

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1889
Wednesday, June 24, 1992, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Buerge	Gardner	Linker, Legal
Broussard, Secretary	Carnes	Hester	Counsel
Doherty, Chairman	Neely	Stump	
Horner	Parmeale		
Midget, Mayor's Designee	Selph		
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, June 23, 1992 at 10:08 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:43 p.m.

Minutes:

Approval of the minutes of June 10, 1992, Meeting No. 1887:

On **MOTION** of **WILSON**, the TMAPC voted **5-0-1** (Ballard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; Broussard "abstaining"; Buerge, Carnes, Neely, Parmele, Selph "absent") to **APPROVE** the minutes of the meeting of June 10, 1992 Meeting No. 1887.

REPORTS:

Chairman's Report

Chairman Doherty announced that staff has suggested the date for the public hearing on the Adult Entertainment Business Study be changed from July 22, 1992 to July 15, 1992, due to the heavy agenda for July 22, 1992. It was the consensus of the Planning Commission to set the date for the public hearing for the Adult Entertainment Business Study for July 15, 1992.

Committee Reports

Budget and Work Program Committee

Ms. Wilson reported the Budget and Work Program Committee has given staff the responsibility of final plans and arrangements for the July 7, 1992 Training Workshop. Ms. Wilson asked Mr. Gardner the results of the final City budget approval.

Mr. Gardner advised there were no changes made affecting TMAPC or INCOG.

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ZONING PUBLIC HEARING

Application No.: **CZ-200** Present Zoning: RS
Applicant: Earl J. Rose, Sr. Proposed Zoning: CG
Location: East of the northeast corner of 113th W. Avenue and 54th
Street South
Date of Hearing: June 24, 1992
Presentation to TMAPC: Earl J. Rose, Sr.

Relationship to the Comprehensive Plan:

The District 23 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential

According to the Zoning Matrix the requested CG District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 8.5 acres in size and is located east of the northeast corner of 113th West Avenue and 54th Street South. It is partially wooded, gently sloping, vacant, and is zoned RS.

Surrounding Area Analysis: The tract is abutted on the north, east and south by vacant property zoned RS and on the west by single-family dwellings zoned RS.

Zoning and BOA Historical Summary: No non-residential zoning has been approved abutting the tract, but IL zoning was approved at the northeast corner of 113th West Avenue and 56th Street South, and CS zoning was approved east of the southeast corner of 113th W. Avenue and 51st Street South.

Conclusion: The tract does not have access to a paved road and is 330' from 113th West Avenue. It is approximately one-quarter of a mile from the nearest intersection of arterial streets (51st Street, highway 97), and is completely surrounded by RS zoning. A request for any type of commercial zoning on this tract is spot zoning and contrary to the Comprehensive Plan and Development Guidelines. Commercial zoning would also be incompatible with the single-family dwellings to the west which are between this subject tract and the nearest paved street (113th W. Avenue).

Therefore, Staff recommends **DENIAL** of CG or any lesser non-residential zone.

Applicant's Comments

Mr. Rose explained that although this property is zoned residential, it would be impossible to construct housing because of the inability to get water to the property. He further explained this tract is surrounded by a wooded area on the north and east.

Interested Parties

Jerry R. Noble, Sr.	5235 S. 113th W. Ave.	74063
King Brown, Jr.	5237 S. 113th W. Ave.	74063
Louise Anderson	P.O. Box 580424	74158
Lenore Richardson	5411 S. 113th W. Ave.	74063

The above listed individuals voiced their objections to the proposed flea market for the following reasons:

It would be too close to existing residences.

Concerns were voiced over anticipated increase of traffic problems the flea market would produce.

Applicant's Rebuttal

Mr. Rose advised that he contacted each resident in the area when he began planning this project approximately two years ago. At that time residents expressed no opposition to the plans he presented to them.

TMAPC Review Session

Mr. Broussard declared that, considering the area is zoned residential, he fails to see how the Planning Commission could justify a request for CG zoning. He recommended accepting staff's recommendation to deny the request.

TMAPC Action; 6 members present:

On MOTION of BROUSSARD, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to DENY CZ-200 for CG zoning as recommended by staff.

Chairman Doherty advised Mr. Rose of the appeal process.

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ZONING PUBLIC HEARING

Application No.: Z-6362 Present Zoning: RM-2
Applicant: Jim Trickett Proposed Zoning: CG
Location: Southwest corner of East 2nd Street & South Victor Avenue
Date of Hearing: June 24, 1992

Chairman Doherty announced Mimi Alexander, who resides in California, requested a continuance to July 1, 1991 for this item.

The applicant questioned the reason for continuance.

