-STREET LOADING**

### **SECTION 1301.    GENERAL REQUIREMENTS**

- A.** ~~Off-street parking and off-street loading facilities shall not occupy required livability space. Space allocated to any required off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facilities. Space allocated to any required off-street parking shall not be used to satisfy the space requirements for any off-street loading facilities. Required off-street parking areas shall not be within the existing or planned street rights-of-way. A public alley may be used as an access drive to an off-street parking space.~~
- B.** ~~Within the front and exterior side yards in the RM Districts not more than one vehicle shall be parked for each 600 square feet of area contained in the front or exterior side yards.~~
- B. C.**—Required off-street parking spaces and required off-street loading berths shall not be used for the storage, sale, dismantling, or servicing of any vehicle, equipment, materials, or supplies.
- C. D.**—In all RS and RE zoning districts, two or more separate, unconnected parking areas, accessory to Use Unit 6 uses, are not permitted in the front yard.
- D. E.** Required off-street parking spaces and required off-street loading berths shall be located on the lot containing the use for which the required spaces or berths are to be provided. Required off-street parking spaces may be allowed on a lot other than the lot containing the use with Board of Adjustment approval as a Special Exception.
- E. F.** Required enclosed off-street parking and loading areas shall meet the bulk and area requirements of the use district in which located, except that enclosed off-street parking and loading areas which are required, shall not be included in the computation of permitted floor area.
- F. G.** The capacity of an off-street parking area shall be the number of parking spaces having the minimum required dimensions for both the parking spaces and maneuvering areas, which are positioned so that each parking space can be entered without passing through another parking space, except in RE or RS District, where access may be obtained; provided that parking spaces accessory to a Use Unit 6 or 7 dwelling may be accessed through another parking space, when the spaces are accessory to the same dwelling.\*

\*New wording supplied by Legal Department.

- G. H.** Required off-street parking area surfacing shall be completed prior to the initiation of the use.

## **SECTION 1303. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS**

### **A. The design standards for off-street parking areas are as follows.**

1. ~~Prior to January 1, 1994, the following standards shall apply:~~
  - a. ~~All required off-street parking spaces shall have a vertical clearance of at least 6 feet 6 inches;~~
  - b. ~~Handicapped off-street parking spaces shall be provided in size and number as specified in the City of Tulsa Building Code;~~
  - c. ~~A total of 25% of required off-street parking spaces may be 7.5 feet in width by 15 feet in length, exclusive of access drives and aisles; and~~
  - d. ~~The remaining required off-street parking spaces shall be at least 9 feet in width and 20 feet in length, exclusive of access drives and aisles, except that such remaining parking spaces may be 8.5 feet in width and 18 feet in length, exclusive of access drives and aisles, if located within a parking garage.~~
2. ~~From and after January 1, 1994, the following standards shall apply:~~
  1. a. All required off-street parking spaces shall have a vertical clearance of at least 6 feet 6 inches;
  2. b. Handicapped off-street parking spaces shall be provided in size and number as specified in the City of Tulsa Building Code;
  3. c. Required off-street parking spaces shall be at least 8.5 feet in width and 18 feet in length exclusive of access drives and aisles, and 2.5 feet of the stall length may be behind the wheel stop if that area is unobstructed and not part of another parking space or access drive.
  4. d. Parking layout dimensions for required off-street parking spaces and aisles shall be in accordance with or in proportion to the standards set forth in Figures 1-4 below.

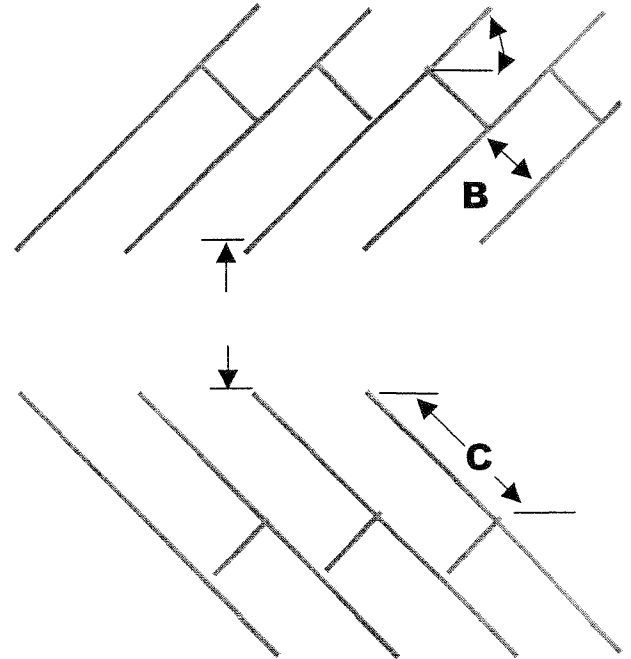


(Figure 1)

PARKING LAYOUT DIMENSIONS  
FOR 8.5' AND 9.0' STALL WIDTHS  
AT VARIOUS ANGLE WITH ONE WAY AISLES  
(MINIMUM STANDARDS)

A	B	C	D
45°	8.5	18.0	12.0
	9.0	18.0	<del>12.0</del>
			<u>11.0</u>
60°	8.5	18.0	16.0
	9.0	18.0	<del>16.0</del>
			<u>15.0</u>
75°	8.5	18.0	21.0
	9.0	18.0	<del>21.0</del>
			<u>20.0</u>

A = Stall Angle  
B = Stall Width  
C = Stall Length  
D = Aisle Width

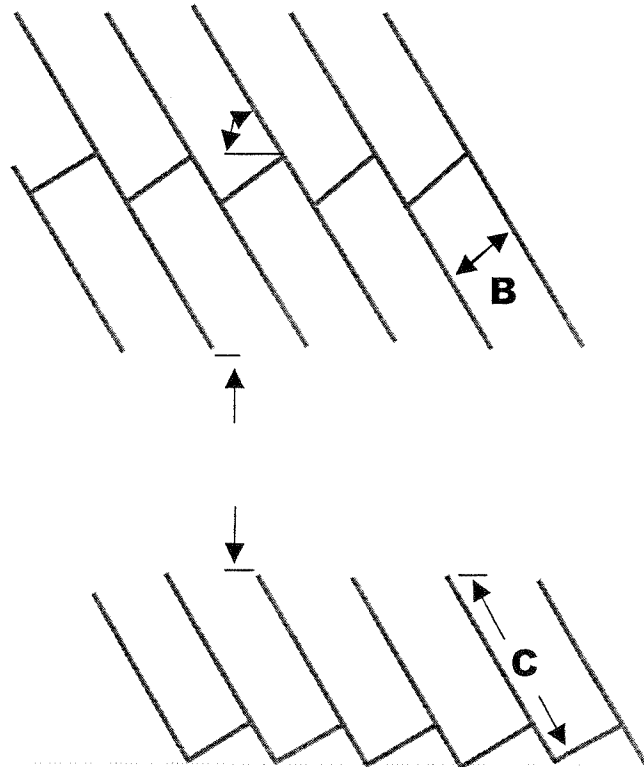


(Figure 2)

PARKING LAYOUT DIMENSIONS  
FOR 8.5' AND 9.0' STALL WIDTHS  
AT VARIOUS ANGLES WITH TWO - WAY AISLES  
(MINIMUM STANDARDS)

