

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1865  
Wednesday, December 18, 1991, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Ballard	Harris	Gardner	Linker, Legal
Carnes		Hester	Counsel
Doherty, 1st Vice Chairman		Stump	
Draughon,		Wilmoth	
Horner			
Midget, Mayor's Designee			
Neely, 2nd Vice Chairman			
Parmeale, Chairman			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, December 17, 1991 at a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:42 p.m.

**Minutes:**

Approval of the minutes of December 4, 1991, Meeting No. 1863:  
On **MOTION** of **CARNES**, the TMAPC voted **9-0-1** (Ballard, Carnes, Doherty, Draughon, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; Horner abstaining; Harris "absent") to **APPROVE** the minutes of the meeting of December 4, 1991 Meeting No. 1863.

**REPORTS:**

Committee Reports

Comprehensive Plan Committee

Mr. Neely reported the Comprehensive Plan Committee met December 11, in work session to discuss the District 26 amendments. The Committee voted to recommend to the full Commission to hold a public hearing on January 8, 1992 to consider amending the District 26 Plan Map and Text.

**TMAPC Action; 10 members present:**

On **MOTION** of **NEELY**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to **DIRECT** staff to set a **PUBLIC HEARING** to consider amending

the District 26 Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area on January 8, 1992.

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Rules and Regulations Committee

Mr. Doherty advised the Committee needs to complete the *Parking Study* review. It was determined three (3) brown bag lunch meetings will be held, January 7, 8, and 9. Mr. Doherty requested the January 8, agenda include review of TMAPC's General Policies.

Budget and Work Program Committee

Ms. Wilson announced the Committee met in work session to discuss the *Blanket Rezoning Study*. Staff has a proposed schedule on implementation and the Committee decided to continue this item to January 8, to allow the Committee time to review the original report. They will then determine how to proceed. City Council has requested a schedule, which the Committee will work on. The District 1 Plan, having to do with the Tulsa Development Authority and DTU, is being reviewed and updated by individual sector. Dane Matthews gave the Committee suggestions as to proposed work which the Committee will review January 8, and the Committee will decide how to proceed.

Director's Report

Chairman Parmele advised the resolution amending the Major Street and Highway Plan, to reclassify North Yale Avenue from a primary arterial to a secondary arterial between I-244 and SH-11 (Gilcrease Expressway), and to reclassify North Memorial Drive from a primary arterial to a secondary arterial between I-244 and East Virgin Street, was adopted at the last TMAPC meeting. Staff has prepared the resolution for adoption.

TMAPC Action; 10 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to **ADOPT** the Resolution No. 1864:729 amending the Major Street and highway Plan: (a) to reclassify north Yale Avenue from a primary arterial to a secondary arterial between I-244 and SH-11 (Gilcrease Expressway), and (b) to reclassify North Memorial Drive from a primary arterial to a secondary arterial between I-244 and East Virgin Street.

\* \* \* \* \*

**SUBDIVISIONS:**

Preliminary Plat:

**Shadow Ridge Estates II (PUD 298)** (PD18) (CD8) (RS-3)  
E. 87th Street and S. 91st E. Avenue

Staff Recommendation

This plat has a sketch plat approval by TAC on 3/12/91, subject to the conditions as listed in the minutes of that date. The sketch plat covered additional land to the east and south that will eventually be developed and platted under the overall plan. This preliminary is the first phase of Shadow Ridge Estates II. A copy of the Minutes of the TAC on 3/12/91 was provided for information.

The Staff presented the plat with the applicant represented by Bob Schoen.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of *Shadow Ridge Estates II*, subject to the following conditions.

1. All conditions of PUD 298 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code, in the covenants.
2. 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 should be tied to or related to property lines and/or lot lines.
3. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
4. 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 owners(s) of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. (Verify approval of language shown on face of plat concerning sewer service to Lots 7, 8, & 9, Block 2.) Off-site work is required.
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa. Applicant may pay fee in-lieu-of on-site detention. Floodplain must be in a

separate "Reserve Area" maintained by a mandatory Homeowner's Association.

7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
- 8 Street names shall be approved by the Department of Public Works.
9. Show (\*) next to 15' building lines on face of plat, and include a note as follows: "Note 2: garages that access a side street with a 15' building line shall be set back 20 feet".
10. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.
11. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
12. All other Subdivision Regulations shall be met prior to release of final plat.

Comments and Discussion

Mr. Wilmoth advised the engineer was present and agreeable to all conditions.

TMAPC Action; 10 members present:

On MOTION of NEELY, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to recommend APPROVAL of the Preliminary Plat of Shadow Ridge Estates II, subject to conditions as recommended by staff.

\* \* \* \* \*

Sonic Center (Z-5620-SP-6) (2483) (PD-18) (CD-8) (CO)  
8130 East 91st Street South

Staff Recommendation

This plat is part of a Corridor Site Plan Review also scheduled for TMAPC on 12/18/91. The plat complies with the CO district plan as submitted for review by TMAPC. In the event any changes are made in the CO district conditions, they will be reflected on the plat if applicable. Condition #1 will cover any contingencies.