Chairman Doherty explained Ms. Alexander states in her letter that she will not be in Tulsa until July 1, 1992.

The applicant acknowledged agreement to the continuance.

TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to CONTINUE Z-6362 to July 1, 1992.

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ZONING PUBLIC HEARING

Application No.: Z-6363 & PUD 490 Present Zoning: AG
Applicant: Pitmann-Poe & Assoc. Inc. Proposed Zoning: RE/PUD 490
Location: Southwest corner of South Sheridan Road & E. 131st St.
Date of Hearing: June 24, 1992

Chairman Doherty announced receipt of a timely request for continuances of PUD 490 and Z-6363 to July 1, 1992.

There were no interested parties present.

TMAPC Action; 6 members present:

On MOTION of HORNER, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to CONTINUE Z-6363 and PUD 490 to July 1, 1992.

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ZONING PUBLIC HEARING

Application No.: Z-6364 Present Zoning: RS-3
Applicant: Steven K. Eaton Proposed Zoning: CH
Location: Northwest of the east corner of Sycamore & Southwest
Boulevard
Date of Hearing: June 24, 1992

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity and Corridor District.

According to the Zoning Matrix the requested CH District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 0.23 acres in size and is located northwest of the east corner of Sycamore and Southwest Boulevard. It is wooded, gently sloping, vacant, and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by the Red Fork Expressway zoned RS-3; on the east by a single-family dwelling zoned RS-3 and commercial businesses zoned CH; on the south by commercial businesses zoned CH; and on the west by the Red Fork Expressway and a small vacant tract zoned RS-3.

Zoning and BOA Historical Summary: Since construction of the Red Fork Expressway, the subject property has been wedged between the expressway and the commercial on Southwest Boulevard. Other tracts in this situation to the northeast have been rezoned CG.

Conclusion: Since CH zoning is the dominant commercial zoning in the area and there is now an off-street parking requirement in the CH District, staff can support the rezoning request as a logical extension of the district to the expressway boundary.

Therefore, Staff recommends **APPROVAL** of Z-6364 for CH zoning.

There were no interested parties present.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to recommend **APPROVAL** of Z-6364 for CH zoning as recommended by staff.

Legal Description

A tract of land located west of the northwest corner of W. 38th Place and Southwest Boulevard and described as Lots 1, 2, and 3, Block 4, Clinton Heights, an Addition to the Town of Red Fork, Oklahoma, now an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof; Less and Except the following described tracts of land, to-wit: A strip, piece or parcel of land lying in Lots 2 and 3, Block 4, of Clinton Heights Addition to the Original Townsite of Tulsa, in Tulsa County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at the Northeast corner of said Lot 2, thence Southeasterly along the East line of said Lot 2 a distance of 87.27'; thence S 31°31'39" W a distance of 103.58' to a point on the West line of said Lot 3, thence Northwesterly along said West line a distance of 114.55' to the Northwest corner of said Lot 3, thence Northeasterly along the North line of said Block 4 a distance of 100' to the point of beginning, containing 0.23 acres, more or less, together with all abutters rights, including all rights to access from the remaining portion of grantors land onto the Limited Access Highway to be constructed on the above described property, including all rights to light, air, or view therefrom. And Less and Except: A strip, piece or parcel of land lying in Lot 1, Block 4 of Clinton Heights Addition to the Original Townsite of Tulsa in Tulsa County, Oklahoma. Said parcel of land being described by metes and bounds as follows: Beginning at the Northeast corner of said Lot 1, thence Southeasterly along the East line of said Lot 1, a distance of 73.64' thence S 31°31'39" W a distance of 51.79' to a point on the West line of said Lot 1, thence Northwesterly along said West line a distance of 87.27' to the Northwest corner of said Lot 1, thence Northeasterly along the North line of said Lot 1 a distance of 50' to Point of Beginning, containing 0.09 acres, more or less, together with all abutters rights including all right to access from the remaining portion of grantors land onto the Limited Access Highway to be constructed on the above described property, including all rights to light, air or view therefrom.

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ZONING PUBLIC HEARING

Application No.: Z-6365 Present Zoning: AG
Applicant: Greg Breedlove Proposed Zoning: RS-3
Location: East side of Yale Avenue at East 87th Place South
Date of Hearing: June 24, 1992
Presentation to TMAPC: Ed Schermerhorn

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 12 acres in size and is located on the east side of S. Yale Avenue at East 87th Place South. It is nonwooded, flat, vacant, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north, east and west by single-family dwellings zoned RS-3 and on the south by single-family dwellings zoned RM-1 and PUD 354 and mid-rise office building zoned RS-3 and PUD 269-A.

Zoning and BOA Historical Summary: Other tracts in the surrounding area have been zoned RS-3.