A	B	C	D
45°	8.5	18.0	20.0
	9.0	18.0	<del>20.0</del>
			<u>19.0</u>
60°	8.5	18.0	21.0
	9.0	18.0	<del>21.0</del>
			<u>20.0</u>
75°	8.5	18.0	22.0
	9.0	18.0	<del>22.0</del>
			<u>21.0</u>

A = Stall Angle  
B = Stall Width  
C = Stall Length  
D = Aisle Width

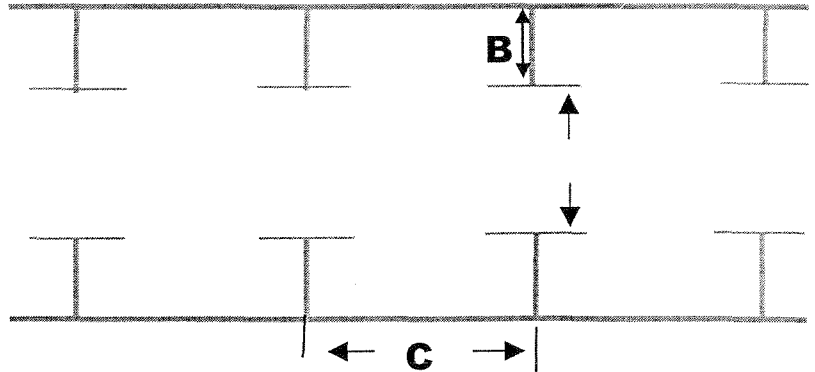


(Figure 3)

PARKING LAYOUT DIMENSIONS  
AT 0 AND 90 DEGREE ANGLES  
(MINIMUM STANDARDS)

A	B	C	D
0°	8.5	24.0	12.0 (24.0) (20.0)*
	9.0	24.0	12.0 (24.0) (20.0)*

A = Stall Angle  
B = Stall Width  
C = Stall Length  
D = Aisle Width

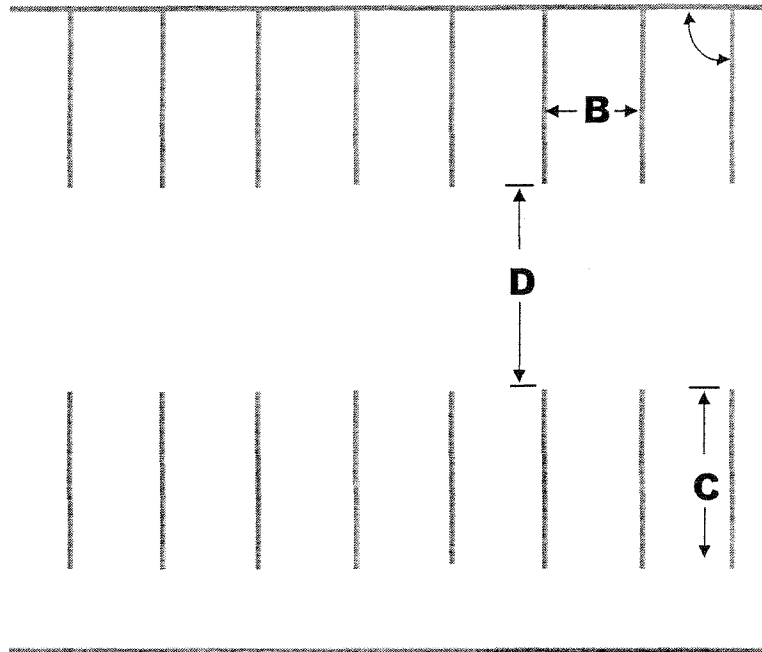


\*For aisles with two-way traffic.

(Figure 4)

A	B	C	D
90°	8.5	18.0	24.0
	9.0	18.0	24.0*
			22.0
	10.0	18.0	20.0

A = Stall Angle  
 B = Stall Width  
 C = Stall Length  
 D = Aisle Width



- B. Each required parking space shall be accessible from a public street without passing through another required space, except in the RE or RS Districts.
- C. Lighting used to illuminate an off-street parking area shall be so arranged as to shield and direct the light away from properties within an R District which do not contain uses for which the parking is being provided. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in an R district.
- D. Unenclosed off-street parking areas shall be surfaced with an all-weather material except non-required special event parking areas meeting the requirements of Subsection F., below. In all RE and RS zoning districts such parking areas surfaced with an all-weather material shall not cover more than the following portion of the required front yard:

<u>District</u>	<u>Maximum Coverage</u>
RE	<u>17%</u>
<u>RS-1</u>	<u>25%</u>
<u>RS-2</u>	<u>32%</u>
<u>RS-3</u>	<u>34%</u>
<u>RS-4</u>	<u>36%</u>

- E. Unenclosed off-street parking areas which are principal uses shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an R District. Unenclosed off-street parking areas, containing six or more spaces, which are accessory to uses not required to provide screening shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an RE or RS District, provided that if the parking area is located more than 50 feet from the RE or RS lot line or lines, the screening requirement shall not apply.
- F. Special event parking areas are permitted accessory only to Use Unit 5 uses and shall comply with the following conditions:
1. Special event parking shall not be used for more than twenty (20) days in any calendar year;
  2. Special event parking cannot occur for more than ten (10) days in any 30-day period;
  3. Special event parking shall be set back at least fifty feet (50') from any off-site residentially zoned lot or residential development area in a PUD; and
  4. All special event parking areas shall be on the same lot or lots approved for principal Use Unit 5 use to which they are accessory

The number of days per year and the number of days within a 30-day period that special event parking is permitted may be increased with Board of Adjustment approval as a special exception

#### **SECTION 1305. SHARED PARKING**

Commercial mixed use developments with more than 400,000 square feet of total gross square-foot floor area which share a common parking area not reserved or assigned to particular individual businesses shall be entitled to a 10% reduction in the required number of off-street parking spaces. The required number of off-street parking spaces for commercial mixed use developments with 100,000 square feet of total gross floor area or more which share a common parking area not reserved or assigned to particular individual businesses may be reduced by 10% with Board of Adjustment approval as a Special Exception or City Council approval in a Planned Unit Development.

#### SECTION 1404. NONCONFORMING LOTS

- A. In residential districts, on any lot filed of record on or before July 1, 1970, or on any lot within a subdivision approved by the Planning Commission or on any lot of record for which a recorded instrument of conveyance bears the endorsement of the Planning Commission and such lot is nonconforming by reason of failure to meet zoning code requirements for ~~size or average width, a single-family detached dwelling may be erected without complying with the required lot area, land area per dwelling unit, lot width, livability space per dwelling unit or the required side yard which abuts a public street; provided however, no side yard shall be less than five the required interior side yard for the district in which it is located and livability space shall not be less than 50% of the lot area and all other requirements of the district are complied with.~~ lot area, a single-family detached dwelling may be erected without complying with the required lot area, land area per dwelling unit, or livability space per dwelling unit provided; however, livability space per dwelling unit shall not be less than 50% of the lot area. If an existing lot as described above is nonconforming due to inadequate lot width and is a corner lot, a single family detached dwelling may be erected without complying with the required side yard which abuts a public street, provided however, such side yard abutting a public street is at least five feet wide and provided that garages which are accessed through this side yard abutting a street are setback a minimum of 20 feet.
- B. In nonresidential districts, on any lot filed of record on or before July 1, 1970, or on any lot within a subdivision having received approval of the Planning Commission, or any lot of record for which a recorded instrument of conveyance bears the endorsement of the Planning Commission the permitted use may be located on such lot irrespective of its ~~area or width~~ street frontage provided that other requirements of the district and applicable Use Unit conditions are complied with.