The Staff presented the plat with the applicant represented by Ted Sack.

On MOTION of MILLER, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of Sonic Center, subject to the following conditions:

1. All conditions of Corridor Site Plan Review and approval applicable to the plat shall be shown on face of plat or in covenants as per approved site plan. All conditions shall be met prior to release of final plat.
2. Utility easements shall meet the approval of the utilities. Show additional easements if required. Care shall be taken during the construction process around the existing gas, sewer, Continental pipeline and other utilities along 91st Street.
3. Due to the small size of the tract, waiver of Subdivision Regulations' scale requirement is recommended to permit the 1" = 20' as shown.
4. 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 owners(s) of the lot(s).
5. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa. (Detention requirements met by Oakleaf Pond.)
6. Access point shall be approved by the Department of Public Works (Traffic). (Traffic Engineering advises access might be restricted by the median. Verify location and coordinate with Traffic Engineering.)
7. 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.
8. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
9. All other Subdivision Regulations shall be met prior to release of final plat.

Staff Recommendation

This is a resubdivision of a long narrow strip of land platted in Willow Creek as one large lot. The PUD allowed a total of 10 dwelling units in Development Areas V-A and V-B. This plat proposes seven lots, and a minor amendment is pending to permit a 20' front building line on Lots 3-7. (20' was allowed by previous amendment on Lots 1 & 2.)

The Staff presented the plat with the applicant represented by Bill Lewis.

ONG advised they were checking actual location of gas line previously installed at the south end of Lot 7. (Should be in easement provided.)

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the PRELIMINARY plat of *Richmond Hills II*, subject to the following conditions:

1. All conditions of PUD 88-B-4 applicable to the plat shall be met prior to release of final plat.
2. On face of plat show: A block number. "7 lots, 2.19 acres" near the location map. Identify the existing 15' utility easement along the west edge of this plat.
3. Covenants:
  - (a) Page 1, last paragraph, 1st & 2nd lines:  
OMIT ..."dedicate for public use the streets shown on the accompanying plat, and does further..." (No streets are being dedicated. Already dedicated on previous plat.)
  - (b) Page 2, 1st Paragraph, 2nd & 3rd lines:  
OMIT: ..."together with similar rights in the street shown on said plat."
  - (c) Page 2, 2nd Paragraph, 4th line, after the word "assigns" **ADD**: ..."and the City of Tulsa with respect to Section I, Paragraph 3 and Section II, Paragraph 1"
  - (d) Page 2, Section I.A. **ADD** how or who will maintain Reserve A.
  - (e) Page 4, item B, first line; should read "Tract V-B" instead of VII.
4. 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 owners(s) of the lot(s).



Interested Parties

**Jacqueline Langford**

**6909 South Oswego Avenue**

Ms. Langford advised that at the time she purchased her home she understood that a greenbelt was to be behind her home and no one would be able to build. She feels the lots proposed are too small for building.

In response to a question from Mr. Parmele, Mr. Gardner responded that when the PUD was first approved all property east of Richmond was for apartments. The greenbelt was to be the buffer between the single-family and the apartments. However, it has all been down graded back to single-family. The purpose of the original buffer is no longer valid since there are no apartments to buffer from now.

**Dean Hamilton**

**6923 South Oswego Avenue**

Mr. Hamilton also expressed that the proposed lots are too small for building. The homes on Oswego have 40', 50', and 60' back yards. The proposed houses behind his home will have a very minimal back yard.

Applicant's Rebuttal

Mr. Lewis advised the records he reviewed indicated the green belt was at the south end of the property for greenbelt and detention pond and the area north of 67th Street North. He pointed out there will be a small strip of green belt left on the south end of the plat in conformance with the PUD and covenants associated with Willow Creek.

Review Session

In response to a question from Mr. Draughon, Mr. Lewis replied the owner of this property also owns Richmond Hills I and the detention pond was built on the greenbelt to the south.

Ms. Wilson expressed understanding of interested parties not liking the idea of having homes built behind them. She pointed out the zoning is RS-3 and as far as moving the homes closer to the street she sees no problem with that.

Mr. Gardner pointed out although the applicant is proposing seven lots there are only four houses that are comparable lot sizes to the lots backing up to them. Twelve homes will back on to these seven homes. Not everyone will have a home behind them. Only four of the seven lots are spaced close together, conventional lot types. They are in the 8,800 SF range. The others are larger, but narrower.

Mr. Neely expressed concern with reducing the front yard requirement from 30' to 20' in a residential collector street.

**TMAPC Action; 10 members present:**

On **MOTION** of **WILSON**, the TMAPC voted 8-1-1 (Ballard, Doherty, Draughon, Horner, Midget, Parmele, Wilson, Woodard, "aye"; Neely, "nay"; Carnes "abstaining"; Harris "absent") to recommend **APPROVAL** of the Preliminary Plat of Richmond Hills II, and the Minor Amendment to PUD 88-B-4 subject to staff conditions.

\* \* \* \* \*

Southern Pointe Third (1583) (PD-18) (CD-8)  
East 91st Street and South Hudson Avenue

(RS-3)

Chairman Parmele announced the applicant has requested the item be continued to January 22, 1992.

