

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## For Meeting No. 2545

April 15, 2009, 1:30 PM

175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center

Tulsa City Council Chambers

CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

### REPORTS

#### Chairman's Report:

#### Worksession Report:

#### Comprehensive Plan Report:

Report on the update of the Comprehensive Plan

#### Director's Report:

1. Minutes of March 18, 2009, Meeting No. 2542

### CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LC-157** – Sisemore Weisz & Associates (9228)/Lot Combination (PD 9) (CD 2)  
Northeast corner of South 34<sup>th</sup> West Avenue and West 45<sup>th</sup> Street South,  
4423 S Southwest Boulevard West
3. **LC-160** – Jerry Riley (9228)/Lot Combination (PD 9) (CD 2)  
Southwest corner of West 41<sup>st</sup> Place and South 41<sup>st</sup> West Avenue
4. **LC-161** – DeShazo, Tang & Associates (9913)/Lot Combination (PD 4) (CD 4)  
Southeast corner of East 11<sup>th</sup> Street and South New Haven, 3902 East  
11<sup>th</sup> Street
5. **Crestwood Village** – (8334) Final Plat (PD 26) (CD 8)  
Northwest corner of East 121<sup>st</sup> Street South and South Sheridan Road
6. **PUD-579-A-11 – Amax Signs/Lori Worthington** (PD-18) (CD-7)  
Northeast, of the northeast corner of 81<sup>st</sup> Street South and Mingo Road  
(Minor Amendment for a wall sign on the west-facing wall of an  
addition currently under construction.)
7. **PUD-431-A – Walter P. Moore and Associates/Hollis Allen, Jr.** (PD-26) (CD-8)  
West of the southwest corner of 101<sup>st</sup> Street South and South Sheridan  
Road (Detail Site Plan for an 8,800 SF Arvest Bank.)
8. **PUD-761 – Sack and Associates, Mark B. Capron** (PD-6) (CD-9)  
Southeast corner of East 41<sup>st</sup> Street and South Harvard Avenue (Detail  
Site Plan for a screening wall as required along the eastern and southern  
boundaries of PUD-761.)

9. **AC-087 – Bill Cyganovich**

(PD-25) (CD-1)

Southwest of the southwest corner of 46<sup>th</sup> Street North and North Peoria Avenue (Landscape Alternative Compliance to reduce the required five-foot wide landscape to vary between one-foot wide and three-foot wide landscape areas.)

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

**PUBLIC HEARINGS**

10. **LS-20096** - Joseph Wells (9404)/Lot-Split (Continued from 2-25-09)

(PD 17) (CD 6)

Southwest corner of East Admiral Place and South 145<sup>th</sup> Avenue, 420 South 145<sup>th</sup> East Avenue

11. **Heritage Landing –** (0329) Authorization for Accelerated Release of Building Permit

(PD 3) (CD 3)

West of the Southwest corner of Apache and North Harvard Avenue (continued from 3/18/09 and 4/15/09)

12. **Z-7130 – New Life Pentecostal Church, LLC**

**AG to CS**

Northwest corner of Highway 75 South and West 71<sup>st</sup> Street South

(PD-8) (CD-2)

**OTHER BUSINESS**

13. **Commissioners' Comments**

**ADJOURN**

PD = Planning District/CD = Council District

**NOTICE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526**

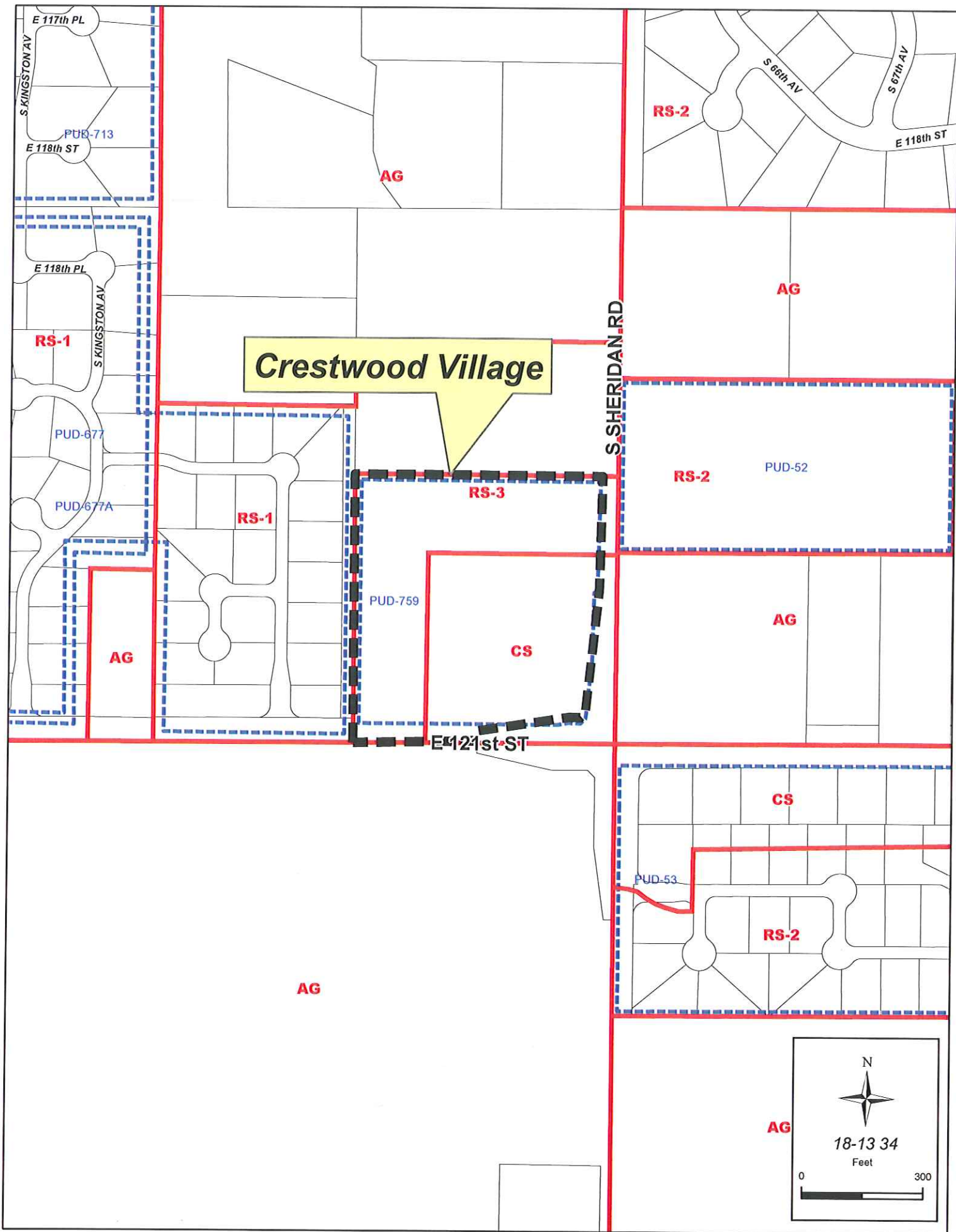
**Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.**

**Ringling/sound on all cell phones and paggers must be turned off during the Planning Commission.**

Visit our website @ [www.tmapc.org](http://www.tmapc.org)

The mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide comprehensive planning, zoning and land division services for the City of Tulsa and Tulsa County through a joint city-county cooperative planning commission resulting in the orderly development of the Tulsa Metropolitan Area and enhancing and preserving the quality of life for the region's current and future residents.

**TMAPC Mission Statement**





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Crestwood Village  
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Photo Date: Jan. 2006

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## Final Subdivision Plat

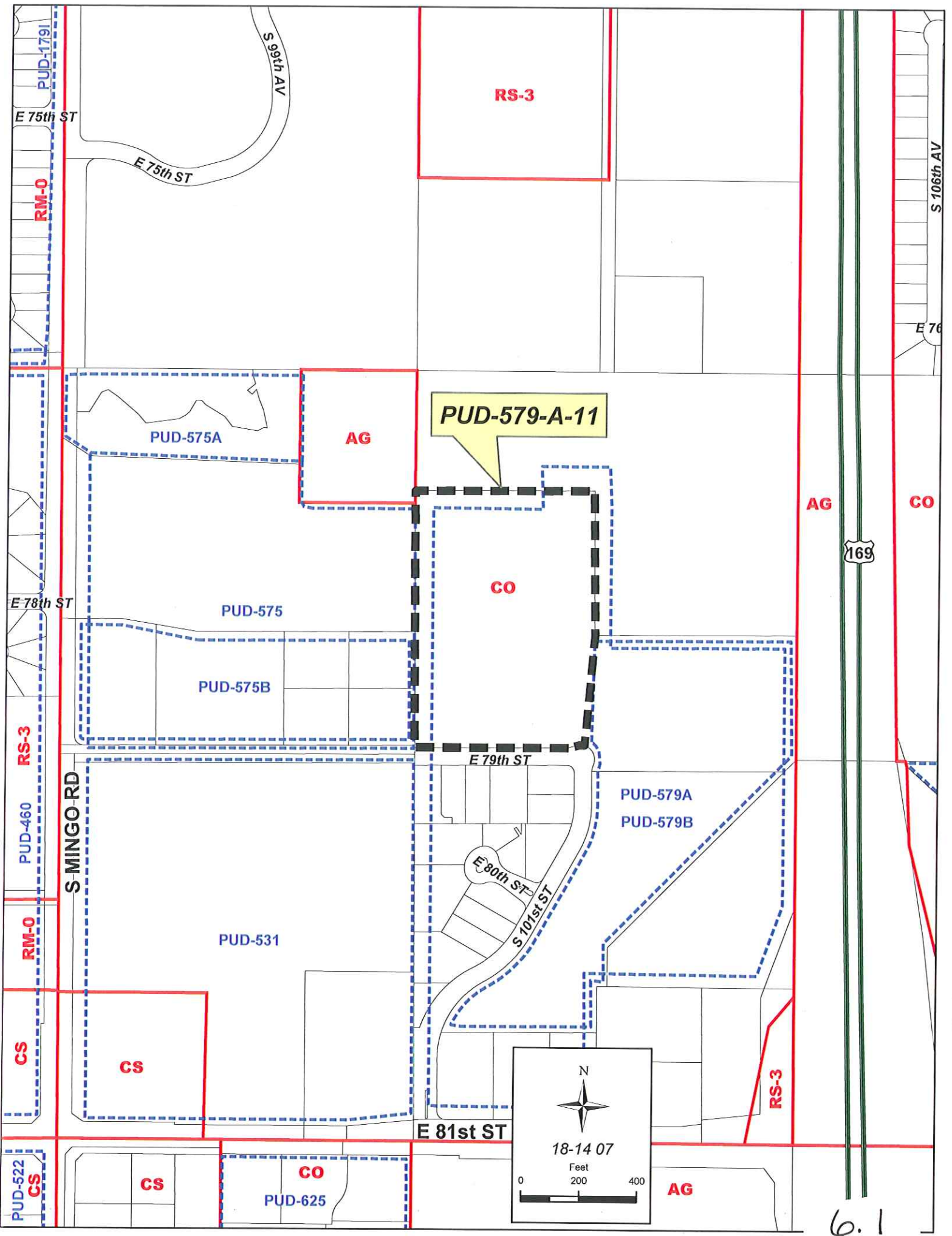
**Crestwood Village** - (8334) (PD 26) (CD 8)

Northwest corner of East 121<sup>st</sup> Street South and South Sheridan Road

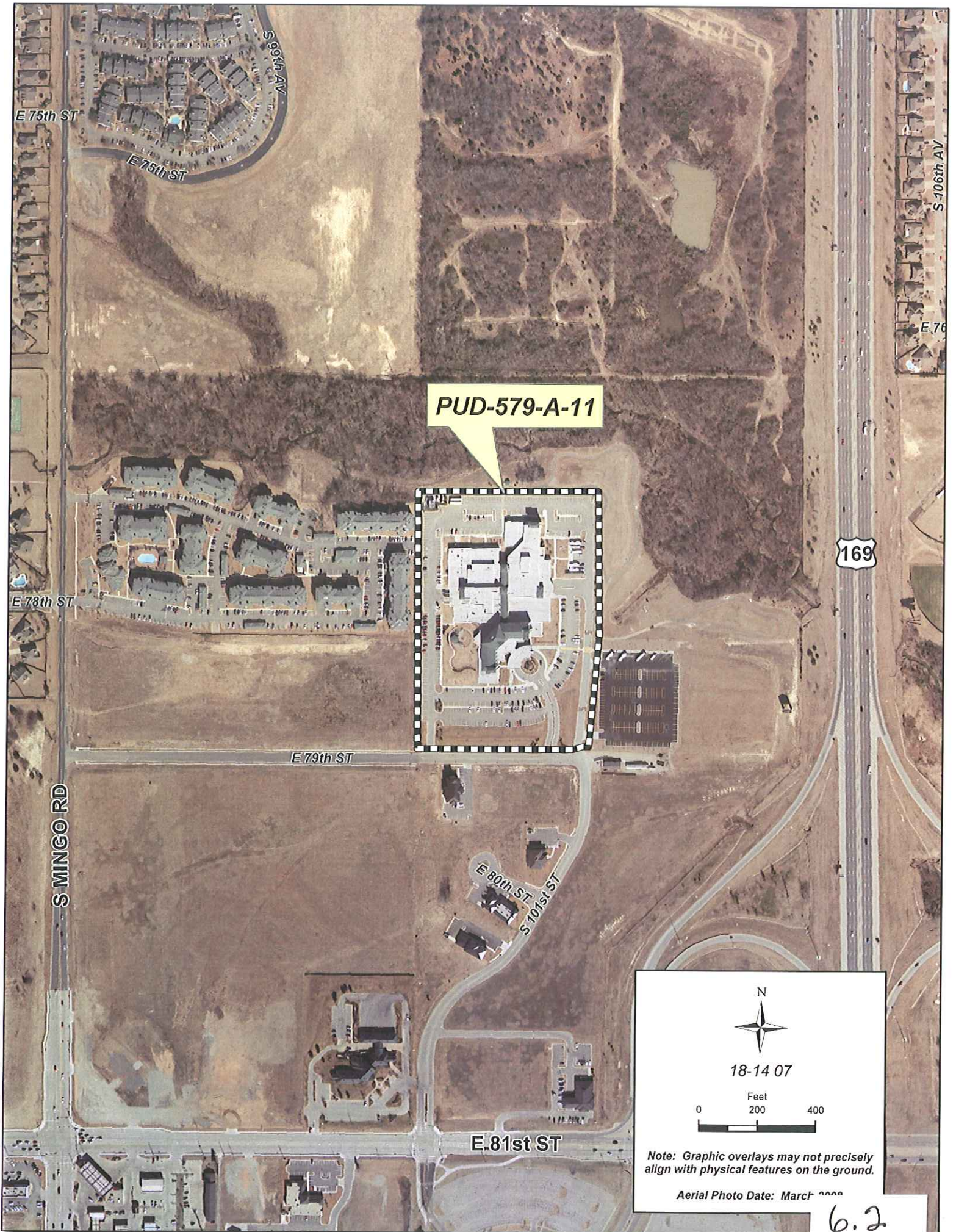
This plat consists of 25 Lots in 5 Blocks on 10 acres.