\* \* \* \* \*

#### Add the Following Section to Chapter 15:

#### SECTION 1504. MODIFICATION OF ZONING STANDARDS

The Public Works Director or his designee is authorized to make the following modifications in the Zoning Code and Planned Unit Development (PUD) standards if the Public Works Director or his designee finds that granting of such modifications will not be injurious to the surrounding neighborhood, will not cause substantial detriment to the public good and will not impair the purposes, spirit and intent of the Code, the PUD or the Comprehensive Plan. The Public Works Director or his designee may send written notice to parties of the requested modification of standards as he determines appropriate. An official record of all such modifications shall be maintained for public inspection by the Public Works Department.

1. Permit a 20% or less reduction of a required minimum side or rear yard in an R District.
2. Modification of the bulk and area requirements from interior lot lines to permit the construction of a single-family dwelling when development consists of two or more lots.
3. Permit accessory uses and structures on abutting lots which are under common ownership and zoned to permit the use.
4. Permit a five-foot or less reduction in the required front yard or building setback from a street.
5. Permit amendments to plot plans which were made a condition of the granting of a special exception which involve an increase in building floor area of no greater than 15% and do not require the granting of any variances.
6. Permit a 5% or less reduction in the minimum lot width, lot frontage, lot area livability space per dwelling unit or land area per dwelling unit.
7. Permit a required screening fence or wall to be placed in a more effective location within a lot, other than the property line, due to topography floodplain, vegetation or other similar special characteristics of the lot.
8. Permit a 10% or less increase in permitted floor area ratio or structure height.
9. Permit a 5% or less reduction of the setback required between residential or agricultural districts property lines and nonresidential buildings, or structures.
10. Permit a 10% or less increase in permitted land coverage of buildings.

\* \* \* \* \*

## **CHAPTER 16      BOARD OF ADJUSTMENT**

### **SECTION 1603.    NOTICE OF PUBLIC HEARINGS**

B. Ten days' notice of public hearing shall be given as follows:

1. For special exception, variance or appeal from a determination an administrative official enforcing this Code:
  - a. By publication in a newspaper of general circulation.

- b. By mailing written notice to all owners of property within a 300-foot radius of the exterior boundary of the subject property.
2. For minor variance or exception by mailing written notice to all owners of abutting property of the subject property. Nothing herein shall preclude the Board of Adjustment from requiring the giving of public notice of hearings to all owners of property within a 300-foot radius of the exterior boundary of the subject property for consideration of a minor variance or exception.
3. For uses allowed by special exception, ten (10) days' notice of public hearing by posting a sign or signs on the property.

\* \* \* \* \*

## SECTION 1608. SPECIAL EXCEPTION

### A. General

18. Permit required off-street parking spaces and required off-street loading berths to be located on a lot other than the lot containing the use.

\* \* \* \* \*

## SECTION 1800. DEFINITIONS

**Livability Space:** The open space of a lot which is not allocated to or used for off-street parking ~~or loading~~ areas or for paved access to the off-street ~~parking or loading~~ areas. However, unenclosed parking areas or paved access to parking areas within the rear yard accessory to a single-family or duplex dwelling shall be considered livability space.

**Parking Area:** The area which includes the parking spaces, the maneuvering areas necessary to enter and exit the spaces and the drives providing access to the parking spaces and maneuvering areas from a public or private street or other parking areas.

**Structure:** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, and includes buildings, parking areas, walks, fences and signs.



### **TMAPC Comments:**

Mr. Boyle asked staff to clarify language in Section 1301.F. Mr. Stump explained that staff is trying to prevent one duplex resident blocking the other duplex resident's parking space. In a duplex one can park one car behind the other car if the parking is for that resident's dwelling only. One cannot park a car behind the other car if it belongs to resident of the other duplex. Mr. Stump suggested that Legal may need to work on the wording to clarify. Mr. Stump concluded that the intent is to allow a single unit to meet the required parking by parking one car behind the other; however, both duplexes cannot meet the required parking by using a single driveway. Each unit has to have its own driveway to meet the required parking.

Mr. Stump cited the Sections of the Zoning Code that staff is recommending be referred back to the Rules and Regulations Committee. The following Sections were recommended for referral to the Rules and Regulations Committee for further study: Section 401, 404, 1217.C. and 1504.

Mr. Boyle stated that he is pleased with the recommendation to study the modifications and zoning standards.

### **Interested Parties Comments:**

**Michael Bates**, 4727 East 23<sup>rd</sup> Street, Tulsa, Oklahoma 74114, stated that he is pleased with the staff's recommendation to send the items mentioned back to the Rules and Regulations Committee. The other changes proposed he is comfortable with and will be beneficial to the midtown area.

**James Mautino**, 14328 East 12<sup>th</sup> Street, Tulsa, Oklahoma 74108, stated that he would like to pass on this item. He commented that he appreciates Use Unit 17 being reviewed again.

**Maria Barnes**, 2252 East 7<sup>th</sup> Street, Tulsa, Oklahoma 74104, president of the Kendall-Whittier Neighborhood Association, stated that she is pleased that the Zoning Code is being reviewed again, especially Section 1217. She thanked the staff and Planning Commission for reconsidering the code.

### **TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Selph "absent") to recommend **ADOPTION** of the amendments to the Zoning Code Text, Title 42, TRO that are still left on the board and accept staff's recommendation on the amendments suggested, removal of the items suggested by staff, directing to the Rules and Regulations Committee to look into the items that were referred and the lighting issues in neighborhoods, subject to the language for Section 1301.F. being reviewed by Legal to correctly state the intention. (Language in the staff recommendation that was deleted by TMAPC is shown as ~~strikeout~~; language added or substituted by TMAPC is underlined.)

Mr. Midget out at 2:33 p.m.

## **CONTINUED ZONING PUBLIC HEARING**

**APPLICATION NO.:** PUD-570-A

**MAJOR AMENDMENT**

**Applicant:** Ted Sack

(PD-26) (CD-8)

**Location:** North of northwest corner of East 111<sup>th</sup> Street and South Memorial

### **Staff Recommendation:**

PUD-570 was approved by the Tulsa City Council on February 13, 1998. The PUD contains approximately 2.79 acres. The tract has 565 feet of frontage on Memorial Drive and is 215 feet deep. The uses approved for the PUD are those uses allowed by right in a CS district except those in Use Unit 12a. When the original PUD was approved, the tract was abutted on the west by property zoned RS-3 and RM-1, and conditions were imposed that would ensure that the proposed commercial uses on the subject tract and the potential residential uses abutting on the west would be compatible. Since the original approval, the tract that abuts on the west has been approved for uses allowed by right in a CS district excluding Use Unit 12a uses. This major amendment is for Lot 1, Block 1, Southern Crossing Second. This is the northernmost lot of the PUD. The subject tract contains .7447 acres and has 150.49 feet of frontage on South Memorial Drive.

This major amendment proposes the following:

- Add under permitted uses all those uses included within Use Unit 18, Drive-In Restaurants.
- Deletion of parking setback from west boundary of PUD.
- Deletion of bulk waste containers setback from west boundary of PUD.
- Revision of building access to allow public access on the west side of buildings.
- Deletion of landscaping and screening requirements for a six-foot screening wall or fence along the west boundary of the PUD.
- Revision of building height from 20', but not more than one story to 24', but not more than one story.
- Revision of height of light standard and building-mounted light from 12' in height to 16' in height.