**TMAPC Action; 10 members present:**

On **MOTION** of **HORNER**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to **CONTINUE** Southern Pointe Third to January 22, 1992.

\* \* \* \* \*

**FINAL APPROVAL AND RELEASE**

NE Okla. Rehab. Hospital (formerly BSA) (2393) (PD-17) (CD-7)  
NE/c E. 33rd St. & S. 79th East Avenue

(IL, CS)

**Staff Recommendation**

Mr. Wilmoth advised staff is recommending final approval and release.

**TMAPC Action; 10 members present:**

On **MOTION** of **WILSON**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to recommend **APPROVAL** of NE Oklahoma Rehab. Hospital **RELEASE** same as having met all conditions of approval as recommended by staff.

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Shadow Ridge Park Second (PUD-298-8) (1383) (PD-18) (CD-8) (RS-3)  
E. 88th Court and S. 92nd East Avenue

Staff Recommendation

Mr. Wilmoth advised staff is recommending final approval and release.

TMAPC Action; 10 members present:

On **MOTION** of **WILSON**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to recommend **APPROVAL** of Shadow Ridge Park Second (PUD-298-8) and **RELEASE** same as having met all conditions of approval as recommended by staff.

\* \* \* \* \*

WAIVER REQUEST; SECTION 213: OR SECTION 260

BOA-15882 (Unplatted)(St. Simeon's Home)(1302) (PD-25)(CD-1)  
3701 North Cincinnati Avenue (RM-2, RS-3)

Staff Recommendation

This is a request to waive plat on a 2.9 acre tract owned by St. Simeon's Episcopal Home, which will be used for expansion of the existing facility. Applicant provided a brief summary. The existing facilities were not subject to platting and the current BOA application covers only the tract as shown on the map. (When originally established, the use was a "use by right" in the existing multi-family zoning.) Since the expansion planned extended into the RS-3 zone, a Board application was required, which created the platting requirement on the extended tract.)

Since it is interior, under the same ownership as the existing facility, and no streets and/or other public improvements are required, Staff recommended approval subject to the following:

1. Grading and/or drainage plan approval by the The Department of Public Works(Stormwater) through the permit process. (Fee in-lieu for net imperviousness can be paid.)
2. Extension of utilities as needed, including easements therefore if required. (None?)
3. Assure that adequate fire protection will be provided. (Water lines, fire hydrants and access)

The applicant was represented by Ted Sack and Kevin Coutant.

On **MOTION** of **FRENCH**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the waiver of plat on BOA-15882, subject to the conditions outlined by Staff and TAC.

**TMAPC Action; 10 members present:**

On **MOTION** of **CARNES**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to **APPROVE** the Waiver of Plat for BOA #15882 St. Simeon's Home as recommended by staff.

\* \* \* \* \*

**CZ-194 Unplatted Puryear (1890) (PD-23)** (County)  
26500 West 21st Street South

(IL)

**Staff Recommendation**

This is a request to waive plat on a tract of approximately 12-1/2 acres in three parcels owned by the same party. The property already contains several rental houses, an office, business building and boat storage facilities. The zoning application was recently approved for IL by the County Commission, and an application is pending for a use variance from the County Board of Adjustment (11-19-91) Case #1046 to permit the various uses.

Ordinarily a tract of this size would be recommended only for platting and not a waiver. However, since most of the uses have already been established, the tract is not on an arterial street and ownership of all three tracts is the same, it may merit consideration for a waiver of the platting requirement. The following criteria should be followed if approval is recommended:

1. The tract should remain all under one ownership. If any attempt to lot-split and/or subdivide, then a plat should be required.
2. City-County Health Department approval.
3. Grading and/or drainage plan approval by County Engineer for any new construction if required by that department in the permit process.

Note that statutory right-of-way exists along West 21st Street in the amount of 49.5 feet. Air photo indicates this is open along the north frontage of this tract and about 700' on to the west. An additional 5.25' of right-of-way would be required on each side of the section line to total a minimum of 60' standard non-arterial street right-of-way. Applicant had no objection to an additional 5.25' of right-of-way.

Staff also advised that there had been some concern regarding drainage, so this was specifically called to the attention of County Engineering prior to this meeting. (No large scale topo was available on this area.)

The applicant was represented by Mr and Mrs. Puryear who explained the development plans, including information on how the drainage is presently handled. TAC had no particular problems with any of this development, including existing septic systems and drainage.

On MOTION of SILVA, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the waiver of plat on CZ-194, subject to the conditions outlined by Staff and TAC.

The applicant was present at the TMAPC meeting and concurred with the staff recommendation.

**TMAPC Action; 10 members present:**

On MOTION of WILSON, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to recommend **APPROVAL** of CZ-194 Unplatted, 26500 West 21st Street South.

\* \* \* \* \*

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

- . L-17471 Jones (1792) (PD-9) (County) 6240 W. 22nd St. S.
- L-1758 Foyil (3691) (PD-23) (County) 5689 S. 86th W. Ave.
- L-17494 HUD ( 283) (PD-18) (CD-8) 6810 S. 78th E. Ave.
- L-17495 Perry (2883) (PD-26) (CD-8) 10328 S. Sandusky Ave.
- L-17496 TDA (3602) (PD-2) (CD-1) 600 Block Marshall St.