Staff recommends **APPROVAL** of the Final Plat. All release letters have been received.





6.1



PUD-579-A-11

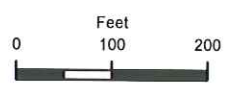
E 79th ST

E 80th ST

S 101st ST



18-14 07



Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date:

6.3

## STAFF RECOMMENDATION

**PUD-579-A-11:** Minor Amendment – Northeast, of the northeast corner of 81<sup>st</sup> Street South and Mingo Road; Lot 5, Block 1 – Tallgrass Office Park; TRS 8407; CZM 54; Atlas 1266; PD 18; CD 7; CO/PUD.

Minor amendment request PUD-579-A-11 is the result of a previous minor amendment allowing a wall sign for the Cancer Treatment Center of America. Approved on 2/2/05 by the TMAPC, minor amendment PUD-579-A-2 established the sign standards for the Cancer Treatment Center as follows (see Exhibit A):

1. Permitting wall signs not exceeding three square feet of display surface area per lineal foot of the building wall to which affixed;
2. Permitting the wall signage for the east, southeast and south-facing upper-level walls to be aggregated for the single southeast-facing wall sign;
3. Permitting ground signs with an aggregate display surface area of one square foot for each lineal foot of street frontage on East 79<sup>th</sup> Street (Lot 4, Block 1 has approximately 550 feet of frontage on East 79<sup>th</sup> Street);
4. Permitting one ground sign at the major entrance to the hospital with a maximum of 160 square feet of display surface area and 12 feet in height;
5. Permitting at the two secondary driveway entrances to the hospital one ground identification directional sign with a maximum display surface area of eight square feet and a maximum height of eight feet.

Minor Amendment PUD-579-A-2 was approved by the following motion:

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 9-0-1 (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; Dick "abstaining"; none "absent") to **APPROVE** the minor amendment for PUD-579-A-2; **with the condition that any requests for additional signage of any type be processed through a minor amendment to the PUD** per staff recommendation.

The result of PUD-579-A-2 was that the applicant was permitted to "aggregate" the east, southeast and south-facing upper-level walls for the single 267 sf (+/-) southeast-facing wall sign (as seen in Exhibit B). A condition of that approval was that all proposed signage in the future be reviewed/approved through the minor amendment process.

What PUD-579-A-2 did not anticipate was building additions made to the hospital. The sign being proposed here would be on a 106-foot wide, west facing wall of the addition currently under construction (see Exhibits C – E). The proposed 168 square foot sign is well within the 318 sf that minor amendment PUD-579-A-2 would permit for a 106-foot long wall at 3 sf of display area per lineal foot of wall to which it would be affixed. The proposed sign would be unlit.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-579-A-11 permitting a 168 sf, unlit wall sign on the west facing building wall as depicted in Exhibit E.

County Commissioner Dick announced that he would be abstaining from the following item:

Application No.: PUD-579-A-2

MINOR AMENDMENT

Applicant: Charles Norman

(PD-18) (CD-8)

Location: East of northeast corner of East 81<sup>st</sup> Street and South Mingo Road

**STAFF RECOMMENDATION:**

This application is for signage provisions to the Cancer Treatment Centers of America in the Tallgrass PUD, the underlying zoning for which is CO. The original PUD-579-A did not establish signage provisions for a major hospital, although that major amendment did allow hospital use (Use Unit 5) in Development Area B. The following signs are proposed for the Cancer Treatment Center, subject to final detail sign plan approval:

- A. A Cancer Treatment logo and identification wall sign on the southeast-facing wall containing approximately 267 square feet of display surface area.
- B. A ground sign at the boulevard entrance to the hospital containing approximately 160 square feet of display surface area, with a maximum height of 12 feet.
- C. Two ground directional signs to be located at the secondary entrances for employee parking, ambulances and other vehicle entrances with a maximum size of eight square feet of display surface area and a maximum height of eight feet.

In order to permit the proposed Cancer Treatment Center signage, applicant requests approval of minor amendments to PUD-579-A as follows:

- 1. Permitting wall signs not exceeding three square feet of display surface area per lineal foot of the building wall to which affixed;
- 2. Permitting the wall signage for the east, southeast and south-facing upper-level walls to be aggregated for the single southeast-facing wall sign;
- 3. Permitting ground signs with an aggregate display surface area of one square foot for each lineal foot of street frontage on East 79<sup>th</sup> Street (Lot 4, Block 1 has approximately 550 feet of frontage on East 79<sup>th</sup> Street);
- 4. Permitting one ground sign at the major entrance to the hospital with a maximum of 160 square feet of display surface area and 12 feet in height;
- 5. Permitting at the two secondary driveway entrances to the hospital one ground identification directional sign with a maximum display

surface area of eight square feet and a maximum height of eight feet.

The applicant is basically requesting to aggregate all allowed wall signage for the entire PUD onto the single south-facing wall sign, with some other provisions for ground and directional signs. This request is a similar treatment to those approved for other medical facilities of this size in the area, and staff can support it with the condition that any requests for additional signage of any type be processed through a minor amendment to the PUD. With that proviso, staff recommends **APPROVAL** of PUD-579-A-2.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 9-0-1 (Bayles, Carnes, Harmon, Hill, Horner, Jackson, Ledford, Midget, Westervelt "aye"; no "nays"; Dick "abstaining"; none "absent") to **APPROVE** the minor amendment for PUD-579-A-2; with the condition that any requests for additional signage of any type be processed through a minor amendment to the PUD per staff recommendation.

\* \* \* \* \*

Application No.: PUD-360-A/B-10

**MINOR AMENDMENT**

Applicant: Dennis Blind

(PD-18) (CD-8)

Location: 7731 East 91<sup>st</sup> Street South

**STAFF RECOMMENDATION:**

This application is for a minor amendment to allow a nail/manicure salon (Use Unit 13) in vacant retail space in a center on East 91<sup>st</sup> Street and South 78<sup>th</sup> East Avenue. Under the current PUD, Use Unit 13 is not allowed. The base zoning, CS, would allow Use Unit 13. On January 15, the TMAPC reviewed proposed Minor Amendment PUD-360-C, which requested permission for a women's fitness center (Use Unit 19, which would also be allowed under CS zoning) in the same center, and staff recommended approval. Similarly, staff can support this request and therefore recommends **APPROVAL** of PUD-360-A & B, finding that it is in keeping with the character of the existing development and should have no detrimental effects on surrounding uses.

The applicant indicated his agreement with staff's recommendation.

Cancer  
Treatment  
Centers  
of America.

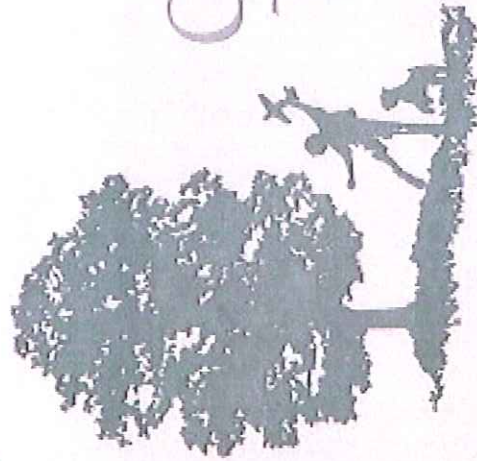


EXHIBIT B 6.7



EXHIBIT C

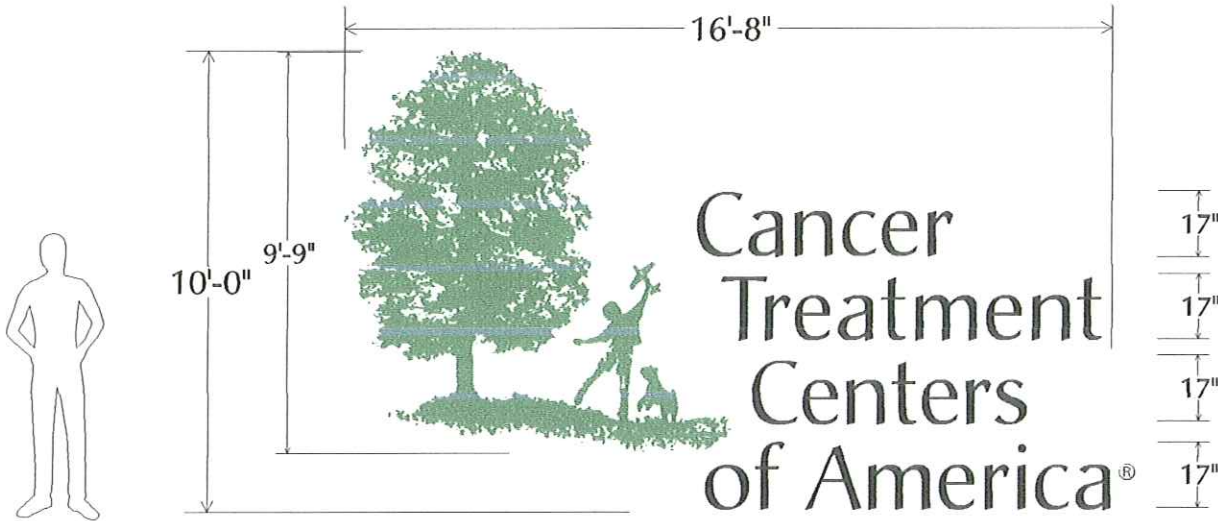
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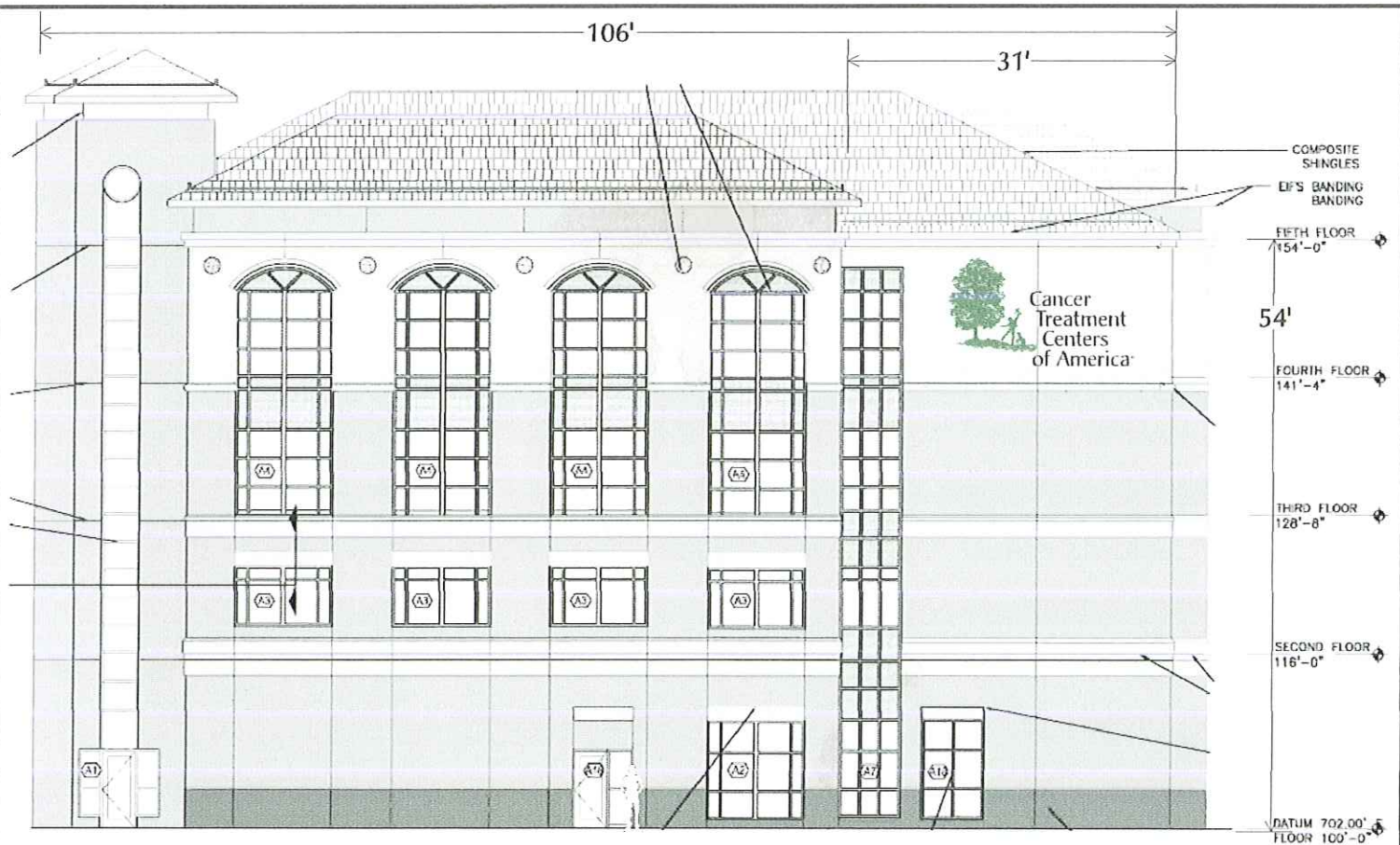
EXHIBIT D

6.9

MANUFACTURE AND INSTALL (1) SET OF ROUTER CUT ALUMINUM LETTERS,  
STUD MOUNTED TO WALL.