The subject tract is abutted on the north by the Champions Indoor/Outdoor Sports Center, zoned CS/PUD-485-A; on the west by a tract zoned RS-3, RM-1, CS/PUD-578-A, which has been approved for uses allowed by right in a CS district excluding Use Unit 12a uses. To the east of the tract, across Memorial Drive, within the city limits of Bixby, are commercial uses zoned CS and CG.

Because of the approved uses on the property that abuts the subject tract on the west, staff can support modifications to the approved standards.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-570-A as modified by staff, 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-570-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. Requirements of PUD-570 apply unless modified below:

2a. **Development Standards:**

Land Area (Net):	0.7447 Acres
Permitted Uses:	All those uses included within Use Unit 18, Drive-In Restaurants; and all those uses permitted by right in the CS district except those in Use Unit 12a.
Maximum Floor Area Ratio:	.50
Building Setbacks:	
East boundary of PUD	50 FT
West boundary of PUD	25 FT
North boundary of PUD	17.5 FT
South boundary of PUD	5 FT
Building Height:	24 FT, but not more than one story.
Signs:	One ground sign shall be permitted, with a maximum height of 25 feet and a maximum display surface area of 125 square feet. Wall signs are only permitted on the east-facing walls of buildings and shall not exceed 1-1/2 square feet of display surface area per lineal foot of building wall to which it is attached.

Landscaping and Screening:

Parking areas within the PUD shall be screened from Memorial Drive by screening fences, berms and/or landscaping.

3. No Zoning Clearance Permit shall be issued for a lot within the PUD until a Detail Site Plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. 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 for the lot, 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.
5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light shall exceed 16 feet in height and all such lights shall be set back at least 50 feet from an RS district used residentially.
8. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.
9. No building permit shall be issued until the requirements of Section 1107F 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 that relate to PUD conditions.

10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material [outside a screened receptacle], nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to recommend **APPROVAL** of the major amendment for PUD-570-A subject to conditions as recommended by staff.

**Legal Description for PUD-570-A:**

Lot 1, Block 1, Southern Crossing II, a subdivision in the City of Tulsa, Tulsa County, Oklahoma, and located north of the northwest corner of East 111<sup>th</sup> Street South and South Memorial Drive, Tulsa, Oklahoma, **From CS/PUD-570 To CS/PUD 570-A(Commercial Shopping Center District/Planned Unit Development)**

\* \* \* \* \*

**ZONING PUBLIC HEARING**

**APPLICATION NO.: CZ-281**

**AG TO RS**

**Applicant:** Bobby Webster

(PD-24) (County)

**Location:** Northeast corner of East 73<sup>rd</sup> Street North and North Victor

**Staff Recommendation:**

**RELEVANT ZONING HISTORY:**

None in this area.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately nine acres in size and is located on the northeast corner of East 73<sup>rd</sup> Street North and North Victor Avenue. The property is flat, non-wooded, contains two dwellings and accessory buildings and is zoned AG.

**STREETS:**

Exist Access	MSHP Design	Exist. No. Lanes	Surface	Curbs
East 73 <sup>rd</sup> Street North	50'	2 lanes	Paved	No
North Victor Avenue	50'	2 lanes	Paved	No

East 73<sup>rd</sup> Street North and North Victor Avenue are residential streets.

**UTILITIES:** Water and sewer are available to the subject property.

**SURROUNDING AREA:** The subject tract is abutted in all directions by scattered single-family homes zoned RS in the County.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the area Low Intensity – Residential land use.

According to the Zoning Matrix the requested RS zoning **is** in accordance with the Plan Map.

**STAFF RECOMMENDATION:**

Based on existing and proposed development in the area, staff can support the requested RS zoning and therefore recommends **APPROVAL** of RS zoning for CZ-281.

**The applicant indicated his agreement with staff's recommendation.**

**Interested Parties Comments:**

**Jeff Kirkham**, 1727 East 73<sup>rd</sup> Street North, Tulsa, Oklahoma 74130, stated that the eastern edge of his property is 150 feet west of the subject property. He expressed concerns regarding the flooding and septic systems. Mr. Kirkham concluded that he is concerned with the applicant's intentions regarding the subject property.

Mr. Westervelt explained that the Planning Commission doesn't make decisions on stormwater issues. The Planning Commission is considering land use issues only. Public Works Department will require the applicant to handle the stormwater issues during the platting process.

**TMAPC Comments:**

Mr. Boyle stated that he appreciates the concerns of Mr. Kirkham; however, what the Planning Commission can consider is the actual use. The subject property is surrounded by RS and there is no basis on which the Planning Commission could deny this request.

**TMAPC Action; 7 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to recommend **APPROVAL** of the RS zoning for CZ-281 as recommended by staff.

**Legal Description for CZ-281:**

The Southwest Quarter of the Northwest Quarter of the Northeast Quarter, less the South 134' of the North 312' of the West 187', Section 31, T-21-N, R-13-E, Tulsa County, State of Oklahoma, **From AG (Agriculture District ) To RS (Residential Single-family District).**

\* \* \* \* \*

**APPLICATION NO.: CZ-282**

**AG TO RE**

**Applicant:** Whit Mauzy  
(County)

(PD-21)

**Location:** North and west of northwest corner of West 211<sup>th</sup> Street and Highway 75 South

**Staff Recommendation:**

**RELEVANT ZONING HISTORY:**

**PUD-568 January 2000:** PUD-568 was originally approved in 1997 with CS underlying zoning, allowing for a mixed use development including mobile home sales. The request to abandon the PUD was subsequently filed in December, 1999 and was approved. The property is located east of the northeast corner of the subject tract and fronts on Highway 75 South.

**CBOA-1612 November 1998:** The Board of Adjustment approved, per conditions, a request for a use variance to allow a warehouse and pecan bagging business as a home occupation on property zoned AG and located west of Highway 75 and West 181<sup>st</sup> Street South.

**CZ-245 September 1998:** A request to rezone a fifteen-acre tract located west of Highway 75 South and on the south side of West 181<sup>st</sup> Street from AG to IL for warehousing and bagging pecans was denied.

**CBOA-1507 May 1997:** The Board of Adjustment denied a request to amend the conditions of a special exception which would have allowed additional mobile homes for sale on the property located north of the northwest corner of West 211<sup>th</sup> Street and Highway 75 South and east of the subject tract.

**CBOA-1499 April 1997:** The Board of Adjustment approved a special exception, with conditions, to allow the sales of manufactured homes on property located north of the northwest corner of West 211<sup>th</sup> Street and Highway 75 South and east of the subject property. The imposed conditions stated that only eight units would be allowed on the property at any time and that parking of all merchandise for sale be on a hard surface, dust-free lot.

**CZ-40 February 1982:** All concurred in approval of a request to rezone a ten-acre tract that is abutting the subject tract on the northeast from AG to CS, for a truck customizing business.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 100 acres in size and is located north and west of the northwest corner of West 211<sup>th</sup> Street South and Highway 75 South. The property is sloping, non-wooded, vacant and zoned AG.

**STREETS:**

The subject property has no frontage on a public street.