**Staff Recommendation**

Mr. Wilmoth stated the above listed lot splits do meet regulations. Staff recommends approval.

**TMAPC Action; 10 members present:**

On MOTION of MIDGET, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to **RATIFY** the above listed lot splits having received prior approval.

\* \* \* \* \*



(Z-6340) for CS zoning on the same tract. The Comprehensive Plan designates the area a Medium Intensity-Linear Development Area.

The proposed PUD is in accordance with the Linear Development guidelines. The PUD proposes three tenants with a combined floor area of 56,500 SF if one of the tenants is a restaurant and 61,000 SF if all three tenants are retail establishments. The 35' wide perimeter landscaped area along 71st Street in front of Woodland Hills Mall is proposed to be continued along the entire frontage of this PUD.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 479 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 479 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 (Net)** 218,033 SF

**Permitted Uses** As permitted by right within the CS district

**Maximum Floor Area:**

* Tenant "A"	-	Restaurant	5,500 sq. ft.
Tenant "B"	-	Retail	18,200 sq. ft.
Tenant "C"	-	Retail	32,800 sq. ft.
TOTAL			56,500 sq. ft.

\* (10,000 if retail)

**Maximum Building Height:** 30 ft.

**Minimum Building Setbacks:**

from centerline of Memorial	120 ft.
from West boundary	50 ft.
from East boundary	20 ft.
from North boundary	0 ft.

**Parking Ratio:** As provided within the applicable use unit

**Minimum Interior Landscaped  
Open Space:**

11% of net area

**Signs:**

Ground Signs:

Ground signs shall be limited to two signs to be located along 71st St., one of which shall be a monument sign not exceeding 8 feet in height, nor exceeding a display surface area of 96 square feet, and one sign may be a pylon sign not exceeding 25 feet in height nor exceeding a display surface area of 192 sq. ft.

Wall or Canopy Signs

The aggregate display surface area of wall or canopy signs shall be limited to one square foot per lineal foot of the building wall to which the sign or signs are affixed. Wall or canopy signs shall not exceed the height of the building.

**Access:**

A maximum of three access points to 71st Street shall be permitted with one of them at the existing median break.

3. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan, which includes all buildings and requiring parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
5. No sign permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan 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 shall be screened from public view.
7. All parking lot lighting shall be directed downward and away from adjacent residential areas.

8. The Department of Stormwater Management or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
9. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's Office or TMAPC grants a waiver of the platting requirement and the necessary PUD covenants are recorded by separate instrument.

Applicant's Comments

Mr. Roy Johnsen advised the conditions outlined by staff are acceptable to the applicant

TMAPC Action; 8 members present:

On MOTION of WILSON, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Harris, Midget, Woodard "absent") to recommend APPROVAL of Z-6340 and PUD 479 subject to conditions recommended by staff.

Z-6340 Legal Description

All that part of Woodland Hills Mall Extended, an addition to the City of Tulsa, situated in the W/2 SW/4 SE/4 and the E/2 SE/4 SW/4, Section 1, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma according to the U.S. Government Survey thereof, more particularly described as the south 270' of the following tract: Beginning at a point in the east boundary of said E/2 SE/4 SW/4 60.00 feet from the southeast corner thereof; thence due west parallel to and 60.00 feet from the south boundary of said E/2 SE/4 SW/4 a distance of 15.00 feet; thence N 53° 07' 48" W a distance of 0.00 feet; thence on a curve to the right having a radius of 50.00 feet a distance of 46.36 feet; thence due north a distance of 104.03 feet; thence on a curve to the left having a radius of 230.00 feet a distance of 159.04 feet; thence on a curve to the right having a radius of 45.00 feet a distance of 20.63 feet; thence due east a distance of 97.41 feet to a point in the common boundary of said W/2 SW/4 SE/4 and E/2 SE/4 SW/4; thence due east a distance of 659.80 feet to a point in the east boundary of said W/2 SW/4 SE/4; thence. S 0° 05' 52" W along the east boundary of said W/2 SW/4 SE/4 a distance of 309.00 feet to a point 60.00 feet from the southeast corner thereof; thence due west parallel to and 60.00 feet from the south boundary of said W/2 SW/4 SE/4 a distance of 659.74' to the point of beginning, containing 5.00535 acres from PK (Parking) and AG (Agriculture) to CS (Commercial Shopping Center).