.125" Router Cut Aluminum Stud Mounted to Wall.  
Painted to Match PMS 343 C Green, PMS 425 C 'Dark Charcoal' - Satin Finish.



6A WEST ELEVATION

WEST ELEVATION - SCALED TO 3/32"=1'

**EXHIBIT E**

THIS DESIGN IS SUBMITTED CONFIDENTIALLY AND REMAINS YOUR PROPERTY UNTIL PAID IN FULL

**a-max signs**  
BY WESTBROOK

9520 E. 55th PLACE, TULSA OK. 74145  
(918) 622-0651 • FAX (918) 622-0659

PROJECT: CANCER TREATMENT CENTERS OF AMERICA  
LOCATION: 2408 E. 81st, TULSA OK  
DESCRIPTION: NON-ILLUMINATED STUD MOUNT LETTERS.  
SALES REP: BRUCE ANDERSON  
FILE NAME: NONILL LTRS REV

☐ APPROVED ☐ APPROVED AS NOTED

SIGNATURE IS APPROVAL FOR PRODUCTION AS DEPICTED HERE.  
FACDUCTION WILL NOT BEGIN WITHOUT SIGNED APPROVAL

SCALE: 1/4" = 1'-0"

DATE: 3/5/09

W.O. #:

DRAWN BY: CWS

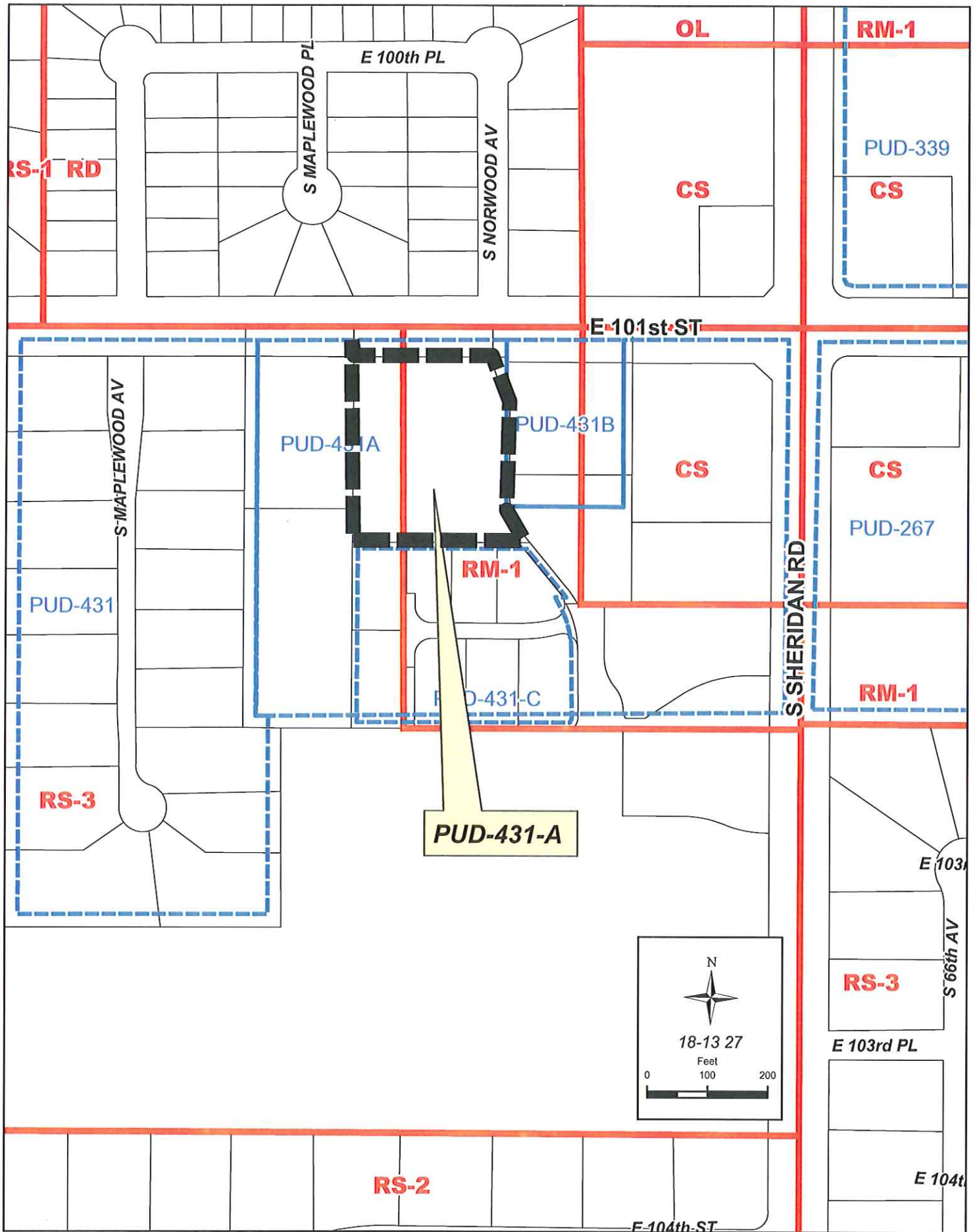
www.amaxsign.com

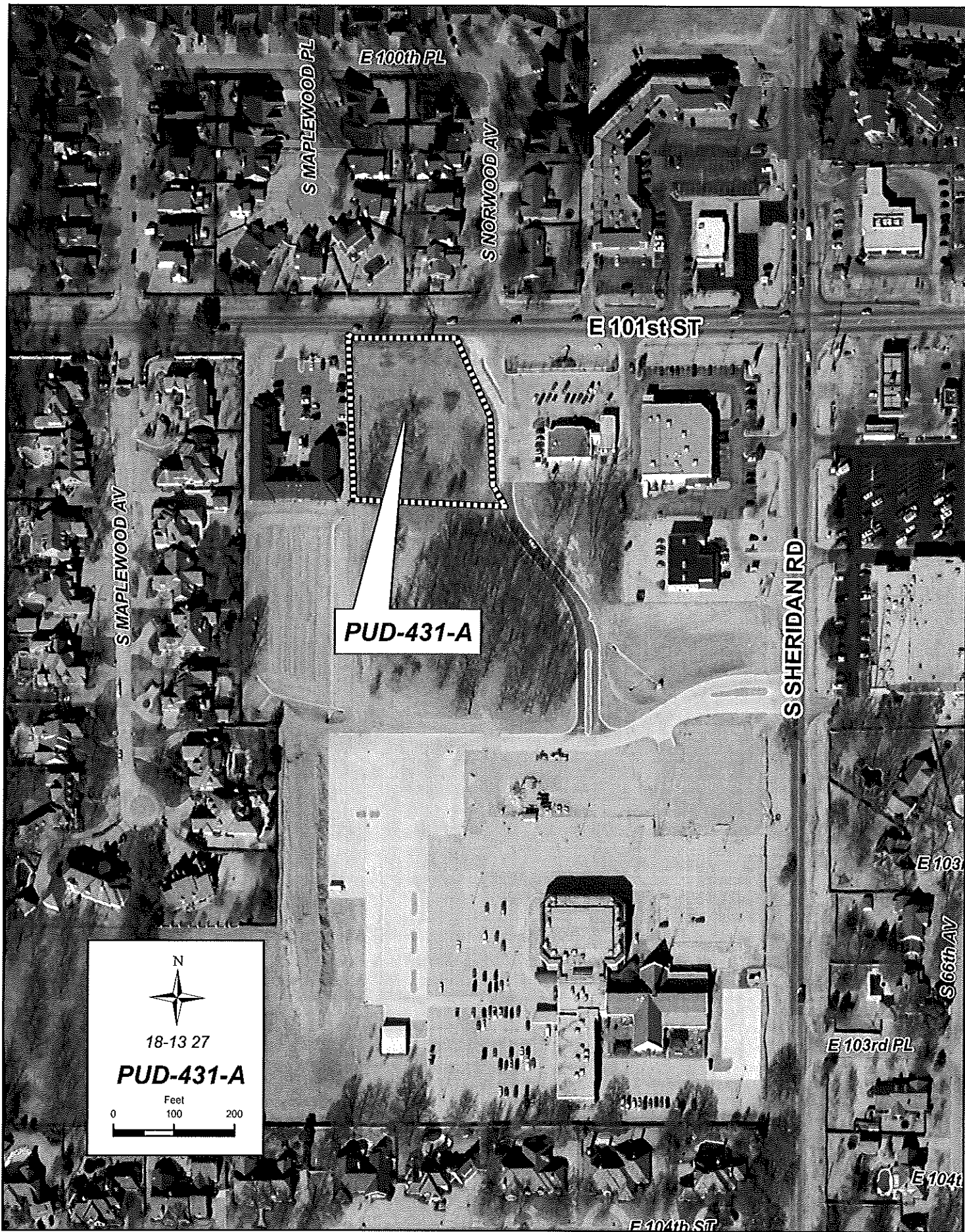
NOTE: COLORS AS PRINTED HERE ARE APPROXIMATE REPRESENTATIONS OF SPECIFIED COLORS THAT MAY NOT MATCH EXACTLY TO THAT OF THE FINAL PRODUCT. WHEN COLOR SELECTION IS CRITICAL, ASK YOUR SALES REP FOR COLOR SAMPLES. DRAWING 4250 REPRESENTS SPECIFIC INTENT SUBJECT TO MINOR VARIATIONS TO FACILITATE MANUFACTURING

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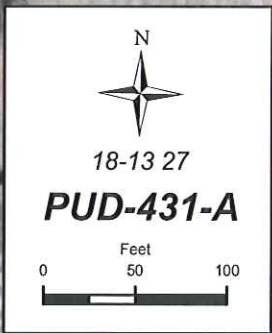
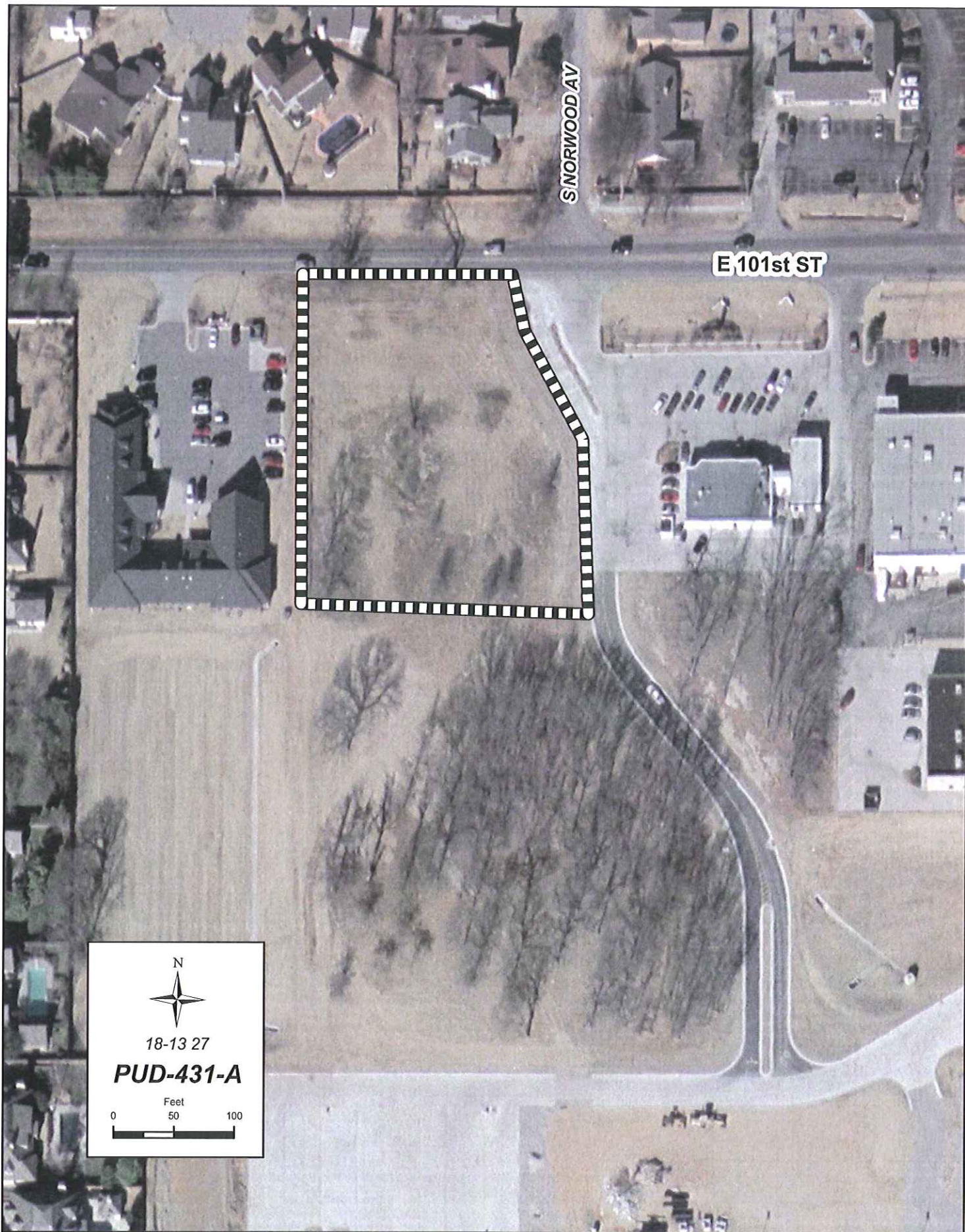


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18-13 27

**PUD-431-A**

Feet  
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April 15, 2009

### STAFF RECOMMENDATION

**PUD-431-A:** Detail Site Plan – West of the southwest corner of 101<sup>st</sup> Street South and South Sheridan Road; Lot 1, Block 1 – South Tulsa Baptist Church Extended; TRS 8327; CZM 57; PD 26; CD 8; RS-3/RM-1/PUD.

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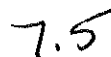
The applicant is requesting approval of a detail site plan for an 8,800 square foot Arvest Bank. The proposed use, Financial Institution within Use Unit 11 – Offices, Studios, and Support Services is a permitted use in PUD-431-A.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site is provided from one point along 101<sup>st</sup> Street and two along the private street/access drive to the east. Parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping is provided per the landscape chapter of the Zoning Code. All sight lighting is limited to 26-feet in height and will be directed down and away from adjoining properties. A trash enclosure has been provided as required by the PUD. Sidewalks have not been included on the site plan and will be required per subdivision regulations.