**UTILITIES:** Water service is provided by Rural Water District 6 from Okmulgee and sewer will be by septic systems.

**SURROUNDING AREA:** The subject tract is abutted on the north, west and south by vacant land, zoned AG; to the southeast by a single-family dwelling, zoned AG; and to the northeast by a single-family dwelling and manufactured home sales, zoned CS.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The subject property is not within any adopted district plans. The Development Guidelines, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, provide for evaluation of the existing conditions, land uses, existing zoning and site characteristics for the goals and objectives of areas that have not been specifically defined for redevelopment.

**STAFF RECOMMENDATION:**

Based on the lack of existing development of similar-intensity development in the surrounding area and the relative lack of infrastructure, staff cannot support the requested RE zoning. Staff recommends **DENIAL** of RE zoning and **APPROVAL** of AG-R zoning on the subject property.



**TMAPC Comments:**

Mr. Westervelt asked staff what is allowed in AG-R districts. In response, Mr. Stump stated that AG-R allows single-family dwellings by right and requires a one-acre lot size with a minimum width of 150 feet. Mr. Stump indicated that mobile homes are allowed by special exception, which requires an application before the Board of Adjustment. Mr. Stump summarized that AG-R allows one-acre lots for single-family development and RE allows two single-family dwellings per acre.

Mr. Harmon asked if AG-R zoning is intended for site-built homes and not intended for manufactured homes or mobile homes. In response, Mr. Stump stated that manufactured homes and mobile homes are only allowed by special exception, which is the same as the RS districts. Mr. Stump explained that the Board of Adjustment would have a public hearing and have to find the manufactured home or mobile home is compatible with the area. Mr. Harmon stated that if this application were approved on 100 acres, then the applicant could build 100 homes and there is no infrastructure in place to support it. Ms. Matthews stated that staff had a problem with the application and that is why staff is recommending a lower density. Mr. Stump explained that the applicant would be responsible for bringing the necessary utilities, as well as streets in before receiving an approval for a subdivision. Mr. Harmon asked if there is a zoning that requires a larger lot size. In response, Mr. Stump stated that AG requires larger lots, but it has the problem of mobile homes and farming activities being allowed by right.

**Applicant's Comments:**

**Gary Holder**, Wild River Development, 104 East 8<sup>th</sup> Street, Okmulgee, Oklahoma 74447-4612, stated that his intent for this subdivision is develop 40 lots (2 ½ acres each) with restrictions, county roads and the homes will have a minimum of 2200 SF. He indicated that there was never an intent to make the lots smaller than 2 ½ acres.

**TMAPC Comments:**

Mr. Boyle asked Mr. Holder if he is in agreement with the staff recommendation. In response, Mr. Holder stated that he didn't understand the recommendation. Mr. Boyle explained that staff is recommending an AG-R zoning, which requires a one-acre lot and minimum width of 150 feet. In response, Mr. Holder answered affirmatively.

Mr. Harmon asked Mr. Holder how long he has represented Wild River Development. In response, Mr. Holder stated that he has worked for Wild River Development for approximately one year. Mr. Harmon asked Mr. Holder if Wild River Development has ever had problems meeting zoning requirements. In response, Mr. Holder answered negatively.

**Interested Parties Opposing CZ-282:**

**Robert Steven Jackson**, 626 North Moccasin Place, Sapulpa, Oklahoma 74066, representing his father, Lon T. Jackson, Jr.; **Richard Moore**, 20499 South Elwood, Mounds, Oklahoma 74047; **Amy Stone**, 20322 South Union, Mounds, Oklahoma 74047, submitted a petition (Exhibit A-1), Letters opposing (Exhibit A-2), Information regarding mobile homes (Exhibit A-3 and photographs (Exhibit A-4); **Jim Van Sickle**, 2416 West 201<sup>st</sup> Street, Mounds, Oklahoma 74047; **Bill Chilcoat**, 2800 West 201<sup>st</sup> Street, Mounds, Oklahoma 74047; **Dave Reber**, 1531 West 206<sup>th</sup> Street, Mounds, Oklahoma 74047; **Tuan Nguyen**, 2130 West 201<sup>st</sup> Street, Mounds, Oklahoma 74047; **Willis Smith**, 1007 West Kay, Jenks, Oklahoma 74037.

**Interested Parties Opposing CZ-282 Comments:**

Concerns with trespassing if this is approved; the proposed subdivision should be required to have ten-acre lots; the lots should be kept to the same size as other lots in the subject area (five acres or more); the developer has not met the requirements on other developments in Creek County; water pressure problems in the subject area; septic systems in the subject area have problems; water run-off problems; moved to the area because of its natural beauty of the land and if the zoning is changed it will change the character of the area; who would enforce the county roads; developer has tried to rezone other properties and when he was denied he sold the property; safety issues; drainage problems; traffic concerns; infrastructure is not in place; low-income housing could cause the property values to decrease; low-income housing or modular homes would not support the tax base required to improve the school system; new developments are unable to acquire water taps; double-wide mobile homes or something low-income would negatively impact the area.

**TMAPC Comments:**

Mr. Boyle asked Ms. Stone why she felt the developer wasn't following the rules by selling property that he wasn't able to get the appropriate zoning. Mr. Boyle stated that there is a suggestion floating around that this is an irresponsible developer who will not follow the Zoning Code. In response, Ms. Stone stated that she has pictures that prove the developer has not met all the requirements because he has not install a blacked-top road. Ms. Stone agreed that it was not a zoning violation to sell property when the developer is unable to rezone the property.

Mr. Boyle asked Ms. Stone if the developer is related to the property with the Code Enforcement problem. In response, Ms. Stone stated that the applicant is not related to that property. It was an example of a precedent set in the subject area.

Mr. Boyle stated that it is a serious allegation when the Planning Commission hears that this developer is so irresponsible as to not follow the rules. If this is the case, then the Planning Commission does need to know about it, but he is not seeing any violations or irresponsibility from the exhibits Ms. Stone provided. In response, Ms. Stone stated that she is not stating that the developer is irresponsible.

Mr. Jackson asked Ms. Stone if she is against modular homes. In response, Ms. Stone stated that she is against modular homes, manufactured homes and mobile homes. Mr. Jackson asked Ms. Stone why she is against modular homes because they are built to the same specifications as stick-built homes. Mr. Jackson stated that the only difference is that the modular homes are built inside a hangar versus built out in the elements. Ms. Stone stated that she has never seen a modular home built over three to four thousand square feet. Mr. Jackson stated that the exhibit Ms. Stone provided shows a modular home that is 6,000 square feet. Ms. Stone stated that she has never seen a modular home built to that size.

Mr. Westervelt asked Mr. Chilcoat if he thought it would be unreasonable if the Planning Commission tried to restrict all of the housing in the subject area to ten-acre tracts and where would the line stop. Mr. Chilcoat stated that he is not saying it is reasonable or unreasonable, but he is expressing his opinion.

Mr. Stump stated that several interested parties mentioned a minimum of ten-acre tracts; however, currently the subject property is zoned for agriculture (AG) and the minimum lot size is two acres and that is the largest lot size in the Zoning Code. There is no other category that would allow lots larger than two acres. He explained that currently the subject property could have mobile homes by right in the AG district with two-acre lots. The County feels that a modular home installed on a permanent foundation is not a mobile home or manufactured home, but is the same as a stick-built home or site built home. Mr. Westervelt asked staff if the subject property were to be left as AG, then the interested parties would be in more jeopardy from a mobile home standpoint. Mr. Stump stated that the applicant could have a single-wide mobile home on a two-acre tract in the AG district.