PUD 479 Legal Description

All that part of Woodland Hills Mall Extended, an addition to the City of Tulsa, situated in the W/2 SW/4 SE/4 and the E/2 SE/4 SW/4, Section 1, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma according to the U.S. Government Survey thereof, more particularly described as follows, to-wit: Beginning at a point in the east boundary of said E/2 SE/4 SW/4 60.00 feet from the southeast corner thereof; thence due west parallel to and 60.00 feet from the south boundary of said E/2 SE/4 SW/4 a distance of 15.00 feet; thence N 53° 07' 48" W a distance of 0.00 feet; thence on a curve to the right having a radius of 50.00 feet a distance of 46.36 feet; thence due north a distance of 104.03 feet; thence on a curve to the left having a radius of 230.00 feet a distance of 159.04 feet; thence on a curve to the right having a radius of 45.00 feet a distance of 20.63 feet; thence due east a distance of 97.41 feet to a point in the common boundary of said W/2 SW/4 SE/4 and E/2 SE/4 SW/4; thence due east a distance of 659.80 feet to a point in the east boundary of said W/2 SW/4 SE/4; thence. S 0° 05' 52" W along the east boundary of said W/2 SW/4 SE/4 a distance of 309.00 feet to a point 60.00 feet from the southeast corner thereof; thence due west parallel to and 60.00 feet from the south boundary of said W/2 SW/4 SE/4 a distance of 659.74' to the point of beginning, containing 5.00535 acres from PK (Parking) and AG (Agriculture) to CS (Commercial Shopping Center).

\* \* \* \* \*

ZONING PUBLIC HEARING:

Informational Purposes Only

**Application No.:** PUD 480                      Present Zoning: CH, CS, & RM-2  
**Applicant:** Jewel Osco  
**Location:** East of the SE/c of E. 91st Street & South Memorial Dr.  
**Date of Hearing:** December 18, 1991  
**Presentation to TMAPC:** Charles Norman

Chairman Parmele announced notice was not sent out as required to those living within 300' of the application. TMAPC has been advised that legally they cannot make a decision today as to the PUD application. He acknowledged many people had taken time off work to appear and be heard and apologized for the oversight. Mr. Parmele advised one option would be to hold the public hearing on January 15, and that proper notice be sent out to those living within 300' of the proposed development. He advised that a briefing could be made by the applicant outlining their proposal and have an informal question and answer session for those having concerns. He requested that the merits of the case not be discussed today.

After discussion among the interested parties in attendance, Ms. Jill Tarbel, District 6 Planning Team Chair, announced that she would hold a daytime and night time meeting in regard to this issue. The date and time will be announced through local publications. She requested a public hearing be set for January 22, which would allow more time for area residents to hold meetings to discuss the proposal.

Mr. Parmele assured those whose names were on the sign-in sheet that they will be notified as to the date and time of the next meeting by staff. Staff will also make sure all those living within 300' of the proposed project are properly notified.

Ms. Wilson suggested that since numerous people were present who may or may not be able to attend a January 22, meeting, the Planning Commission should consider receiving their comments in a briefing format for their benefit. She stressed that everyone needed to clearly understand the Planning Commission will not be voting on this item today and no decision will be made.

An interested party complained that the sign advertising the public hearing has been lying face down for most of the time it was at the location. He requested that an effort be made to better secure the sign.

Mr. Carnes requested January 22, 1992 be established as the public hearing date for this item.

Mr. Charles Norman, attorney representing the applicant, declared they regret the oversight as much as anyone. He has concerns with respect to contractual obligations concerning completion of the zoning process. They had hoped for a hearing date of January 15, in order to reach the City Council in an expedient manner.

Ms. Tarbel advised interested parties were concerned with the often inclement January weather.

In response to a question from Mr. Midget, Mr. Norman replied an additional delay in the public hearing would prove a hardship to the applicant unless an early transmittal to the City Council would be possible. He pointed out the applicant was also losing 30 days due to the oversight of the notice mailing.

Mr. Midget assured Mr. Norman that staff could work to ensure an early transmittal. He added that January 22, would be a more reasonable time frame. Those in attendance to oppose PUD 480 were in agreement with the January 22 date for public hearing.

Chairman Parmele announced that January 22, would be an appropriate date for the public hearing along with a request for early transmittal.

TMAPC Action; 10 members present:

On MOTION of CARNES, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to SET A PUBLIC HEARING for January 22, 1992, at 1:30 p.m., in the Francis Campbell City Council Room, Plaza Level, Tulsa Civic Center.

\* \* \* \* \*

Chairman Parmele announced there would be a short briefing from Mr. Norman and then the Planning Commission would entertain any questions interested parties may have.

Applicant's Comments

Mr. Norman gave a summary of the applicant's proposal for development. He gave a brief description of the proposed store's operations and details about surrounding properties. Mr. Norman pointed out there would be no change in existing zoning patterns.

There was then a question and answer period. There were questions regarding access points and traffic flow. In response to a question from Mr. Draughon, Mr. Norman responded this would be a 24 hour operation. Many patrons will be shift workers. It has been discovered there are less problems with vandalism or inappropriate activity around a store site if it is occupied during night hours.

In response from Chairman Parmele regarding TMAPC action toward more landscaping, Mr. Norman pointed out that landscaping is incorporated in the interior of the proposed parking areas.

Interested Parties

**Clark Phipps**

**1432 E. 33rd Street**

Mr. Phipps questioned Mr. Norman concerning their market studies and if he would be willing to share the results.

Mr. Norman replied a market analysis had been done. He discussed traffic patterns and noted the nearest Jewel Osco store is three (3) miles away. Mr. Norman stated his client would not care to share the internal market analysis.