Staff recommends **APPROVAL** of the detail site plan for the 8,800 sf Arvest Bank to be located on Lot 1, Block 1 – South Tulsa Baptist Church Extended, PUD-431-A, with the condition that sidewalks be added to the plan prior to the final processing of the approval by the TMAPC.

*(Note: Detail site plan approval does not constitute landscape and sign plan approval.)*

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| B | WHITE PAINTCHART MARKING          | 5/8" - COT. PAINTMENT TO FULL DEPTH, MEET AND MATCH EXISTING PAINTMENT          |
| C | POLE SIGN                         | 4" WIDE THICKLE CHANNEL   |
| D | SEA PUMP                          | 1" DOWNHOLE CURB  |
| E | PAINTED TRAFFIC ARROW             | 4" TRAFFIC WHITE STRIPING 2" - O.C. (TYP.) OR COLOR AS SPECIFIED BY LOCAL CODES |
| F | TROUGH ENCLOSURE, RE. ARCH. PLANS | PLAC POLE   |
| G | 5" WIDE CONCRETE SIDEWALK         | PLAC POLE   |
| H | 6" CURB                           | PIPE BOLLARD  |

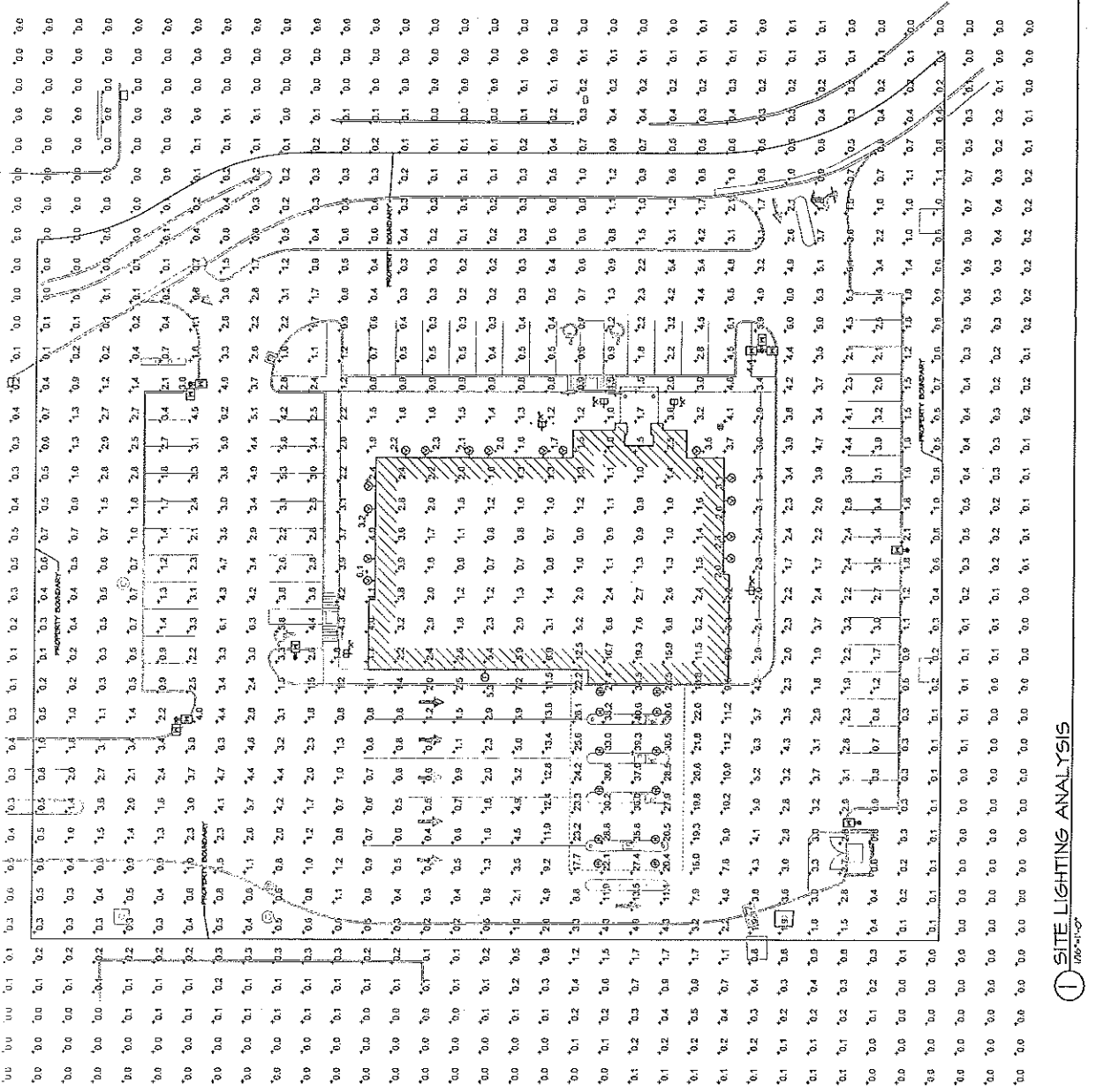




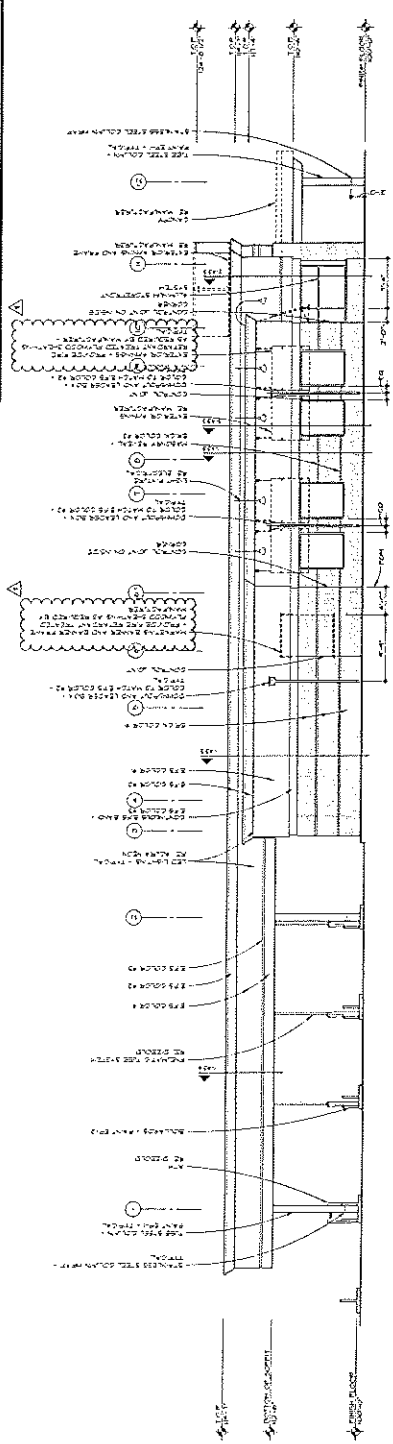
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LIGHTING FIXTURE SCHEDULE - NO SUBSTITUTIONS ARE ALLOWED

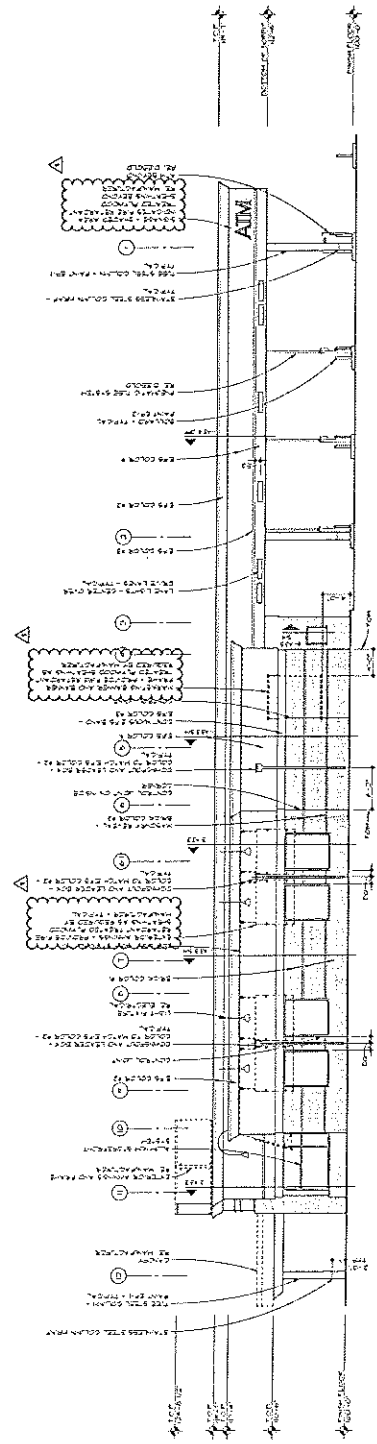
**HSA**  
ENGINEERING CONSULTING SERVICES, INC.  
5701 Epler Lane, Suite A, Fort Smith, AR 72903  
(479) 452-8922 Fax (479) 452-0022



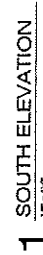
① SITE LIGHTING ANALYSIS  
100'-0"