Mr. Boyle stated that with two-acre tracts in the AG district, the developer could have 50 homes on the 100 acres, versus the proposed 40 stick-built homes.

**Applicant's Rebuttal:**

Mr. Holder stated that mobile homes or modular homes have never been a consideration and he doesn't understand the discussion regarding this. He explained that the development that the interested parties spoke of regarding extension of county roads has not been finished at the request of the County Commissioner, Johnny Burke. He stated that the Commissioner would prefer that the homes be moved in first before paving the roads.

Mr. Holder stated that his company does several different types of development and mobile development is one of them. However, his company does develop stick-built single-family residential homes in the subject area and Oklahoma City. He explained that his company is purchasing the subject property under the contingency that there will be rural water provided. He commented that last week he spoke with Jan Payne, Manager of Okmulgee Rural Water District No. 6, and she informed him that the engineer study is not completed. He indicated that if his company is unable to have 40 water taps, then his company would not purchase the subject property.

Mr. Holder explained that at the entrance of the subdivision there are three houses that do not have ten acres apiece. He indicated that the subdivision will have restrictive covenants, single-family homes with a minimum of 2200 SF and double-car attached garages.

**TMAPC Comments:**

Mr. Westervelt stated that the restrictive covenants are private covenants and go a long way to make people feel comfortable. The applicant could have filed a PUD that would stipulate some big-picture decisions that may have made the interested parties more comfortable. Mr. Westervelt asked Mr. Holder why he didn't consider filing a PUD. In response, Mr. Holder stated that his engineer has been taking care of this development. Mr. Westervelt asked Mr. Holder if he would have any interest in filing a PUD along with the zoning application. In response, Mr. Holder stated that he would be interested in filing a PUD and continuing the zoning case.

Mr. Harmon stated that he would agree with the applicant filing a PUD and a continuance of the zoning application. Mr. Harmon further stated that he would encourage the developer to meet with the neighbors.

Mr. Boyle informed the applicant that he would need to file his PUD application before April 5, 2001 in order to be heard on May 16<sup>th</sup>.

**TMAPC Action; 7 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **7-0-0** (Boyle, Harmon, Horner, Hill, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Ledford, Midget, Selph "absent") to **CONTINUE** CZ-282 to May 16, 2001 at 1:30 p.m.

\* \* \* \* \*

**Mr. Boyle out at 3:16 p.m.**

**APPLICATION NO.: PUD-647**

**Applicant:** William Lewis

**Location:** South side I-244; between Garnett Road and 129<sup>th</sup> East Avenue

**IL TO IL/PUD**  
(PD-5) (CD-6)

**Staff Recommendation:**

The subject tract contains approximately 43.7 acres and is located on the south side of I-244 between North Garnett Road and North 129<sup>th</sup> East Avenue. The tract is zoned IL and the present use is mobile home sales and storage and three outdoor advertising signs adjacent to the expressway. The subject tract is abutted on the north by I-244, zoned RS-3; to the east by vacant property, zoned RMH; south of the southeast corner by an apartment development and manufactured home sales, zoned RM-0, IL and AG; to the west and southwest by a creek, and vacant land, zoned RM-1 and a mobile home park, zoned RMH.

The PUD proposes that the existing uses be allowed to continue and that a residential manufactured home park development as included within Use Unit 9 be permitted. The subject tract does not abut a public street. The PUD proposes two access points, one to the east that would connect with North 129<sup>th</sup> East Avenue and one to the south that would connect to North 124<sup>th</sup> East Avenue. A portion of the tract is within the regulatory floodplain.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-647, as modified by staff, 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-647 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

43.7 Acres

Permitted Uses:

Residential  
Manufactured Home  
Park Development as  
included within Use  
Unit 9; Outdoor  
Advertising as  
included within Use  
Unit 21; and  
Manufactured Home  
Sales\* as included  
within Use Unit 17.

\*Manufactured Home Sales shall cease to be a permitted use when the existing manufactured home sales use is discontinued.

**STANDARD FOR RESIDENTIAL MANUFACTURED HOME PARK  
DEVELOPMENT**

Minimum Dwelling Setbacks:

From I-244 right-of-way 75 Feet

From existing Outdoor Advertising Signs 200 Feet

Other Bulk and Area Requirements: As established within  
Section 403.B. of the  
Zoning Code.

**STANDARD FOR MANUFACTURED HOME SALES\***

Minimum Building and Manufactured Homes  
Setbacks:

From Residential Uses Within or Outside the PUD 75 FT

From I-244 right-of-way 50 FT

Other Standards: As established under  
the IL zoning district  
for such uses.

\*Manufactured Home Sales shall cease to be a permitted use when the existing manufactured home sales use is discontinued.

## STANDARDS FOR OUTDOOR ADVERTISING USES

The three existing approved Outdoor Advertising Signs may continue subject to the conditions of Section 1221.F.

3. There shall be minimum of two primary access points to the PUD. One shall connect to North 129<sup>th</sup> East Avenue to the east and one shall connect to a public street to the south. All access shall be elevated out of the regulatory floodplain in such a way that it has no effect on the regulatory floodplain. The design of all access roads shall be approved by Public Works, Traffic Engineering and the Fire Marshall.
4. There shall be no building or dwelling in the regulatory floodplain.
5. The regulatory floodplain shall be placed in a dedicated reserve.
6. A minimum of 30% of the area of the PUD shall be landscaped open space. All landscaping shall comply with the requirements of the Zoning Code.
7. The manufactured home sales uses shall be screened from the abutting residential uses, within or outside the PUD by the erection and maintenance of a six-foot high or higher screening wall or fence along the boundaries in common with the residential uses.
8. No Zoning Clearance Permit shall be issued for a lot within the PUD until a Detail Site Plan for the lot, which includes all buildings, manufactured home spaces, access drives or sales area, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
9. A Detail Landscape Plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. 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 for the lot, 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.
10. No sign permits shall be issued for erection of a sign on a lot within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

11. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
12. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas.
13. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.
14. No building permit shall be issued until the requirements of Section 1107F 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 that relate to PUD conditions.
15. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
16. Entry gates or guardhouses, if proposed, must receive Detail Site Plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit.
17. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review.
18. There shall be no outside storage of recyclable material, trash or similar material [outside a screened receptacle], nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

**Applicant's Comments:**

**Bill Lewis**, 5879 South Garnett, Tulsa, Oklahoma 74145, stated that he is in agreement with the staff's recommendation.

Mr. Horner made a motion to recommend **APPROVAL** of the PUD-647 subject to conditions as recommended by staff.

**TMAPC Comments:**

Ms. Hill asked Mr. Lewis if the lots will remain the property of the park owner and the manufactured home will belong to the occupant. In response, Mr. Lewis stated that it will be rental spaces only.



Ms. Pace asked Mr. Lewis how large the rental lots would be. In response, Mr. Lewis stated that the lots are 40' x 100' or 4,000 square feet.

Mr. Harmon stated that he cannot support this application because the layout is unsightly.

Mr. Jackson stated that manufactured homes are often discriminated against and everyone needs somewhere to live. If the manufactured homes are not allowed here then where would it be appropriate.

Ms. Hill stated that she would like to see home ownership, be it stick-built or modular. She further stated that she would rather see this type of application than apartment rentals.

Ms. Pace stated that she agrees with Mr. Harmon and Mr. Jackson. A mobile home development on the subject property is most appropriate. She stated that she would like to see more landscaping besides the floodplain open-air area. She requested Mr. Horner to amend his motion to include more landscaping. In response, Mr. Horner answered negatively.