Mr. Phipps asked the number of anticipated trucks entering the location per week.

Mr. Norman replied less than 10 panel type trucks per week that serve the drug side and 8 semi-trucks, and 8-12 delivery type trucks would serve the grocery store.

Mr. Phipps asked about traffic flow analysis to neighborhoods that surround this site to the northeast.

Mr. Norman described the proposed entrance points to the store. He described possible traffic flows. He noted the amount of commercial activity anticipated at the intersection would not overburden the street system, particularly since the streets have been improved to the arterial standards.

**William Watson** **4108 South St. Louis Avenue**  
Mr. Watson expressed concern of where the 18-wheelers would enter the parking lot.

**Gabrille Jones** **1122 E. 36th St. 74105**  
Ms. Jones was concerned with fencing and landscaping requirements separating commercial and residential.

Chairman Parmele responded that a screening fence would be required in such a situation. He informed Ms. Jones that the Planning Commission could require screening for a PUD even if City Code did not require screening.

**Michael Bates** **3823 S. Riverside**  
Mr. Bates expressed concern with overall neighborhood impact. He feels this location is not a typical arterial intersection and the proposed development would constitute a major change in the character of the neighborhood. Mr. Bates stated the nearness of buildings to Peoria Avenue is what characterizes Brookside. This makes it a pedestrian friendly street. He expressed concern that the proposed construction would destroy this. He also expressed concern the proposed Jewel Osco could cause other grocery stores in the area to close and become a blight on the neighborhood. He feels the area could not support three large supermarkets clustered in the same area. He feels the overall atmosphere of the community will be drawn down. Mr. Bates asked if sidewalks will be a part of the proposed construction.

Mr. Norman responded that at present no sidewalks are planned, but could possibly be incorporated.

**Dorothy Watson** **4108 South St. Louis Ave.**  
Ms. Watson asked what items were considered in planning.

Mr. Parmele responded the basics are the Comprehensive Plan, Development Guidelines, and physical facts surrounding the property.

Ms. Watson asked when the planning is being considered by staff if flooding is a matter of concern.

Mr. Parmele replied Stormwater Management supplies a report regarding areas of concern and they will approve any plans through the planning process.

There were no other interested parties wishing to address the Planning Commission. Chairman Parmele thanked those present for their patience and understanding concerning this matter.

\* \* \* \* \*

**ZONING PUBLIC HEARING:**

**Application No.:** Z-5620-SP-6

**Present Zoning:** CO

**Applicant:** Swab-Fox

**Location:** East of the SE/c of E. 91st Street & South Memorial Dr.

**Date of Hearing:** December 18, 1991

**Presentation to TMAPC:** Charles Norman

**Staff Recommendation**

The applicant has submitted a Corridor Site Plan for a Sonic drive-in restaurant. After review of the development standards and site, landscape and sign plans, staff finds the proposal to be 1) consistent with the Comprehensive Plan; 2) in harmony with existing and expected development of surrounding areas; 3) a unified treatment of the development possibilities of the project site; 4) designed with proper accessibility, circulation and functional relationships of users; and 5) consistent with the stated purposes and standards of the Corridor District.

Therefore, Staff recommends **APPROVAL** of Corridor Site Plan Z-5620-SP-6 subject to the following conditions:

1. The applicant's Corridor Site Plan Text, Detail Corridor Site Plan, Screening and Landscape Plan and Detail Sign Plan be made a condition of approval, unless modified herein.

2. **DEVELOPMENT STANDARDS:**

**LAND AREA:**

Gross	.81 Acres	35,250 SF
Net	.60 Acres	26,250 SF

**PERMITTED USES:**

Use Unit 18, Drive-In Restaurant.

**MAXIMUM BUILDING FLOOR AREA:** 1,500 SF

**MAXIMUM BUILDING HEIGHT:** 18 FT

**OFF-STREET PARKING:**

As shown on the Detail Corridor Site Plan with a minimum of 6 spaces for employee parking.

**MINIMUM BUILDING SETBACKS:**

From the centerline of E. 91st Street	100 FT
From the south property line	40 FT
From the west property line	60 FT
From the east property line	60 FT

**MINIMUM CANOPY SETBACKS:**

From the centerline of E. 91st Street	100 FT
From the south property line	30 FT
From the west property line	0 FT
From the east property line	5 FT

**LANDSCAPED AREA:**

A minimum of 10% of the net land area shall be improved as internal landscaped open space. Internal landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas, and pedestrian areas but does not include any parking, building or driveway areas.

**SIGNS:**

1. One ground sign shall be permitted along the East 91st Street frontage which shall not exceed 25 feet in height and 150 square feet of display surface area.
2. Wall or canopy signs shall be permitted not to exceed in the aggregate of 1.0 square feet of display surface area per lineal foot of the building wall to which attached.

**MECHANICAL AND EQUIPMENT AREAS:**

All trash, mechanical and equipment areas within the site shall be screened from public view.

Comments and Discussion

The applicant expressed agreement with staff conditions.

**TMAPC Action; 10 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to recommend **APPROVAL** of the Corridor Site Plan (Z-5620-SP-6).