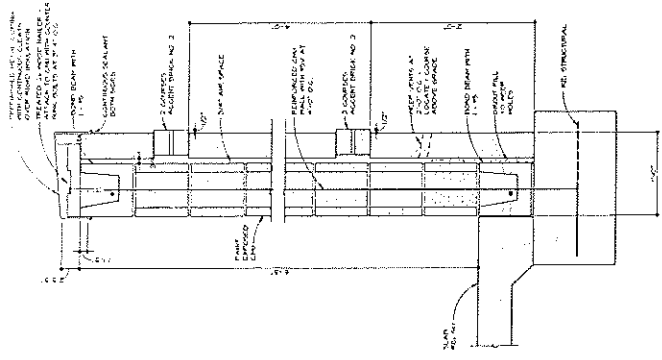


## 2 WEST ELEVATION

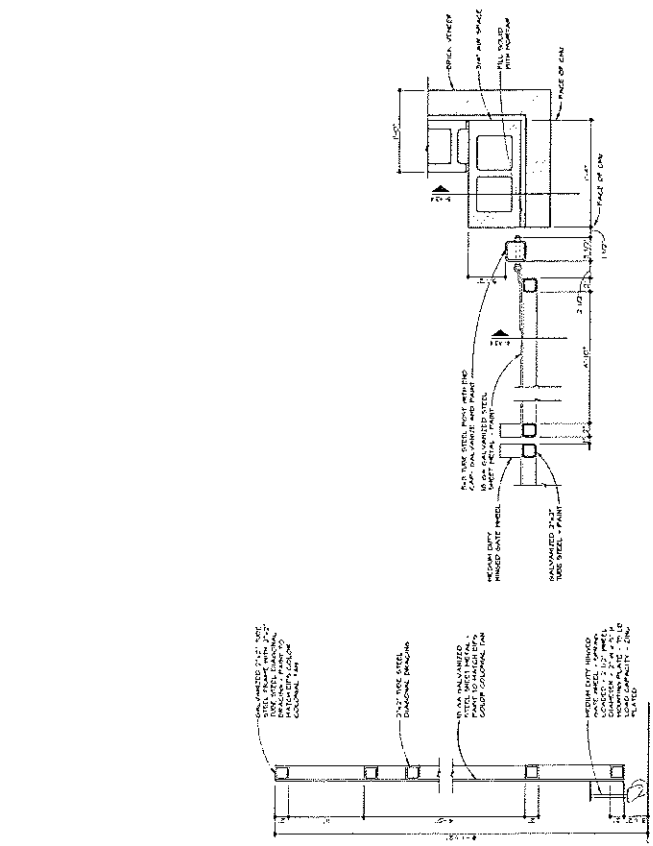


**1** EAST ELEVATION  
1" = 1'-0"



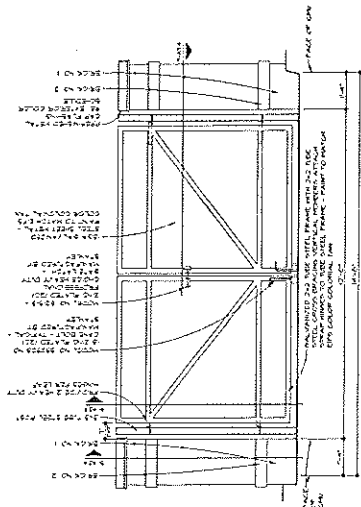


5 SECTION AT DUMPSTER ENCLOSURE  
SCALE: 1/8" = 1'-0"

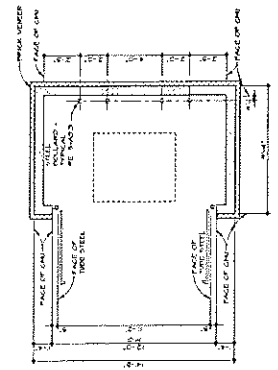


4 SECTION AT GATE  
SCALE: 1/8" = 1'-0"

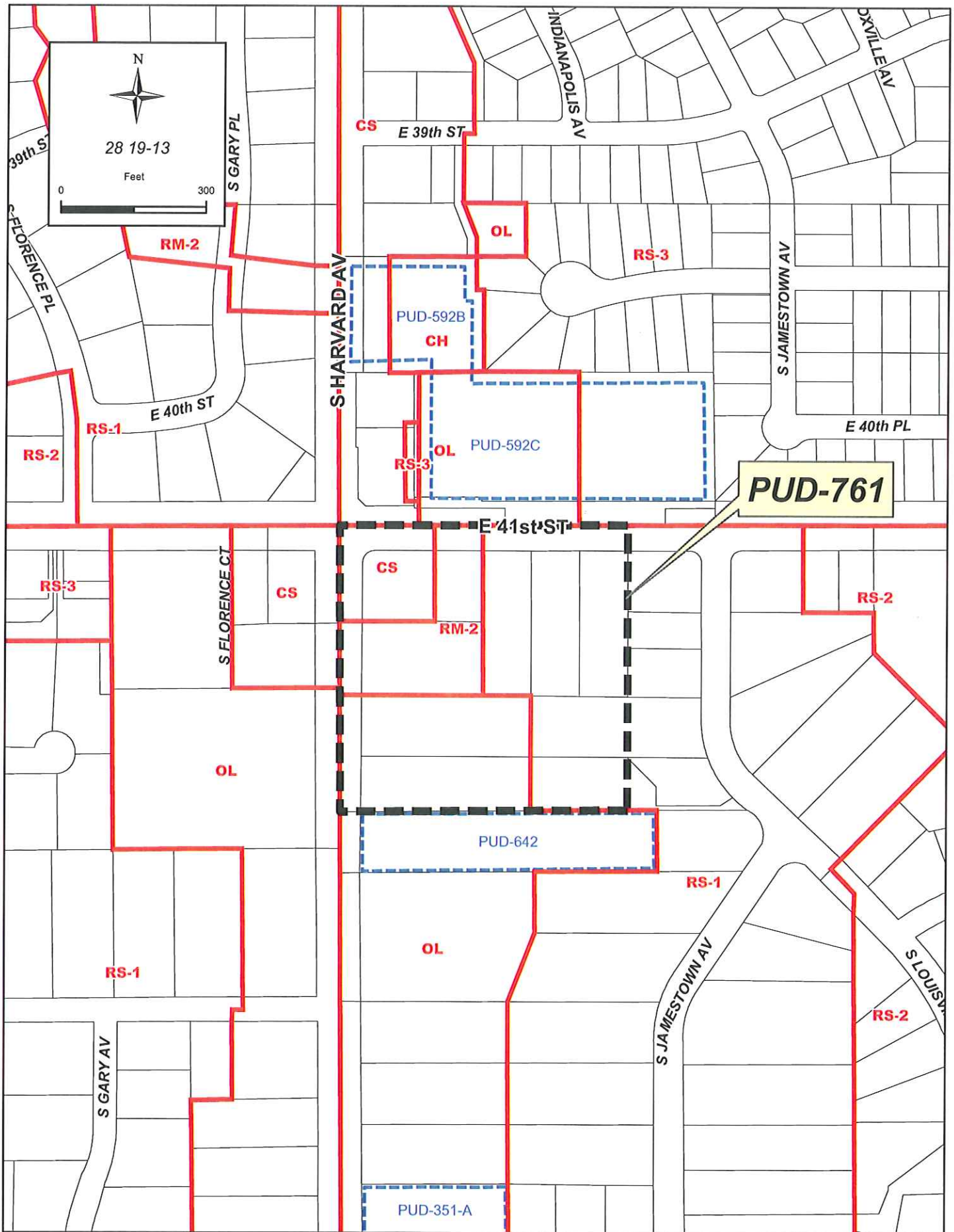
3 PLAN DETAIL AT DUMPSTER ENCLOSURE  
SCALE: 1/8" = 1'-0"



2 DUMPSTER ENCLOSURE ELEVATION  
SCALE: 1/8" = 1'-0"



1 ENLARGED PLAN AT DUMPSTER ENCLOSURE  
SCALE: 1/8" = 1'-0"







April 15, 2009

### STAFF RECOMMENDATION

**PUD-761:** Detail Site Plan – Southeast corner of East 41<sup>st</sup> Street and South Harvard Avenue.; TRS 9328; CZM 48; Atlas 311; PD 6; CD 9; CS/OL/RS-1/PUD.

---

The applicant is requesting approval of a detail site plan for a screening wall as required along the eastern and southern boundaries of PUD-761, located on the southeast corner of East 41<sup>st</sup> Street South and Harvard Ave.

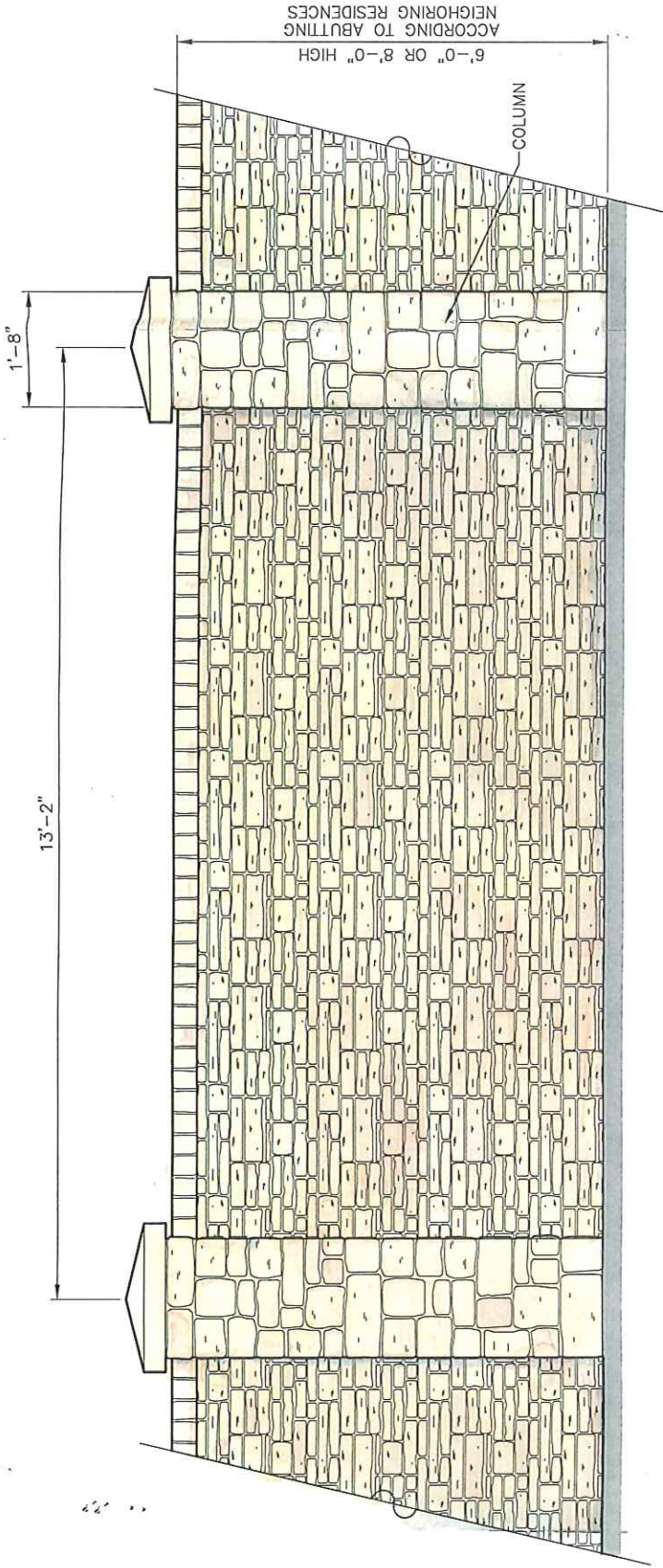
The development standards for the PUD-761 screening wall, as approved by the Tulsa City Council read:

"An eight foot high pre-cast masonry screening wall will be constructed along the east boundary of Harvard Square. The screening wall will commence 50 feet south of the northeast corner of the property and continue west 50 feet along the south boundary of Harvard Square. The design of the wall will be as shown on Exhibit D-1, East Boundary Screening Wall (see attached Exhibit D-1).

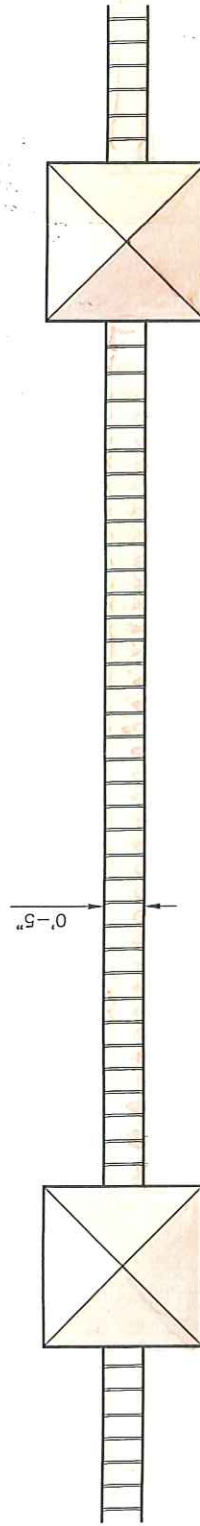
A six-foot high pre-cast masonry screening fence will be constructed along the south boundary of Harvard Square beginning at the northwest corner of the Oak Plaza office building and continuing east along the south boundary of Harvard Square to where such six-foot high pre-cast masonry screening fence will connect to the eight-foot high pre-cast masonry screening fence. Such connection shall be approximately 50 feet west of the southeast corner of Harvard Square. Other than being six feet in height, the design of the southerly boundary screening fence will be the same as the screening fence shown on Exhibit "D-1" of the original PUD text.

The (six and) eight-foot high pre-cast masonry screening wall(s) will be constructed in its entirety and simultaneously with the development of the first lot within the PUD."

The proposed screening plan as submitted herein as Exhibits A and B meet the above development standards. Therefore, staff recommends **APPROVAL** of the detail site plan for the proposed six-foot screening wall along the southern boundary of PUD-761, and the eight-foot screening wall proposed for the east boundary of PUD-761 as depicted on the attached Exhibits A and B.



**Screening Wall Elevation**  
NOT TO SCALE

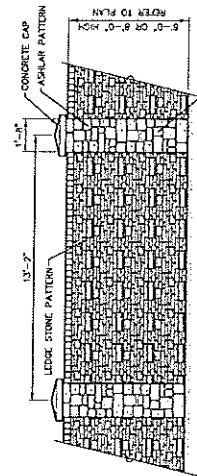
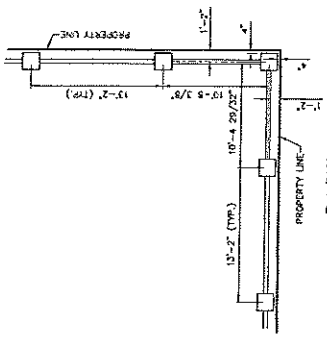


**Plan**  
NOT TO SCALE

**SACK AND ASSOCIATES, INC.**  
Sack and Associates, Inc. is a professional architectural firm located at 1733 PCH, Suite 100, Newport Beach, CA 92660. Phone: 949.261.1111 Fax: 949.261.1112  
Project: VILLA GROVE HEIGHTS ONE 01-A, Drawing: PD009C  
Drawn: MGC, Checked: DSB/C File: 191328 Date: 09 JUL 2008

**Harvard Square**  
East Boundary Screening Wall  
**EXHIBIT 'D-1'**  
Planned Unit Development Number 761





NOTE: REFER TO STRUCTURAL PLANS FOR FOOTING AND REINFORCEMENT DESIGN

ENCLOSURE MANUFACTURER: CONCRETE CONCRETE CONCRETE (405) 240-6666 EXT. 3

# Site Plan Statistics

PLANNED UNIT DEVELOPMENT NUMBER: 716

PERMITTED USES: THOSE USES PERMITTED IN USE UNIT 10, OFF-STREET PARKING; USE UNIT 11, OFFICE AND STUDIOS, INCLUDING DRIVE-THROUGH BANKING FACILITIES; USE UNIT 12, EATING ESTABLISHMENTS OTHER THAN DRINKING; USE UNIT 14, CONVENIENCE GOODS AND SERVICES; AND USE UNIT 15, SHOPPING GOODS AND SERVICES, OF THE TULSA ZONING CODE AND USES CUSTOMARILY ACCESSORY THEREBY.

## EXCLUSIONS:

APARTMENTS, AUTO ALARMS, INSTALLATION, AUTO PARTS AND ACCESSORIES, AUTO RADIO AND VIDEO, BARS, BOWLING ALLEYS, WINDOW TINTING, BAIL BOND OFFICE, BARS, BODY PIERCING PARLORS, BUILDING MATERIALS, DANCE HALLS, DAY LABOR, HIRING, DRIVE-THROUGH RESTAURANTS, ELECTRICAL SUPPLY, GASOLINE SERVICE STATION, GUNSMITH, LAUNDRY/DRY CLEANING, NIGHT CLUBS, OFFICE SUPPLY, PHOTO DEVELOPING, PAINT SHOP, PAYDAY LOAN OFFICE, PLUMBING PARTS, POOL HALLS, SECONDHAND STORE, SHOE REPAIR, TATTOO PARLORS, TANNERS, TOBACCO STORES, TUNE-UP SERVICE AND VIDEO RENTAL.

PROPOSED USES: PERMETER SCREEN WALL

NO BUILDING, LIGHTING OF PARKING PROPOSED.



# DETAIL SITE PLAN LOTS 3 & 4, BLOCK 1, 'HARVARD SQUARE SOUTH'

## SCREEN WALL DETAILS & NOTES

CITY OF TULSA, OKLAHOMA

SACK AND ASSOCIATES, INC.