Conclusion:

RS-3 zoning would be consistent with zoning patterns in the area.

Therefore, Staff recommends **APPROVAL** of Z-6365 for RS-3 zoning.

TMAPC Comments

Mr. Midget asked if this tract would be developed before Southern Pointe III is completed.

Mr. Schermerhorn responded that he expected the two developments to begin development at approximately the same time.

Mr. Midget asked how the construction road will be handled.

Mr. Schermerhorn advised construction traffic will use Yale Avenue. He disclosed this will be adjacent to Southern Point I, and will have 40 lots and curvilinear streets.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to recommend **APPROVAL** of Z-6365 for RS-3 zoning as recommended by staff.

LEGAL DESCRIPTION

A tract of land located at 89th Street and S. Yale and described as S/2, S/2, NW/4, SW/4 and SW/4, SW/4, NE/4, SW/4 of Section 15, T-18-N, R-13=E, containing 12.5 acres more or less.

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Other Business:

PUD 88-B-5: Minor amendment of required front yard -- Located at 4363 East 70th Street South (Lot 11, Block 4 Richmond Hills)

The applicant is requesting a minor amendment of the required 30' front yard to 25' to permit an existing encroachment (single-family dwelling under construction). After field investigation and review of the submitted stemwall survey, it can be seen the lot is irregular in shape and only a portion of the structure will encroach. In addition, the subject lot contains significant relief, sloping from the southeast to northwest, which restricts the buildable area. The TMAPC has permitted similar encroachments within the PUD. Staff finds the request minor in nature and consistent with the original PUD.

Therefore, Staff recommends **APPROVAL** of the minor amendment to 25' for required front yard on Lot 11, Block 4, Richmond Hills for PUD 88-B-5.

There were no interested parties present.

TMAPC Comments

Ms. Wilson commented that the Planning Commission has discussed the need for including foundation surveys in the subdivision regulations. She cited this as an example of the need to expedite the foundation survey requirement.

TMAPC Action; 6 members present:

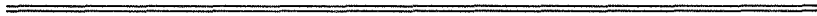
On **MOTION** of **WILSON**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to **APPROVE** the minor amendment PUD-88-5.

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PUD 179-C Detail Landscape Plan Review - Area D
 Located west of the southwest corner of East 71st
 Street South and South 85th East Avenue

The applicant is requesting Detail Landscape Plan approval for Development Area "D", Burger King, which received Detail Site Plan approval on February 26, 1992. Staff has reviewed the submitted plans and find them to exceed the required 3,000 square feet landscaped open space. In addition, the proposed landscape will enhance the commercial appearance of the building and be consistent with existing landscape in the area.

Therefore, staff recommends **APPROVAL** of the Detail Landscape Plan for Development Area "D" of PUD 179-C per the submitted drawings.



PUD 179-C Detail Sign Plan Review - Area D
 Located west of the southwest corner of East 71st
 Street South and South 85th East Avenue

Staff has reviewed the submitted Detail Sign Plan for the Burger King restaurant and find them to be consistent with both the permitted signage of the approved Detail Site Plan and 1103.B.2 of the Tulsa Zoning Code.

Therefore, staff recommends **APPROVAL** of the Detail Sign Plan for Development Area "D" of PUD 179-C, as presented.

There were no interested parties present.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to **APPROVE** the Detail Landscape Plan and Detail Sign Plan for Development Area "D" of PUD 179-C as recommended by staff.

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PUD 267 Revised Detail Site Plan
Southeast corner of 101st Street South and Sheridan Road

The applicant is proposing to expand the Texaco convenience store at the southeast corner of 101st Street South and Sheridan Road from 528 SF to 880 SF. Staff has reviewed the proposed addition and finds it to be in conformance with the PUD Development Standards. Therefore, staff recommends **APPROVAL** of the Revised Detail Site Plan for the Texaco gas station and convenience store in PUD 267.

There were no interested parties present.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to **APPROVE** the Revised Detail Site Plan for the Texaco convenience store in PUD 267.

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PUD 300 Development Area "A" - Revised Detail Site Plan
Northeast corner of 81st Street South and Sheridan Road

The applicant is proposing to expand the Texaco convenience store at the northeast corner of 81st Street South and Sheridan Road from 528 SF to 880 SF. Staff has reviewed the proposed addition and finds it to be in conformance with the PUD Development Standards. Therefore, staff recommends **APPROVAL** of the Revised Detail Site Plan for Development Area "A" of PUD 300.

There were no interested parties present.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to **APPROVE** the Revised Detail Site Plan for Development Area "A" of PUD 300.