Legal Description

A tract of land that is part of the NW/4 of Section 24, T-18-N, R-13-E, of the Indian Base and Meridian according to the U.S. Government survey thereof in the City of Tulsa, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit: Starting at the northwest corner of said NW/4; thence N 89°-37'-44" E along the northerly line thereof for 235.00; thence due south for 60.00' to the "point of beginning" of said tract of land, said point also being the northeast corner of "Star Center", an addition to the City of Tulsa, Tulsa County, Oklahoma; thence N 89° -37'-44" E of said NW/4 for 150.00'; thence due south 175.00'; thence S 89°-37'-44" W for 150.00' to the southeast corner of Star Center;

thence due north along the easterly line of "Star Center; for 175.00' to the "point of beginning" of said tract of land.

**TMAPC Action; 10 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to recommend **APPROVAL** of the Preliminary Plat of Sonic Center, waiving the subdivision regulations to permit a 1" 20' scale, subject to staff conditions.

\* \* \* \* \*

**OTHER BUSINESS**

**PUD 207-10:      Minor Amendment to reduce the required front yard --**  
9821 S. Lakewood Place    Lot 12, Block 4 of Mill  
Creek Pond

The applicant is requesting a reduction in the required yard from 10' to 8' to eliminate an encroachment of an existing dwelling on Lot 12, Block 4 of Mill Creek Pond. A number of other minor amendments have been approved to reduce the 10' required yard. Since this is an existing structure and needs the amendment to clear title, staff recommends **APPROVAL** of PUD 207-10 as requested, but only for the existing structure.

**TMAPC Action; 10 members present:**

On **MOTION** of **WILSON**, the TMAPC voted 10-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris "absent") to **APPROVE** PUD 207-10 for the existing structure only.

\* \* \* \* \*

**PUD 187-20:      Minor Amendment for reduction of a required yard --**  
northwest corner of E. 63rd Street and S. 75th E. Avenue

**Staff Recommendation**

The applicant is requesting a reduction in the 15' required yard abutting S. 75th E. Avenue to 6' to allow placement of an 8' x 10' detached portable storage building. The applicant feels this is the only place that is appropriate for this building. Staff feels there is nothing unusual about the lot which would justify such a large reduction in the required yard. Also its placement 6' from the street right-of-way increases its impact.

Staff therefore, recommends **DENIAL** of minor amendment PUD 187-20.

Applicant's Comments

**Susan Lugar**

**7333 E. 63rd Place South**

Ms. Lugar advised there are obstacles in her yard to prevent moving the building elsewhere. The structure currently is within a privacy fence in the side yard. Because of an easement and a sewer line running underneath, it is not possible to move the building to the back fence. The applicant stated the City Sewer Department will not allow the building to sit on the sewer line. Another possible site would be within the building line. Ms. Lugar stated most of the objections which have been raised are because the building protrudes above the privacy fence. Trees have been planted around the building.

Ms. Wilson asked staff where a better location for the building might be.

Mr. Stump advised the applicant has the option to place the structure anywhere beyond the building setbacks. It appeared to staff it could be placed in a number of locations in the rear yard. This could possibly require removal of a tree or impact a tree requiring cutting of limbs.

Ms. Lugar commented there were several large trees in her back yard and she prefers not removing them to accommodate the storage building.

Mr. Parmele expressed surprise that Ms. Lugar was advised it was not possible to place the storage building on the easement.

Ms. Lugar advised that Gary Bennett and Bob Hunt from the Public Works came to view at the structure and denied the request to move it on the easement; she was advised the building was too heavy

Mr. Draughon asked Mr. Linker to comment on the legality of placing a portable building over a sewer line.

Mr. Linker advised that portable structures the City feels are too heavy have been prohibited from being placed over the sewer line.

Ms. Lugar advised her Homeowners Association gave approval for the design, appearance, and placement of the structure.

Review Session

Mr. Doherty advised that TMAPC recently sent the City Council recommendation on RVs that would prohibit parking an RV at this location. He feels it would be inconsistent to allow a building where an RV could not be parked. He sympathizes with the applicant, noting the structure is behind a fence, but it is in a side yard.

Mr. Parmele advised that photographs presented indicate the topography of the lot and sloping would cause the building to be more obtrusive should it be moved back inside the building line. Ms. Lugar has obtained permission of the homeowners association.

Mr. Draughon asked for clarification. A permanent building needs to be 3' inside the property line, but if portable does it have the same requirement.

Mr. Gardner replied that since this is a corner lot the structure must be inside the building set back line. At present the structure sets outside the building setback line.

**TMAPC Action: 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted 5-3-0 (Ballard, Carnes, Draughon, Horner, Parmele, "aye"; Doherty, Neely, Wilson "nays"; no "abstentions"; Harris, Midget Woodard "absent") to **APPROVE** Minor Amendment PUD 187-20 for reduction of a required side yard abutting a street to 6' for a detached accessory building only.