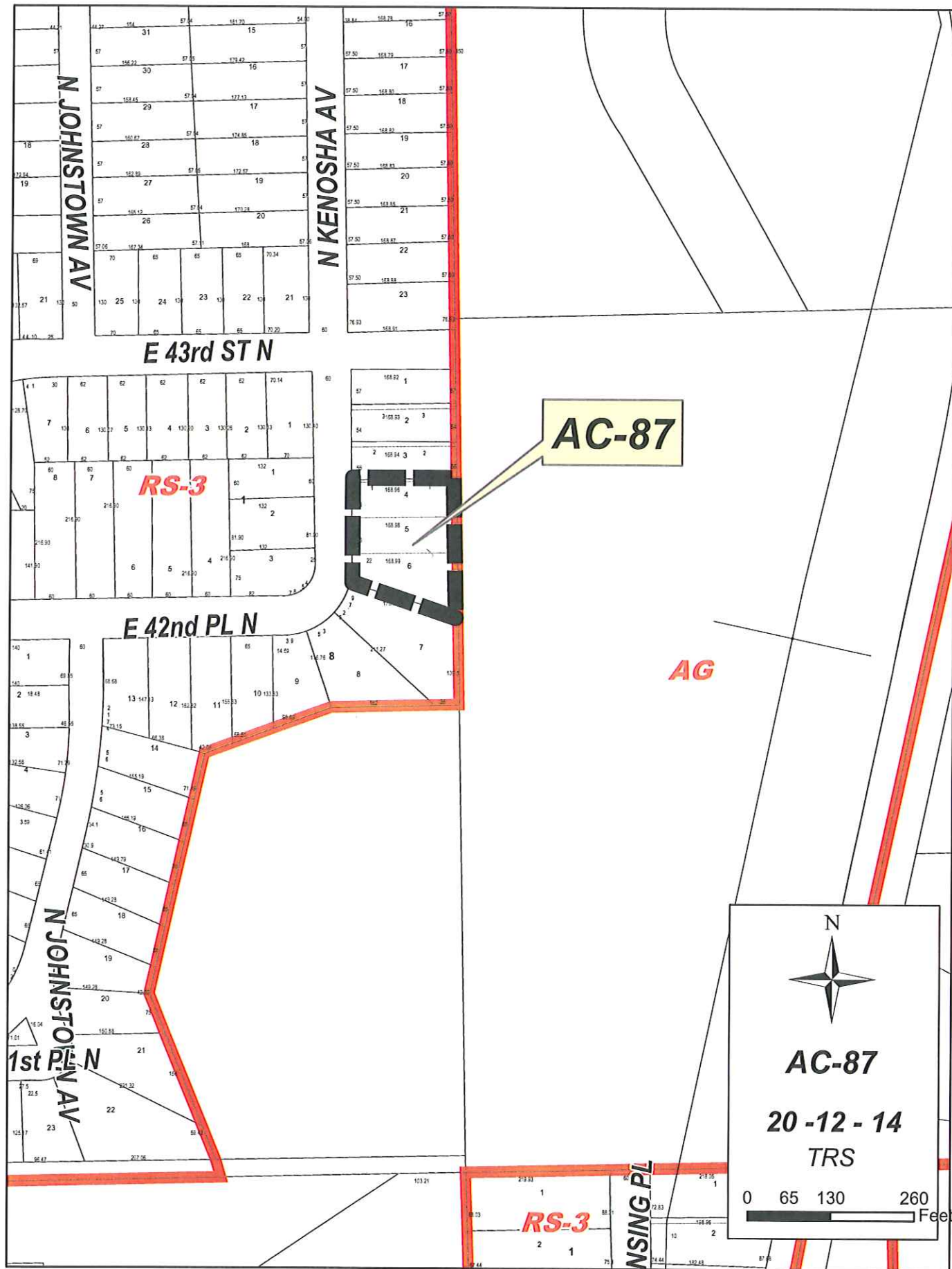
| REVISION | BY       | DATE   |
|----------|----------|--------|
| 1        | AS NOTED | 2/2/07 |
| 2        | AS NOTED | 2/2/07 |
| 3        | AS NOTED | 2/2/07 |
| 4        | AS NOTED | 2/2/07 |
| 5        | AS NOTED | 2/2/07 |
| 6        | AS NOTED | 2/2/07 |
| 7        | AS NOTED | 2/2/07 |
| 8        | AS NOTED | 2/2/07 |
| 9        | AS NOTED | 2/2/07 |
| 10       | AS NOTED | 2/2/07 |

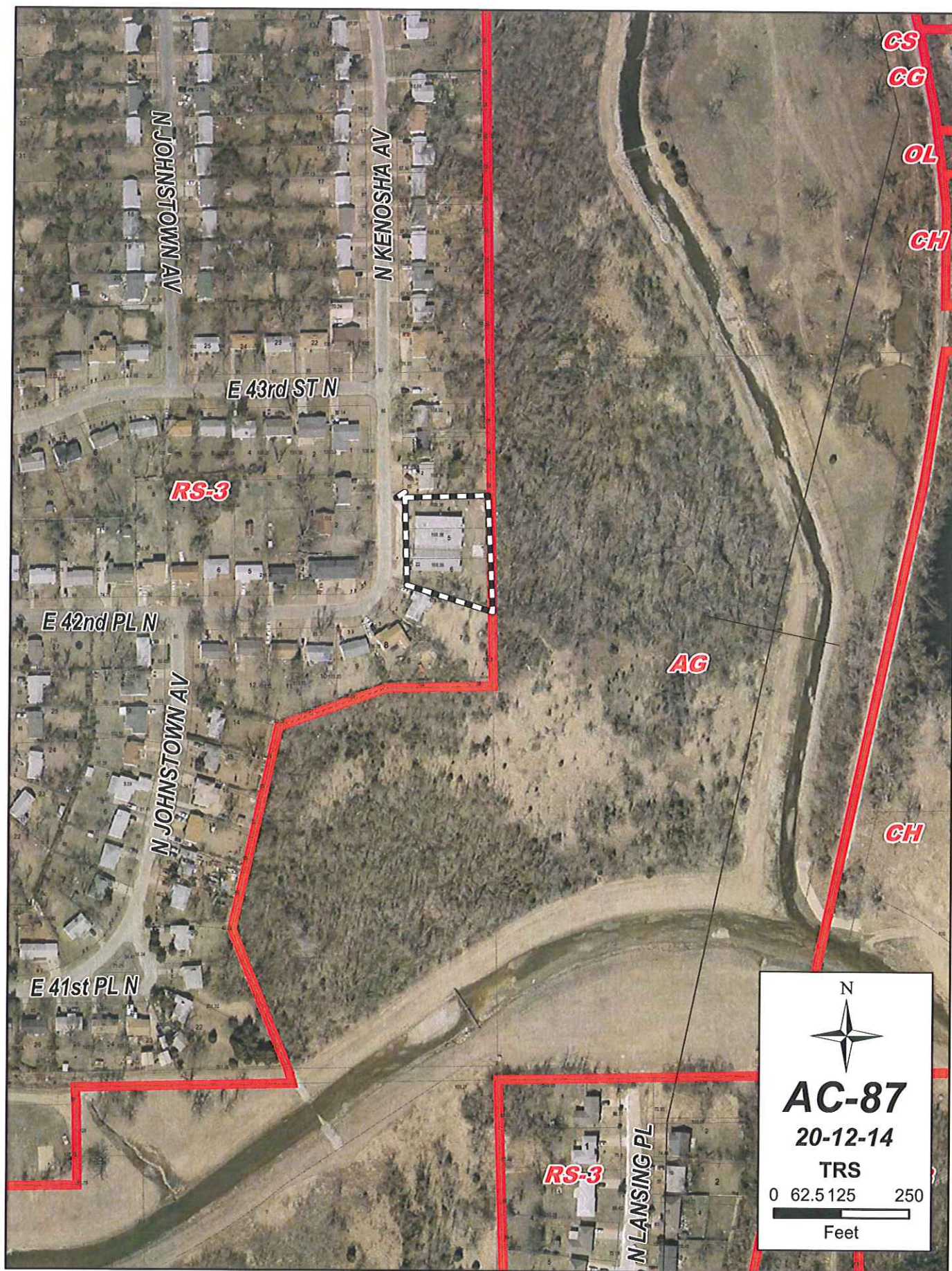
EXHIBIT B



8.7









April 15, 2009

## STAFF RECOMMENDATION

**AC- 87:** Alternative Compliance Landscape Plan – Southwest, of the southwest corner of 46<sup>th</sup> Street North and North Peoria Avenue; Lots 4, 5, and 6, Block 8 – Suburban Acres Amended; 4239 N. Kenosha Ave.; TRS 20 -12 -14; CZM 21; Atlas 517; PD 25; CD 1; RS-3.

The applicant is requesting TMAPC approval of an alternative compliance landscape plan. The proposed plan would reduce the required 5-foot wide landscape along the southern property line only, to vary between one-foot and three feet. The property is used as a neighborhood Child Care Center located at the address above. The use of the property, Use Unit 5 – Children's Nursery is a permitted use on the RS-3 zoned property via two Board of Adjustment cases (see Exhibits A and B).

When the facility was constructed in 1972 the day care center was an accessory use to a church facility. In 1972, as is true today of the zoning code, there were no parking requirements for an accessory day care facility located within a church. Subsequently, when the property changed to the current ownership in 2008 and became strictly day care center with no church use, the parking requirement of one space for every 500 square feet of floor area became a requirement.

Subsequently to add the required parking to the lot the applicant needed to return to the BOA to modify a previously approved plan. A condition of the approval of that BOA case (20676) was that a six-foot solid screened fence be placed along the entirety of the south boundary of the property, rightfully providing protection for the residentially used property to the south. In requiring the screening in combination with the odd shape of the lot (particularly the south lot line), and in order to construct the new required parking area according to the required standards of Chapter 13 of the Code (Off-street Parking and Loading Requirements) meeting the 5-foot landscape requirement along the south boundary, particularly along the western half of the lot line would be near impossible. In order to stay in compliance with the parking area requirements and meet the screening requirement imposed by the BOA, the applicant proposes the landscape plan depicted in Exhibit C as the alternative.

The Landscape chapter of the code (chapter 10) states that alternative compliance landscape plans may be approved so long as, "although not meeting the technical requirements of this chapter, it is *equivalent to or better than* the requirements of this chapter". Since the request is to reduce the landscape strip along the south boundary rather than eliminate it, and the applicant is meeting or exceeding all other landscape requirements, staff recommends **APPROVAL** of alternative compliance landscape plan LC-87.

7654

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts) to operate a children's day nursery in a church building in an RS-3 District located at 4239 North Kenosha Avenue.

Presentation:

A representative for Northland Day Care Child Development Center, Inc., was present and submitted a plot plan (Exhibit "E-1") to the Board.

Protests:

None.

Board Action:

On MOTION of Mrs. BLANKENSHIP, the Board (4-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts) to operate a children's day nursery in a church building per plot plan submitted in an RS-3 District on the following described tract:

Lots 4, 5, 6, Block 8, Suburban Acres  
Addition to the City of Tulsa, Oklahoma.

7658

Action Requested:

Minor Variance (Section 430 - Bulk and Area Requirements in Residential Districts - Under the Provisions of Section 1430) for a modification of front footage requirements to permit a lot-split (L-12915) in an RS-1 District located at 6528 North Madison Avenue.

Presentation:

The applicant, Melvira Carroll, was not present.

Remarks:

Mr. Jones advised the Board that the lot-split was denied by the Planning Commission on October 4, 1972, and that the application should be continued 30 days.

Protests:

None.

Board Action:

On MOTION of COHEN, the Board (4-0) continued application 7658 to November 2, 1972, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

7659

Action Requested:

Minor Variance (Section 280 - Structure Setback From Abutting Streets - Under the Provisions of Section 1430) for a modification of setback requirements to permit the erection of a sign 42' from the centerline of Peoria Avenue in a CS District located at 5822 South Peoria Avenue.

10.5.72:121(12)

**EXHIBIT A**

9.5

**Case No. 20676**

**Action Requested:**

Modification of a previously approved site plan to permit additional parking for an existing child care center in an RS-3 district, located: 4239 North Kenosha Avenue.

**Presentation:**

**Bill Cyganovich**, Project Manager, represented the applicant, for the modifications submitted to the Board (Exhibit B-1). The applicant was informed she needed ten additional parking spaces. They planned to put ten parking spaces on the south side of the building.

**Comments and Questions:**

Ms. Stead stated she would like to see screening on the south side of the parking lot.

**Interested Parties:**

There were no interested parties who wished to speak.

**Board Action:**

**FILE COPY**

On **Motion of Stead**, the Board voted 5-0-0 (White, Stephens, Henke, Stead, Tidwell "aye"; no "nays"; no "abstentions"; no "absences") to **APPROVE** a Modification of a previously approved site plan to permit additional parking for an existing child care center in an RS-3 district, with condition for a six-foot solid screening fence on the south side, per plan as shown on page 4.7 in the agenda packet, finding it will be in harmony with the spirit and intent of the code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, on the following described property:

LTS 4, 5, 6 BLK 8, SUBURBAN ACRES AMD, City of Tulsa, Tulsa County, State of Oklahoma

\*\*\*\*\*

**Case No. 20677**

**Action Requested:**

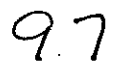
Special Exception to permit a carport in the required front yard in an RS-3 district (Section 210.B.10); and a Variance of the minimum side yard setback for a carport in the required front yard (Section 210.B.10.b, located: 2023 East Xyler Street North.

**Presentation:**

**John Jones**, 2023 East Xyler, stated his request. He stated the two-foot variance applies on the west side only (Exhibit C-1).

**EXHIBIT B.**  
05:13:08:979 (5)  
9.6

BoA 20676





**RIGGS, ABNEY, NEAL, TURPEN, ORBISON & LEWIS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS AT LAW  
FRISCO BUILDING  
502 WEST SIXTH STREET  
TULSA, OKLAHOMA 74119-1010  
(918) 587-3161  
Fax (918) 587-9708

JEANETTE AGRAFOJOLEVY  
GREGORY W. ALBERTY  
REBECCA V. AMENT  
JACK R. ANDERSON  
THOMAS M. ASKEVY  
RYAN J. ASSINK  
VADEN F. BALES  
LISA K. BICKLE  
DONALD M. BINGHAM  
WILLIAM A. BOYLES  
PETER W. BROJICK  
SCOTT W. BYRD  
JILL L. CHASE  
STEPHEN L. CORTES  
DOYNA MARIE DE SUONE  
ROBERT P. DEAN  
EDWARD D. DILLON  
JANET S. DUMONT  
IRA L. EDWARDS, JR.  
GEORGE M. EMERSON  
STEPHANE A. FLIND  
RICHARD A. GAWW  
BART T. GARBUIT  
RICHARD T. GARREN  
D. SHARON GENTRY  
PATRICK H. GREEN  
STEPHEN E. HALE  
MELVIN C. HALL

SHARON E. HAVAM  
ZACHERY R. HARGIS  
JERRI L. HILL  
HOLLY M. HILFMAN  
ROBERT E. HOWARD  
VAUGHN ISKARAN  
WILL GREGORY JAMES  
STEVEN JANSZEWSKI  
DEBORAH L. JOHNSTONE  
KISHON L. JONES  
MARTINE M. KENDRICK  
SARAH G. KENY  
SCOTT P. KIRLEY  
KRISTOPHER E. KOEPEL  
TERRY D. KORDEUSKI, II  
G. DIANE LEE  
JOSEPH P. LENNART  
TYLER D. LEONARD  
C. S. LEWIS, III  
MARY JEAN LITTLE  
LORI T. LOYDI-NEVES  
JANET O. MALLOW  
JOHN ROSS MALLOY  
MATT D. MATHESON  
RAYMOND A. MELTON  
J. PATRICK MENSCHING, JR.  
RICHARD A. MILDREN  
J. LYON MOREHEAD