Ms. Pace asked if the Planning Commission has the right to ask for additional landscape buffer from the interstate for the residents. She commented that she understands that Mr. Horner will not accept this an amendment, but can it be done. In response, Mr. Stump stated that if the Planning Commission feels that the residences need to be buffered from the noise and whatever is generated by the expressway, the Planning Commission would be in much safer ground to require a buffer of the mobile homes from the expressway to make them a better place to live.

Mr. Westervelt stated that there is a motion on the floor that does not include the additional landscape. The Planning Commission can take a vote and if it fails, then Ms. Pace can make another motion. There is nothing to compel Mr. Horner change their motion and a vote needs to be taken.

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **4-2-0** (Hill, Horner, Jackson, Westervelt "aye"; Harmon, Pace "nays"; none "abstaining"; Boyle, Carnes, Ledford, Midget, Selph "absent") to recommend **APPROVAL** of PUD-647 subject to the conditions as recommended by staff.

**Legal Description for PUD-647:**

Part of the W/2, SE/4, lying South of the highway right-of-way beginning at the southwest corner of the SE/4, thence N 920', SE460.64', S 449.82', SE 181.02', thence on a curve to the right 233.79', SE 68.64', E 150', SE 211.2', E 203.50', thence North to the South line of the highway, thence West along the right-of-way to the West line of the W/2, SE/4, thence South to POB, Section 32, T-20-N, R-14-E, **and** part of the E/2, SW/4, beginning 980' N of the Southeast corner SE/4, SW/4, thence N 404.15', W 1,316.51', S 517.62', E 740.75', N 83.66', E 250', N 60', E 300', to POB, Section 32, T-20-N, R-14-E **From IL (Industrial Light District) To IL/PUD-647 (Industrial Light District/Planned Unit Development).**

\* \* \* \* \*

**APPLICATION NO.: Z-6811****RS-2 TO RS-3****Applicant:** Bob Griffin

(PD-6) (CD-5)

**Location:** North of northwest corner of East 35<sup>th</sup> Street and South Hudson**Staff Recommendation:****RELEVANT ZONING HISTORY:**

BOA-14170 August 1986: The Board of Adjustment approved a request for a special exception to allow two duplex dwellings on the adjoining two lots to on the north.

Z-5473 April 1981: A request to rezone the subject tract and the adjoining lot to the north from RS-2 to RD for residential duplex development. Staff recommended denial of RD on both lots and recommended approval of RS-3. City Commission approved RS-3 zoning on the northern tract and denied rezoning the subject property.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 83.5' x 126.7' in size and is located north of the northwest corner of East 35<sup>th</sup> Street South and South Hudson Avenue. The property is flat, vacant, and zoned RS-2.

**STREETS:**

<b>Exist Access</b>	<b>MSHP Design</b>	<b>Exist. No. Lanes</b>	<b>Surface</b>	<b>Curbs</b>
South Hudson Avenue	60'	Two lanes	Paved	Yes

South Hudson is a residential collector that dead-ends in the subdivision.

**UTILITIES:** Water and sewer are available to the subject property.

**SURROUNDING AREA:** The subject tract is abutted on the north by duplexes, zoned RS-3; on the south by a single-family residence, zoned RS-2; on the east by duplexes, zoned RS-3 and RD; and on the west by single-family residences and duplexes, zoned RS-2.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Low Intensity – Residential land use.

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

**STAFF RECOMMENDATION:**

Based on the Comprehensive Plan and existing development, staff can support the requested RS-3 zoning and therefore recommends **APPROVAL** of RS-3 zoning for Z-6811.

**The applicant indicated his agreement with staff's recommendation.**

**Interested Parties Comments:**

**Robert McCallum**, 5535 East 35<sup>th</sup> Street, Tulsa, Oklahoma 74135, stated that his property is adjacent to the subject property. Rezoning the subject property would be a mistake. Mr. McCallum cited past applications on the subject property from 1980.

Mr. McCallum stated that if another duplex were to be constructed, there is a possibility of 20 residents with 20 automobiles on the subject street. There are no changes in the conditions of the subject area that would make another duplex desirable or reasonable when it was not considered to be desirable in 1981. He commented that he would support the construction of a single-family dwelling with the RS-2 zoning remaining unchanged.

Mr. McCallum stated that he opposes this for the following reasons: 1) increased high-density living conditions; 2) the esthetic undesirability of further high-density low-rent duplex construction; 3) the loss of property value to surrounding properties, and 4) it would undo the compromise made by the City Commission on the 14<sup>th</sup> of April, 1981 in hearing Z-5473. He requested the Planning Commission to deny this application.

**TMAPC Comments:**

Mr. Jackson stated that there are other duplexes in the subject area and this is 20 years later than 1981. Several things have changed since 1981, and this would be appropriate.

**TMAPC Action; 6 members present:**

On **MOTION** of **JACKSON**, the TMAPC voted **6-0-0** (Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Ledford, Midget, Selph "absent") to recommend **APPROVAL** of RS-3 zoning for Z-6811 as recommended by staff.

**Legal Description for Z-6811:**

The North 83.5' of Lot 9, Block 7, Yorkshire Estates, the resubdivision of Lots 2 through 4, Block 3, and all of Block 4 through 13, Yorkshire Estates, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, **From RS-2 (Residential Single-family Medium Density District) To RS-3 (Residential Single-family High Density District).**

\* \* \* \* \*

**APPLICATION NO.: PUD-355-B-2**

**MINOR AMENDMENT**

**Applicant:** Ricky Jones

(PD-18) (CD-8)

**Location:** North and west of northwest corner of East 91<sup>st</sup> Street and South Yale Avenue

**Staff Recommendation:**

The applicant is requesting a minor amendment to change an existing 35-foot maximum height requirement to 50 feet for Lots 3 through 9, Block 1, Southern Woods Park. An amendment to allow more than 180 days from the approval date of the PUD to erect a required screening fence is also requested.

Staff has reviewed the minor amendment request and finds that the maximum of 50 feet of building height should not affect the surrounding development to the east because of the existing storied office building, to the south because of the platted reserve area and commercial zoning, and to the west because of the vacant property abutting the site. Lots 6 and 7 to the north abut an existing residential subdivision with RS-3 zoning, however, and staff is not favorable to the increased building height on these lots.

Staff can only recommend **APPROVAL** of the amendment to allow a maximum building height of 50 feet (maximum of two stories) for Lots 3, 4, 5, and 8 and 9 of Block 1, on the condition that staff review each building elevation during the detail site plan process to assure consistency and appropriateness of the design of the office buildings along the west boundary near future residential development. Staff can recommend **APPROVAL** of a 90-day extension from March 21, 2001 for the erection of the required screening fence with the condition that the erection of the fence commence first along the north property line near the residential neighborhood.

Mr. Dunlap stated that he understands that the applicant has some conditions and issues to discuss. Staff may change their recommendation after hearing the applicant's new information.

**Applicant's Comments:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, Tulsa, Oklahoma, 74114, stated that he met with the neighbors to the north and the neighborhood supports the application as filed, with the 50' height with some conditions. There will be a six-foot temporary fence that will remain throughout the construction. A permanent fence will be constructed of an architectural type, eight feet in height with a 24' x 24' brick columns 40 feet apart. The permanent fence will be located on the north property line of the project in order to protect the residential subdivision. Mr. Reynolds explained that on the north side of the subject property the project will be starting out six feet below the street and with the eight-foot screening fence it will protect the neighborhood. (Mr. Reynolds submitted the conditions he presented Exhibit B-1 and a letter of agreement from the neighborhood Exhibit B-2.)