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PUD 206 Detail Sign Plan Review - Food Lion
Located south of the southwest corner of East 91st Street
South and South Sheridan Road

Staff has reviewed the submitted detail sign plan for Food Lion #22 and finds it to be in accordance with the original PUD. The plan proposes one monument sign 5' X 13' on South Sheridan and wall signage consistent with that allowed by the Zoning Code.

Therefore, staff recommends **APPROVAL** of the detail sign plan for PUD 206 - Food Lion, as presented.

Interested Parties

Bethany B. Vaughn **9225 S. Norwood 74137**
Ms. Vaughn remarked that she believes the neighborhood will be very happy with the sign plan and expressed concurrence with the recommendation.

Chairman Doherty complimented Ms. Vaughn's neighborhood for participation during the entire PUD process and the manner in which they made their presentations.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to **APPROVE** the Detail Sign Plan for the Food Lion store in PUD 206 as recommended by staff.

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PUD 441 Detail Sign Plan Review - Food Lion
Located at the northeast corner of North Union Avenue and
Pine Street

Staff has reviewed the submitted detail sign plan for Food Lion #27 and finds it to be in accordance with the original PUD. The plan proposes one pylon sign, 24' in height with 80 square feet of signage, located on Pine Street and canopy and wall signage on the front or west elevation.

Therefore, staff recommends **APPROVAL** of the detail sign plan for PUD 441 - Food Lion, as presented.

There were no interested parties present.

Staff Comments

Mr. Stump noted this is for a pole sign which is allowed by the PUD.

TMAPC Action; 6 members present:

On MOTION of HORNER, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to APPROVE the Detail Sign Plan for the Food Lion store in PUD 441 as recommended by staff.

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PUD-215 Faith Methodist Church
7431 East 91st Street
Revised Detail Site Plan

The Faith Methodist Church is requesting approval of a revised Detail Site Plan which includes a new storage building at the northeast end of their existing parking lot. The new structure will be 20' x 22' by 15' high and constructed of concrete block. The structure meets all of the development standards of the PUD.

Staff, therefore, recommends approval of the revised Detail Site Plan for Lot 24, Block 40, Chimney Hills South.

There were no interested parties present.

TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to APPROVE the revised Detail Site Plan for Lot 24, Block 40, Chimney Hills South.

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SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Wolf Point Business Center (3004) (PD-16) (CD-6)
Northwest corner of East Pine Street & North Garnett Road

CG

Staff Recommendation

Mr. Stump advised that all releases have been received and staff recommends approval.

TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to APPROVE the Final Plat of Wolf Point Business Center and RELEASE same as having met all conditions of approval as recommended by staff.

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Reunion (PD-18) (CD-8)
10100 East 61st Street South

RS-3

Staff Recommendation

Mr. Stump advised that all releases have been received and staff recommends approval.

TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to APPROVE the Final Plat of Reunion and RELEASE same as having met all conditions of approval as recommended by staff.

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Fred C. Langenkamp Addition (Z-6344-SP-1) (684) (PD-18) (CD-8)
Southeast corner of E. 61st Street and South 107th East Ave

CO

Staff Recommendation

Mr. Stump advised that all releases have been received and staff recommends approval.

TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to APPROVE the Final Plat of Fred C. Langenkamp Addition and RELEASE same as having met all conditions of approval as recommended by staff.

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LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17550 Manke (2903) (PD-3) (CD-3) 3203 E. Pine CS
L-17553 Frances (2283) (PD-18) (CD-8) 9230 S. Sheridan Rd. RM-1

Staff Comments

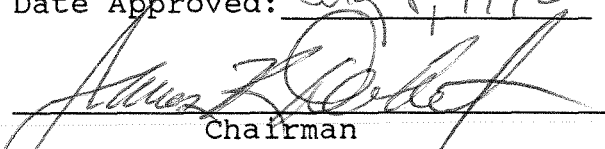
Mr. Stump advised staff has found the above-listed lot splits to be in conformance with the lot split requirements.

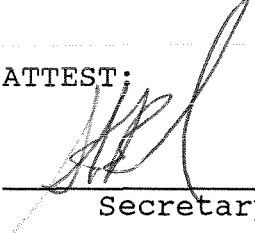
TMAPC Action; 6 members present:

On MOTION of MIDGET, the TMAPC voted 6-0-0 (Ballard, Broussard, Doherty, Horner, Midget, Wilson "aye"; no "nays"; no "abstentions"; Buerge, Carnes, Neely, Parmele, Selph "absent") to RATIFY the above-listed lot splits having received prior approval.

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There being no further business, the Chairman declared the meeting adjourned at 2:17 p.m.

Date Approved: July 8, 1992

Chairman

ATTEST:

Secretary