ROBERT A. NANCE  
DAVID L. NEAL  
MARY L. NELMS  
MARGARET A. NURNERY  
TIMOTHY A. O'KEEFE  
JAMES C. ORBISON  
JYOTI PANDYA  
GEOFFREY L. PEARSON  
CHERYL A. PETERSON  
AMY M. PLANK  
JAMES R. POLAN  
RICHARD P. POORMON  
FRED RAHAL, JR.  
LISA R. RIGGS  
M. DAVID RIGGS  
STEPHEN B. RILEY  
RANDALL A. RINGQUEST  
MARY J. ROUNDS  
DEIRDRE A. SANTOSCOY  
JOHN E. SCIMPONE  
WILLIAM C. SEARCY  
KRISTEN E. SHILLINGTON  
ROBERT P. SKETH  
KENNETH M. SMITH  
SCOTT D. SMITH  
BETTY J. SOMMARS  
KIMBERLY V. SPARKS  
BEVERLY A. STEWART

STEPHANE L. THEBAN  
DAVID H. THOMAS  
HARLEY W. THOMAS  
REX W. THOMPSON  
CHERYL A. TOMAN  
SONJAM TREI  
MICHAEL G. TURPEN  
LINDA VAN ARKEL-GREUEL  
KAREN CARMEN WALSH  
SHARON K. WEAVER  
JOSEPH R. WELLS  
BRIAN S. WILKERSON  
LUCAS A. WIRTH  
JERRY L. WITT  
COURTNEY M. WOLIN  
MICHAEL P. WOMACK  
GARY W. WOOD  
TRACY S. ZAHN

Of Counsel  
Benjamin P. Abney  
E. Bryan Henson  
David P. Page  
Peter J. Rejan

February 26, 2009

INCOG

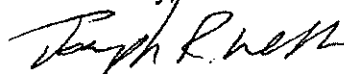
Attn: Jocelynne Feddis  
201 W. 5<sup>th</sup> Street, Ste. 600  
Tulsa, OK 74103-4236

RE: Request to Continue Lot Split 20096

Dear Ms. Feddis:

I am writing on behalf of my client, Crossroads Warehouse Center, L.L.C., regarding the pending lot split referenced above. This is a request to continue to pending lot split until the April 15, 2009 agenda with the Tulsa Metropolitan Area Planning Commission. Currently, the landowner is working on meeting the City of Tulsa's sewer requirements as well as the Fire Marshal's access requirements. Please feel free to contact me with any questions or comments.

Sincerely,



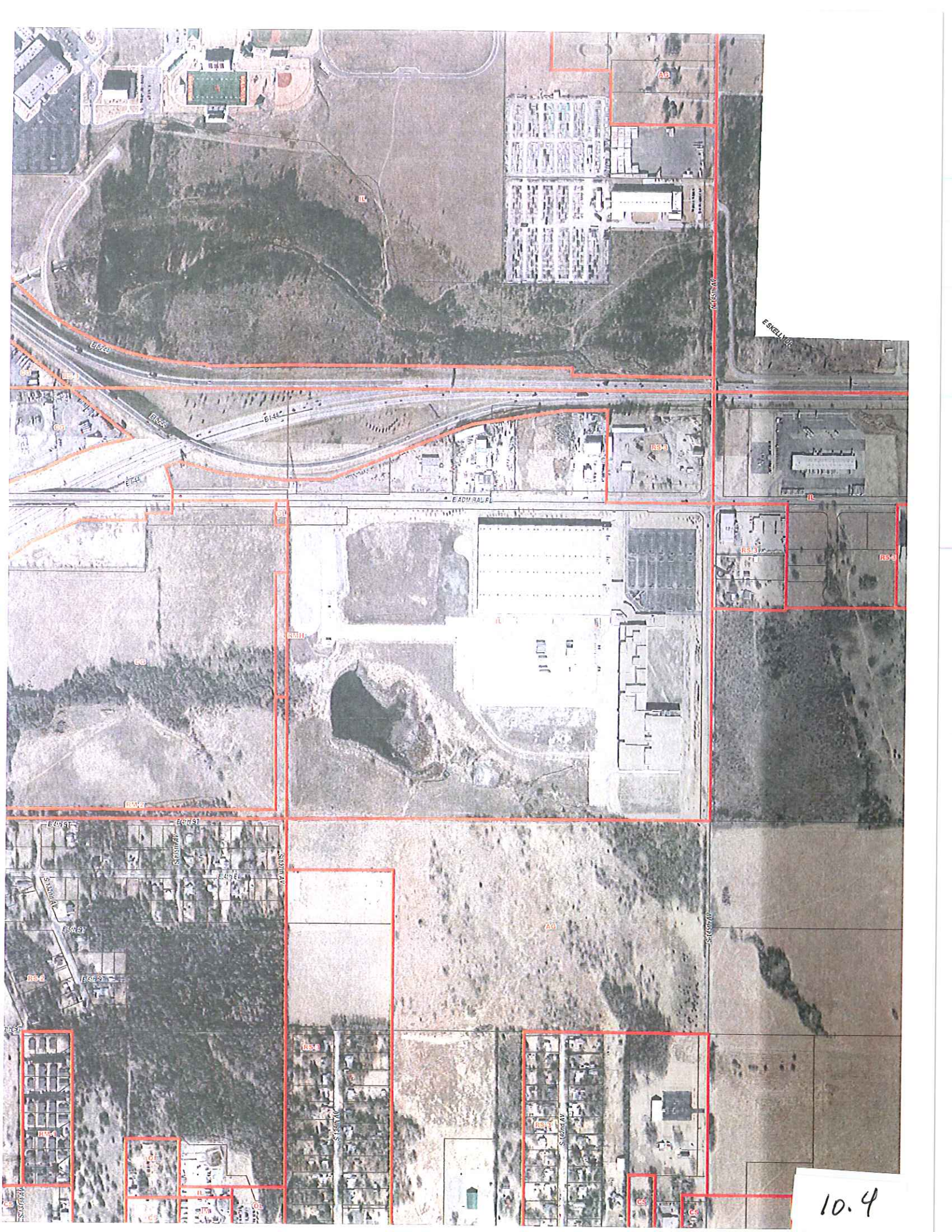
Joseph R. Wells



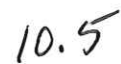
## STAFF RECOMMENDATION

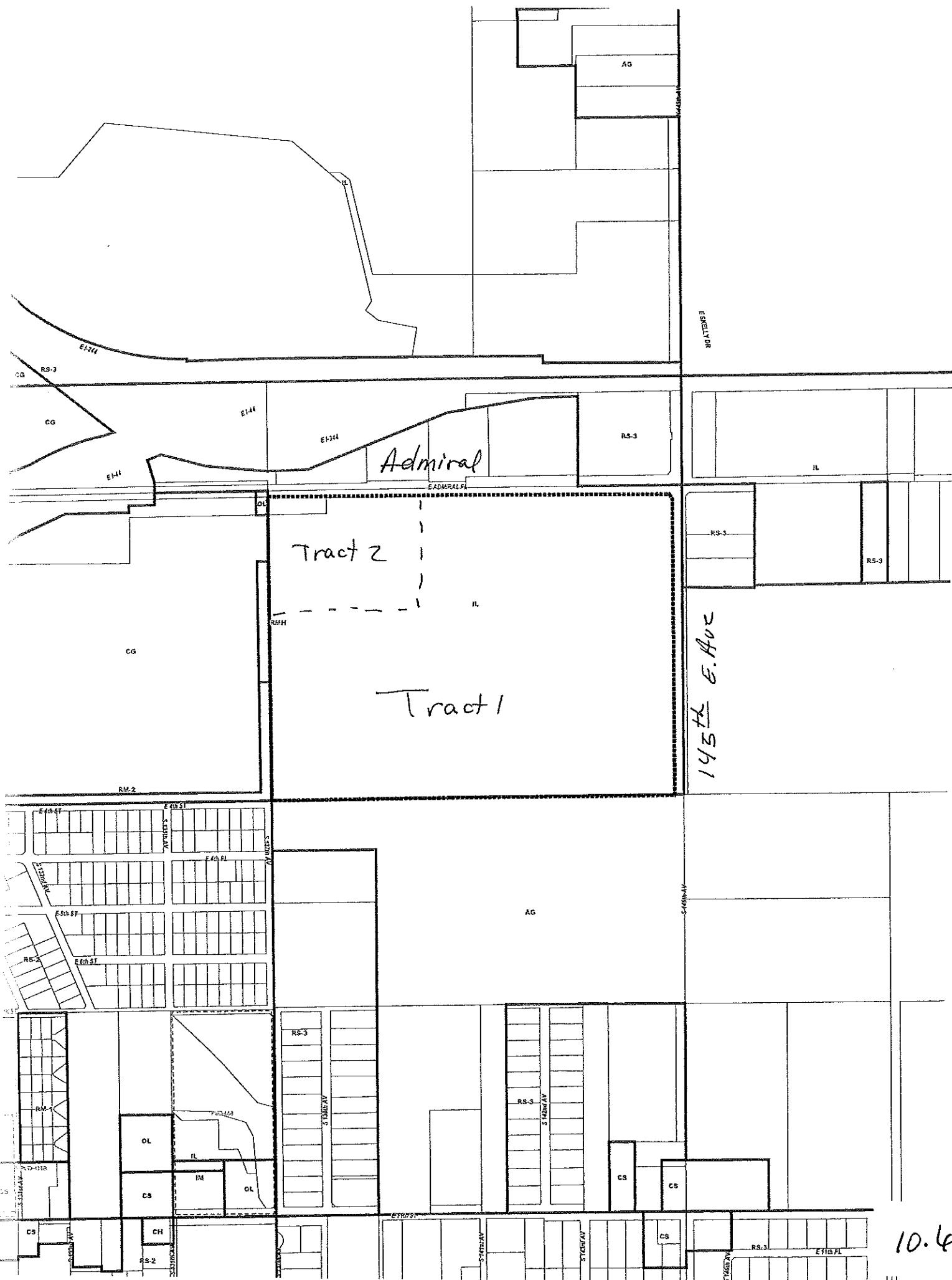
**LS-20096**      Joseph Wells (9404)/Lot-Split  
Southwest corner of East Admiral Place and South 145<sup>th</sup> Avenue, 420  
South 145<sup>th</sup> East Avenue

This parcel (Albertson Tulsa Distribution) is located at the corner of East Admiral Place and South 145<sup>th</sup> Avenue. The applicant is requested a lot-split of the property on April 20, 2007 however; due to unresolved concerns (dated 5/8/07) from the Fire Department, Storm water and Traffic Engineering staff recommends **DENIAL** until a full TAC (Technical Advisory Committee) review is completed. Staff also recommends that all conditions be included as a part of the Warranty Deed to ensure that they are filed of record on the property.



10.4





145th E. Ave

INCOG

**FAX**Date: 5-01-07No. of pages including cover sheet: 1

To:

Jodee Fish

Phone: 596-2514Fax: 699-3726

From:

Janet Chronister

Land Regulation Analyst

Phone: 584-7526Fax phone: 579-9574

REMARKS:

☐ Urgent☒ For your review☐ Reply ASAP☒ Please commentPlease review Lot Split Number L-50096 / Lot Combination LC-      Address 420 S. 19<sup>th</sup> E. Ave.☒ Water OK-A. Holdman 5/4/07☒ Sanitary Sewer A SANITARY SEWER mainline Extension to provide service to Tract 2 must be completed before the Lot split can be approved. L. Payne 05/08/07.☒ Stormwater Both Tracts Contain Cooley Creek City of Tulsa NSP39 Regulatory Floodplain. D. Spear 5/7/07☒ FIRE THE CUL-DE-SAC TO EAST SIDE OF TRACT 2 MUST REMAIN TO PROVIDE FIRE DEPARTMENT ACCESS FOR THE WEST SIDE OF THE TRACT 1 BUILDING. THE DRIVE COULD BE EXTENDED TO EADMIRAL PL AND DO AWAY WITH THE LOOP. THERE ALSO NEEDS TO BE A DRIVE TO GET TO THE TRACT 1 BUILDING. TW 5/8/07Referred to Janet 5/8/07A.P. 29710.7

## Chronister, Janet

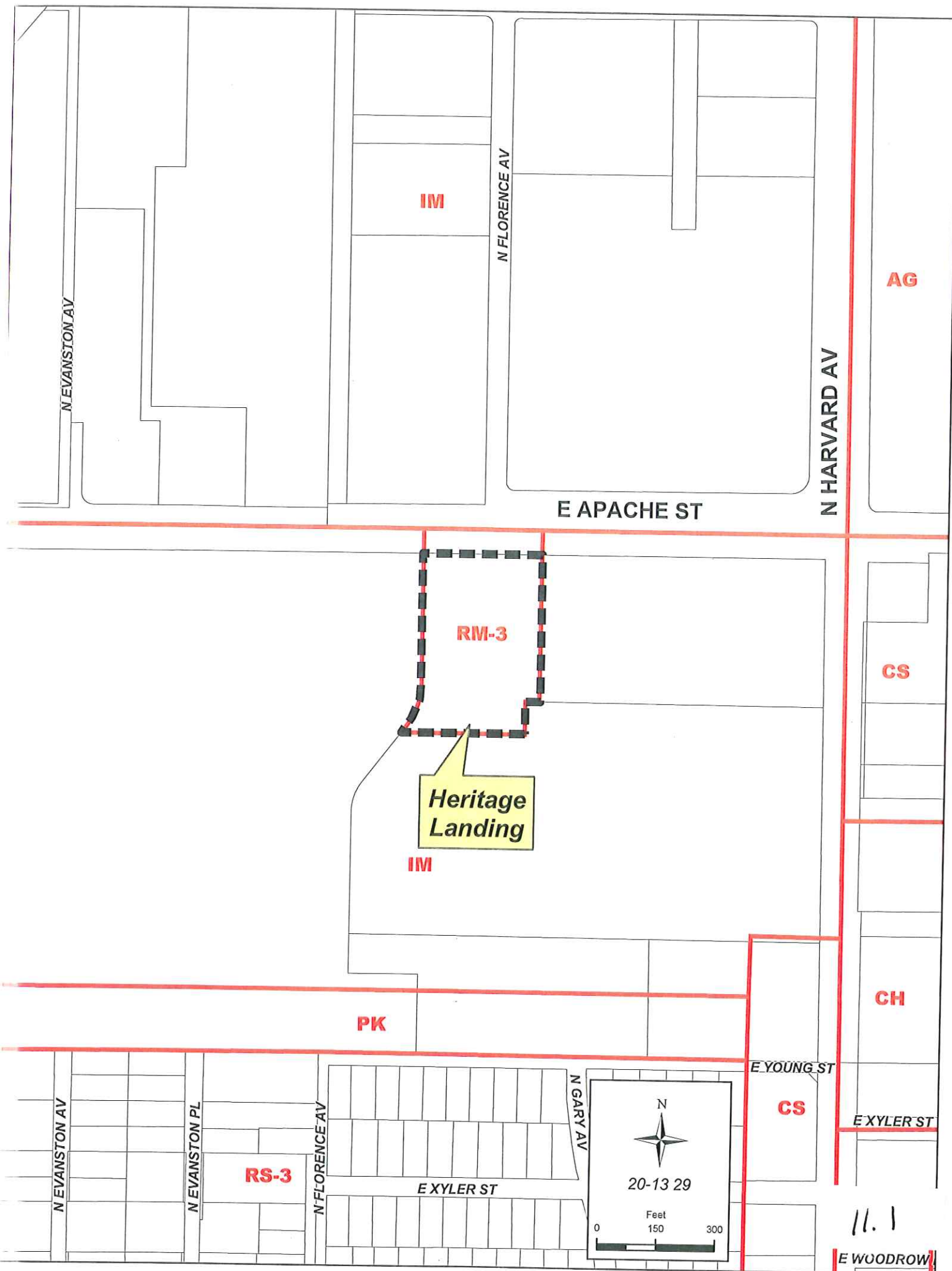
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**From:** Darryl French [DFRENCH@ci.tulsa.ok.us]  
**Sent:** Wednesday, May 02, 2007 10:07 AM  
**To:** Chronister, Janet  
**Subject:** L-20096 - Teng

Traffic Engineering has NO objection to the Lot-Split on Admiral PL at 145 E AV subject to a mutual Access Easement for the major drive to the industrial parking lot on T-1 and perhaps a Emergency access esmt. (satisfactory to the Fire Marshall) along the east side for what appears to be a fire access road with turnaround adjacent to the existing building.

Darryl D. French P.E.  
Traffic Control Engineer

dfrench@ci.tulsa.ok.us  
918-596-9753  
918-596-9713 Fax



IM

AG

E APACHE ST

N HARVARD AV

RM-3

CS

Heritage  
Landing

IM

PK

CH

RS-3

E YOUNG ST

CS

E XYLER ST

E XYLER ST

N GARY AV

N FLORENCE AV

N EVANSTON PL

N EVANSTON AV



20-13 29

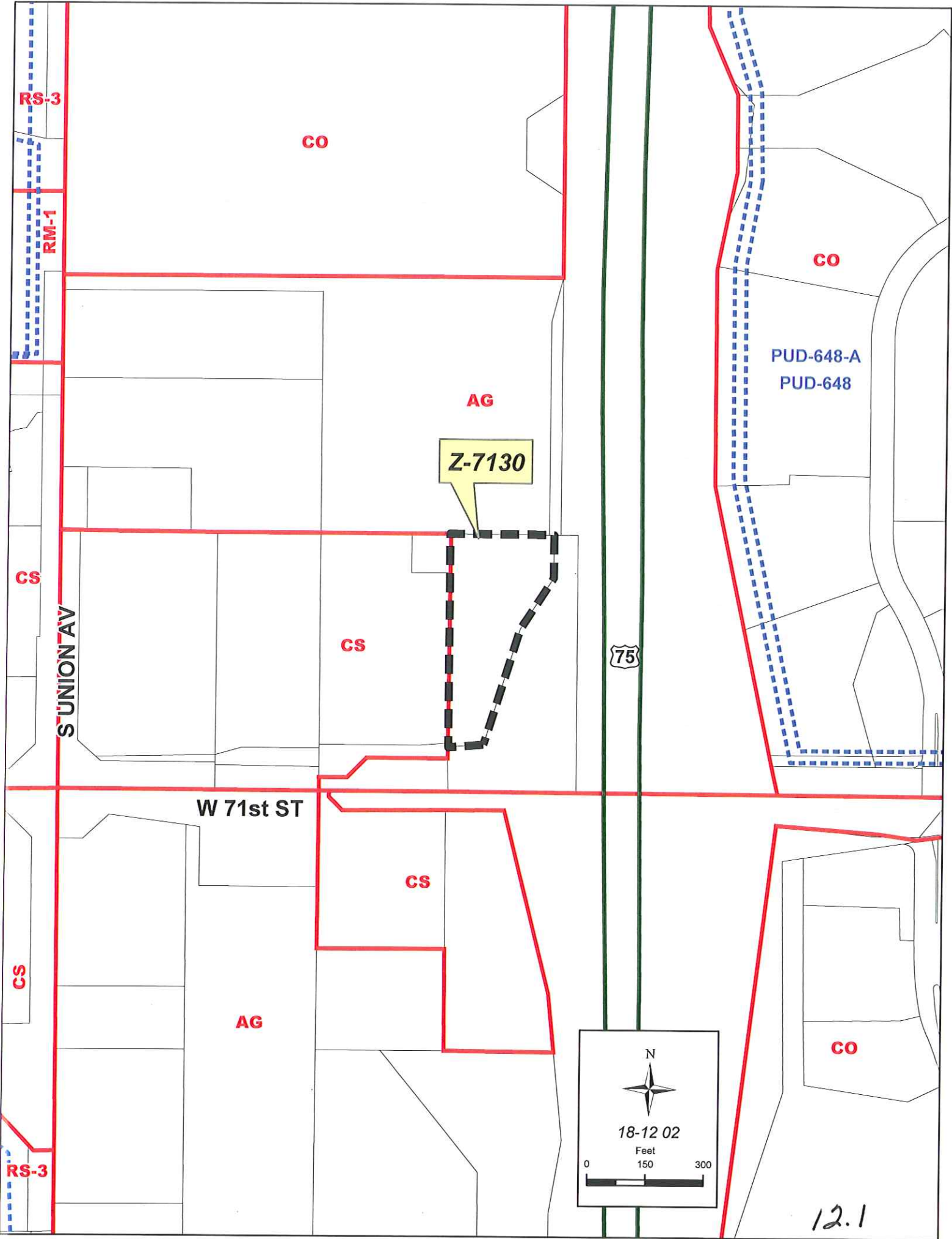
Feet

0 150 300

11.1

E WOODROW







S UNION AV

W 71st ST

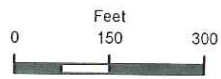
75

Subject Tract

Z-7130



18-12 02



Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: M / /

12.2



**Subject  
Tract**

**S UNION AV**

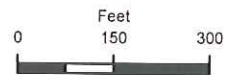
**W 71st ST**

**75**

**Z-7130**



**18-12 02**



*Note: Graphic overlays may not precisely align with physical features on the ground.*

*Aerial Photo Date: 11/11/18*

12.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT**

**APPLICATION: Z-7130**

**TRS 8202**

**Atlas 1012**

**CZM 51**

**PD-8 CD-2**

**TMAPC Hearing Date:** April 15, 2009

**Applicant:** New Life Pentecostal Church of Jenks, Inc.

**Tract Size:** 2.29± acres  
99,752.4± square feet

**ADDRESS/GENERAL LOCATION:** Northwest corner of Highway 75 South and West 71<sup>st</sup> Street South

**EXISTING ZONING:** AG

**EXISTING USE:** Vacant/ODOT ROW

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

**PROPOSED ZONING:** CS

**PROPOSED USE:** Uses permitted in CS, including outdoor advertising signage

**RELEVANT ZONING HISTORY:**

**Z-7122/PUD-768 February 2009:** All concurred in approval of a request for rezoning a 6.39+ acre tract of land from AG to OL/CS and a proposed Planned Unit Development for mixed use development including retail/office/hotel on property located east of the northeast corner of Highway 75 South and West 71<sup>st</sup> Street.

**Z-7120 December 2008:** A request was made, for rezoning a 5.4+ acre tract of land from AG to CS for CS uses and outdoor advertising sign, on property located south of southwest corner West 71<sup>st</sup> Street and Highway 75 South. The applicant withdrew the application prior to meeting date.

**Z-7119 December 2008:** A request was made, for rezoning a 2.3+ acre tract of land from AG to CS for CS uses and outdoor advertising sign, on property located on the northwest corner of West 71<sup>st</sup> Street and Highway 75 South *and the subject property*. The applicant withdrew the application prior to meeting date.

**BOA-20652 March 15, 2008:** The Board of Adjustment approved a verification of spacing requirement for an outdoor advertising sign of 1200 feet from another outdoor advertising sign on the same side of the highway, on property located at 1415 West 71<sup>st</sup> Street South and north and west of the northwest corner of West 71<sup>st</sup> Street South and Highway 75 South.

**Z-6001-SP-2/PUD-648-A June 2007:** All concurred in approval of a proposed Major Amendment to a PUD on a 55+ acre tract of land for a development with six development areas for office, restaurant, hotel and hospital uses on property located on the northeast corner of West 71<sup>st</sup> Street South and Highway 75 South.

12.4

**Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006:** All concurred in approval of a Corridor Site Plan on 176+ acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71<sup>st</sup> and West 81<sup>st</sup> Streets.

**Z-7008 March 2006:** All concurred in approval of a request to rezone a 43.6+ acre tract from AG/RS-3 to CO on property located East side of U. S. Highway 75 South between West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South for regional shopping center known as Tulsa Hills.

**Z-6966 February 2005:** Approval was granted on a request to rezone a 72+ acre tract located on the southeast corner of West 71<sup>st</sup> Street South and U. S. Highway 75 South from AG to CO. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, and was done when the annual plan updates were processed.

**Z-6967 February 2005:** Approval was granted on a request to rezone the 62+ acre tract located on the northeast corner of West 81<sup>st</sup> Street South and U. S. Highway 75 South, from AG to CO.

**Z-6001-SP-1/PUD-648 May 2001:** A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71<sup>st</sup> Street and U. S. High 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

**BOA-18428 June 8, 1999:** The Board of Adjustment approved a Variance to allow off-street parking on a lot other than lot containing the use; and a Variance of the required parking spaces from 67 to 18 to permit a new school and gymnasium; subject to a tie agreement, per plan submitted, on property located at 7001 South Union Avenue.

**PUD-606 May 1999:** All concurred in approval of a proposed Planned Unit Development a 30+ acre tract of land for single-family development of 15 dwellings on property located south of southwest corner of West 71<sup>st</sup> Street and South Union Avenue.

**BOA-17960 March 10, 1998:** The Board of Adjustment approved a Variance of the maximum height limit for an outdoor advertising sign from 50' to 80' for a period of not longer than 5 years or when the improvements to Highway 85 are completed, or whenever comes first, the sign will return to the height of 50' and at least 17 ½', on property located at.

**Z-6614 February 1998:** All concurred in approval of a request for rezoning a 4.73+ acre tract of land from AG to CS for commercial use, on property located west of the northwest corner of West 71<sup>st</sup> Street and Highway 75 South and abutting west of subject property

**Z-6589 May 1997:** A request to rezone a 5.8+ acre tract of land from AG to CS was approved for CS to a depth of 660' south from the center of the section line on West 71<sup>st</sup> Street South, with the balance of the tract to remain AG on property located south of the southwest corner of West 71<sup>st</sup> Street and U. S. Highway 75 South.

**Z-6468 January 1995:** All concurred in approval of a request to rezone a 5+ acre tract from AG to CS on property located on the southwest corner of West 71<sup>st</sup> Street and U. S. Highway 75 South.

#### **AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 2.29+ acres in size and is located at the northwest corner of Highway 75 South and West 71<sup>st</sup> Street South. The property appears

12.5

to be an undeveloped pasture and is zoned AG. It includes former ODOT right-of-way land that was acquired for the interchange but not needed.

**STREETS:**

| Exist. Access                      | MSHP Design   | MSHP R/W | Exist. # Lanes |
|------------------------------------|---|----------|----------------|
| West 71 <sup>st</sup> Street South | Secondary arterial at this point<br>and to the west | 100'     | 4              |

**UTILITIES:** The subject tract has municipal water and sewer available.

**SURROUNDING AREA:** The subject tract is abutted on the east by U.S. 75, zoned AG; on the north by vacant land, zoned AG; on the south by West 71<sup>st</sup> Street South, zoned AG; and on the west by a commercial shopping center, zoned CS. This area is rapidly developing.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being adjacent to the existing developed ODOT right-of-way (no specific land use or intensity), includes former ODOT right-of-way and is adjacent to Corridor/Medium Intensity-No Specific land use. According to the Zoning Matrix, the requested CS zoning **may be found** in accord with the Plan.

**STAFF RECOMMENDATION:**

Staff conversations with ODOT officials (March 26, 2009) indicate that ODOT will not oppose this particular use, which includes all CS uses and Use Unit 21 (outdoor advertising). Therefore, staff supports this application and recommends **APPROVAL** of CS zoning for Z-7130.

04/15/09



OKLAHOMA DEPARTMENT OF TRANSPORTATION  
200 N.E. 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105

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March 26, 2009

City of Tulsa  
Metropolitan Area Planning Commission  
201 Executive Center, Suite 600  
201 W. 5<sup>th</sup> Street  
Tulsa, Oklahoma 74103-4212



Re: Z-7130

The Planning & Research Division of the Oklahoma Department of Transportation has reviewed the proposed zoning amendment from AG to CS on the property located at the NW corner of US 75 South and South 71<sup>st</sup> Street West in Tulsa. Please be advised that any new or modified access to US 75 will require the approval of the ODOT Division 8 Engineer. For information concerning access and permits, please have the applicant contact the following:

Mr. Randle White, P.E., Division Engineer  
Oklahoma Department of Transportation  
P.O Box 660  
Tulsa, Oklahoma 74101  
918-838-9933  
918-832-9074 FAX

Please be advised that it is the local responsibility to prevent any land use development along highway corridors which would be incompatible with federal noise standards. Failure to properly control development excludes the use of federal transportation funds for noise abatement relief.

We appreciate the opportunity to review and comment on this proposed action.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ginger McGovern".

Ginger McGovern, P.E.  
Planning & Research Division Engineer

GM:DCB

c: Division 8 Engineer