Mr. Reynolds stated that there is a lot in the northwest corner and he intends to return with a major amendment to the PUD in order to square the corner and add the lot into the subdivision.

**TMAPC Comments:**

Mr. Westervelt asked staff for their recommendation. Mr. Dunlap stated that staff recommends **APPROVAL** as amended by Mr. Reynolds.

Mr. Harmon asked Mr. Reynolds if he is adding an additional story onto the proposed building. In response, Mr. Reynolds stated that the building would be two stories only.

**Interested Parties Comments:**

**Kim Montgomery**, 4711 East 89<sup>th</sup> Street, Tulsa, Oklahoma 74137, stated that her initial concerns were the height of the building and after discussing this issue with Mr. Reynolds she understands it is for roofing design only and will be two stories. This will blend in with the surrounding neighborhood, as well as provide additional sound insulation from traffic on 91<sup>st</sup> Street.

Ms. Montgomery stated that the other concern was the temporary fence and she is pleased with the proposed eight-foot fence. She concluded that with the result of the conditions agreed upon by the developer and the neighbors, she has no objections to the proposal as modified.

Mr. Dunlap stated that he would like to amend staff's recommendation to reflect a maximum of two stories for the building height. Mr. Reynolds agreed with the recommendation.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, TMAPC voted **6-0-0** (Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Ledford, Midget, Selph "absent") to **APPROVE** the minor amendment for PUD-355-B-2 as modified and presented by Mr. Reynolds.

\* \* \* \* \*

**APPLICATION NO.: PUD-405-14**

**Applicant:** Dickson Gunn

**Location:** 7223 East 92<sup>nd</sup> Street

**MINOR AMENDMENT**

(PD-18) (CD-8)

**Staff Recommendation:**

The applicant is requesting an amendment of a rear setback requirement from 20 feet to 11 feet on Lot 17, Block 1, in the South Springs Addition, for a new residential room addition.

Staff has reviewed the request for a minor amendment and recommends **DENIAL** of the amendment per the submitted site plan. The lot is an irregular shape with several large utility easements along the west property line, but the proposed addition to the rear yard would take up a considerable part of the required back yard. The neighbors to the north would be affected by the house being extended closer to their own properties and thereby using part of the required back yard open space.

**Applicant's Comments:**

**Dickson Gunn**, 4119 East 30<sup>th</sup> Street, Tulsa, Oklahoma 74114, stated that he is an architect and representing the owner of the subject property. The stated that this expansion, when applied across the width of the subject property, is less than ten percent and actually only eight percent of the yard would be involved. Mr. Gunn indicated that the neighbors are in support of the expansion.

Mr. Gunn stated that due to the 50-foot easement required on the west portion of the subject lot and another 17.5-foot statutory easement prevents any meaningful expansion to the west and therefore, limits this lot. The purpose of the expansion is to gain an expanded living space and a game room.

Mr. Gunn requested the Planning Commission to approve this application and allow his clients to make a minor expansion to their home.

**TMAPC Comments:**

Mr. Westervelt asked Mr. Gunn if he stated he had the approval of the adjacent neighbor. In response, Mr. Gunn stated that he did not personally speak to the neighbors, but his client did. Mr. Westervelt commented that usually there are letters of support, which are very helpful.

Mr. Horner stated that if the applicant had a letter or something in writing it would make a difference in the Planning Commission's opinion. Mr. Gunn stated that he would try to secure those letters, but he doesn't have letters today.

Mr. Westervelt suggested that he might want to request a continuance in order to secure the letters from the neighbors.

Mr. Stump stated that staff would review the letters, but it would probably not change the staff recommendation. He explained that staff does not consider this an item that is voted on, that if the neighbors like it, a structure can be closer and if not it has to be farther away from the property line. The setback is a standard that is set throughout an area because of certain lot sizes, etc. If the decision is made by a popularity contest, then it ends up in court and is usually overturned. Mr. Stump stated that if the subject property were not in a PUD, it would require a variance from the Board of Adjustment, which requires finding something unique about the property and the applicant would have to show a hardship because of the uniqueness.

Ms. Pace stated that there does seem to be something unusual about the lot due to the easement. Mr. Stump stated that the subject lot is much larger than the other lots in the subject area. Mr. Stump explained that the subject lot has more buildable area, but not in the proposed location.

Mr. Gunn stated that if the Planning Commission would take into consideration the width of the lot, proportion of the openness, and the smallness of the intrusion up to the utility easement, it amounts to a nine-foot expansion added onto the rear of the subject house. He commented that this will not provide a great increase in density or decrease any available light space. This is a hip-roof design that slopes away from the properties toward the center of the house. He stated that he doesn't understand the ruling that staff has made and feels that this request is justified.

Mr. Harmon stated that this would set a precedent in the subject neighborhood and that is a major consideration.

**TMAPC Action; 6 members present:**

On **MOTION** of **HARMON**, TMAPC voted **6-0-0** (Harmon, Hill, Horner, Jackson, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Ledford, Midget, Selph "absent") to **DENY** the minor amendment for PUD-405-14 as recommended by staff.

**TMAPC Comments:**

Mr. Horner recognized Mr. Joel Budd, subject property owner.

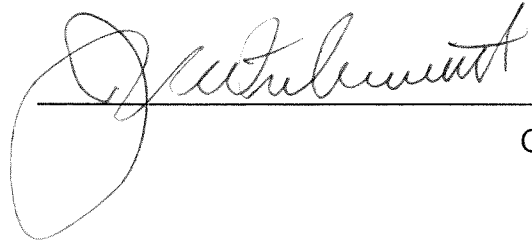
Mr. Westervelt explained to Mr. Budd that staff is concerned with this proposal setting a precedent.

Mr. Budd asked if this would set across-the-board precedent for the City. In response, Mr. Stump answered affirmatively. Mr. Budd stated that under those conditions, he understands the reluctance and cautions. Mr. Budd explained that the proposal is not asking for a setback that would be completely across the property, but a very small addition on the back of one part of his living room. Mr. Budd indicated that he discussed the proposal with the neighbor that it would involve and they had no problems with the proposal. Mr. Budd stated that he doesn't have any other options for expanding because there is an easement. Mr. Budd commented that the proposal will only affect the far corner of the neighbor's home and it will be hard to see. Mr. Westervelt asked Mr. Budd if he understood staff's concern regarding running a popularity contest, versus trying to enforce standard conditions. Mr. Westervelt explained that if all of the rest of the lots in the neighborhood were the same size as the applicant's, but didn't have the easement encumbering them, then the Planning Commission may look at this differently, but the applicant's lot is larger in order to compensate for the easement.

\* \* \* \* \*

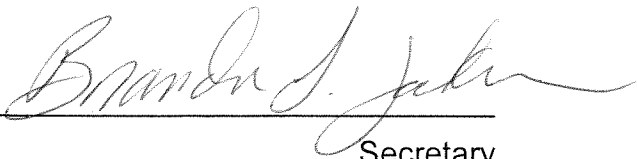
There being no further business, the Chairman declared the meeting adjourned at 4:00 p.m.

Date Approved: 4-18-01



Chairman

ATTEST:



Secretary