\* \* \* \* \*

**PUD 93-1:           Minor Amendment to reduce required front yards ---**  
northwest of the northwest corner of E. 61st Street  
and S. Memorial Drive

The applicant is requesting a reduction of the required 10' front yard on E. 59th Street South to allow for existing encroachments of 7 carports on Lots 2 thru 8, Block 1 of The Falls Apartments and eight balconies on Lot 1, Block 2, of the Falls. The carport encroachments range from 3.72' to 6.35'. The balconies from 0.26' to 3.74'.

Staff feels the existing encroachments being either above ground or open roofed structures lessens the impact and since they have existed for many years should be approved.

Therefore, Staff recommends **APPROVAL** of minor amendment PUD 93-1 as requested, **BUT ONLY FOR THE STRUCTURES AS THEY EXIST AT THE TIME OF THIS APPROVAL.**

**TMAPC Action: 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Harris, Midget, Woodard "absent") to **APPROVE** PUD 93-1 Minor Amendment to required yard for existing structures subject to staff conditions.

\* \* \* \* \*

**PUD 357-A-4: Minor Amendment to increase the number of ground signs, Detail Site and Sign Plan Review -- east of the southeast corner of E. 71st Street and S. Quincy Avenue.**

The applicant is requesting that the limitation of one ground sign on 71st Street be amended to one pole sign of a reduced size and one monument sign. Most of the shopping center (Lot 1A) in the PUD has been purchased by the Tulsa Regional Medical Center for use as a satellite center for south Tulsa. The remainder of the center (Lot 1-B) is owned by Alfredo's Restaurant which presently is allowed the only ground sign on 71st Street. It is allowed to be up to 25' high with a maximum display surface area of 205 SF.

The Regional Medical Center is proposing to remove 10 parking places fronting 71st Street and replace it with a landscaped area which contains their monument sign. It is also proposed that the Alfredo's sign be reduced to 18' in height and 75 sq. ft. of display surface area. Staff can support the amendment since the size of the pole sign is being significantly reduced and the other ground sign would be a monument sign with only 60 sq. ft. of copy area in the middle of a new landscaped area. Because of the conversion of the shopping center to medical offices and clinics, the loss of the 10 parking spaces will not produce a shortage of off-street parking. Therefore, staff recommends **APPROVAL** of the following amendments for ground signs on 71st Street and the reduction of 10 off-street parking spaces.

Lot 1-A

One monument ground sign fronting 71st Street with a maximum height of 7-1/2 ' and display surface area of 184 sq. ft. and maximum copy area of 60 sq. ft.

Maximum Floor area: 43,135 SF, but Use Unit 12 uses shall not exceed 8,000 SF

Lot 1-B

One ground sign is permitted on 71st Street not exceeding 18' in height nor 75 sq. ft. of display surface area.

If the above amendment is approved, staff recommends **APPROVAL** of the Detail Site and Sign Plans.

A letter from Alfredo's expressing their consent of this reduction in signage was made a part of the record.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; Draughon "abstaining"; Harris, Midget, Woodard "absent") to **APPROVE** PUD 357-A-4 subject to staff recommendations and **APPROVE** the revised Detail Site and Sign Plans.

\* \* \* \* \*

**PUD 179-S:           Detail Site, Landscape and Sign Plans and Declaration of Covenants for Development Area "A".**  
-- East of the southeast corner of E. 71st Street and S. 92nd E. Avenue.

Staff has reviewed the Detail Plans for the *Sonic* restaurant in Area "A" and finds them to be in conformance with the PUD development standards. Therefore, Staff recommends **APPROVAL** of the Detail Site, Landscape and Sign Plans for the Sonic Restaurant in Development Area "A" of PUD 179-S. As of December 12 the ordinance rezoning PUD 179-S has not been published, therefore this approval should be conditioned upon publishing of the rezoning ordinance for PUD 179-S.

Staff recommends **APPROVAL** of the proposed Declaration of Covenants.

**TMAPC Action; 8 members present:**

On **MOTION** of **NEELY**, the TMAPC voted 8-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Neely, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Harris, Midget, Woodard "absent") to **APPROVE** the Detail Site, Sign and Landscape Plans and Declaration of Covenants for Development Area "A" of PUD 179-S contingent on publication of the PUD ordinance.

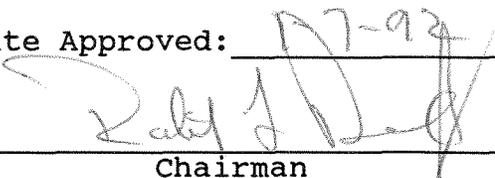
\* \* \* \* \*

Chairman Parmele requested staff review the overall procedures involving approval of zoning by the City Council due to the lengthy delay from the time the TMAPC transmits its recommendation to the time the ordinance is published. He asked for a meeting to be set with Bob Gardner, a representative from legal, a representative from City Council, engineering, mayor's office and himself. It is his understanding it is taking approximately 30 days from the time the Council approves zoning to get the ordinance back for the first reading. Mr. Parmele declared the process needs to be streamlined.. He asked this meeting be held in early January.

Mr. Gardner advised there had been a similar meeting questioning why once there is the hearing and the zoning has been approved there must be so many readings.

There being no further business, the Chairman declared the meeting adjourned at 3:42 p.m.

Date Approved: 11-7-92

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary