

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1891  
Wednesday, July 8, 1992, 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	Parmele	Gardner	Jackere, Legal
Broussard	Selph	Hester	Counsel
Secretary		Jones	
Buerge		Stump	
2nd Vice		Wilmoth	
Chairman			
Carnes			
Doherty, Chairman			
Horner			
Midget, Mayor's			
Designee			
Neely			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, July 7, 1992 at 10:58 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 1:33 p.m.

**Minutes:**

Approval of the minutes of June 24, 1992, Meeting No. 1889:

On MOTION of WILSON, the TMAPC voted 7-0-1 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Wilson "aye"; no "nays"; Neely "abstaining"; Ballard, Parmele, Selph "absent") to **APPROVE** the minutes of the meeting of June 24, 1992 Meeting No. 1889.

**REPORTS:**

Chairman's Report

Chairman Doherty reported the Sign Advisory Board has completed their study and has recommendations ready to present to the City Council. Chairman Doherty advised a presentation is to be made to the Development Committee of the City Council July 16, 1992 at 4:00 P.M.

Chairman Doherty announced that he appeared before the City Council July 1, 1992 over the issue of the BlockBuster Video Awning Signage. The City Council advised seeing no problem with this type of signage. Chairman Doherty asked staff to place this item on the agenda for July 15, 1992 for Planning Commission action.

### **Comprehensive Plan Committee**

Mr. Neely announced there will be a joint meeting July 9, 1992 between Planning Districts 18 and 26 over the proposed Harvard Avenue extension. The public hearing will then be held July 22, 1992.

### **Rules and Regulations Committee**

Chairman Doherty reported on the press activity over the Adult Entertainment Study. He revealed that the article relating to the study appeared in the newspaper a week earlier than was intended. Chairman Doherty then informed those present for the public hearing the correct date for the public hearing is July 15, 1992 and apologized for the inconvenience. He explained that no action is anticipated to be taken at the public hearing, but that the Planning Commission will be receiving public comment and then referring the study back to Committee.

### **Budget and Work Program Committee**

Ms. Wilson reported the Zoning Training Session of July 7, 1992 was attended by approximately 50 individuals, and feedback she has received acknowledges that it was very informative. Ms. Wilson extended appreciation and thanks to Bob Gardner, Dane Matthews, Jay Stump, and Ricky Jones for presenting a well planned and executed program.

Ms. Wilson announced the Budget and Work Program Committee will meet July 15, 1992, 11:30 A.M., INCOG conference room to evaluate the 4th quarter fiscal 1992 budget and work program and will review the FY 1993 budget and work program.

### **Director's Report**

Mr. Gardner advised that, on July 16, 1992 the TMAPC, BOA, and INCOG progress report will be ready for presentation to the City Council. This report will describe the work planned and completed the past fiscal year and what will be planned for the next year.

There was much discussion over the scope of information the City Council wishes to have contained in the report and the level of detail which should be provided.

ZONING PUBLIC HEARING

Application No.: PUD 491 Present Zoning: CH, RS-3  
Applicant: Brian C. Connally Proposed Zoning: PUD  
Location: Southwest corner of South Peoria Ave. and East 39th St.  
Date of Hearing: July 8, 1992  
Presentation to TMAPC: Brian C. Connally

The applicant is proposing a mini-storage development at the southwest corner of South Peoria Avenue and East 39th Street. The development extends a full block back from Peoria to Owasso Avenue and has 117' of frontage on Peoria and 317' of frontage on Owasso Avenue. The east 138' of the PUD is zoned CH and the remainder is zoned RS-3. Through Board of Adjustment action the northern lots of the RS-3 portion of the PUD have been approved for a storage building and off-street parking. There is an existing storage building on this part of the PUD. On the southern two lots of the RS-3 portion of the PUD there are two single-family dwellings.

The Comprehensive Plan designates the CH zoned portion of the PUD as Medium-Intensity Commercial and the RS-3 portion Low Intensity-Residential. The applicant is not proposing to change the underlying zoning on the tract, but would spread the intensity allowed in the CH portion of the PUD into the residentially zoned area. Single-family dwellings face the PUD from the west side of Owasso Avenue and the north side of 39th Street. The PUD is abutted on the south by a grocery store and on the east by other commercial businesses.

Normally staff could not support a non-residential intrusion into a residential area as is proposed here. By virtue of the non-residential encroachments already allowed by the Board of Adjustment, staff can support mini-storage at this location if sufficient design standards are placed on the development.

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 491 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 491 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:**

<b>Land Area (Gross)</b>	80,732 SF
<b>(Net)</b>	58,556 SF
<b>Area Zoned CH (gross)</b>	25,719 SF
<b>Area Zoned RS-3 (gross)</b>	55,013 SF

**DEVELOPMENT AREA "A"**

<b>Permitted Uses</b>	<i>Mini-storage, excluding any outside storage except vehicles*</i>
<b>Minimum Screening Fence Height</b>	8'
<b>Maximum Building Floor Area</b>	15,485 SF
<b>Minimum Building Setbacks</b>	
From Centerline of Owasso Avenue	35'
From Centerline of 39th Street	35'
From Centerline of Peoria Avenue	100'
From Development Area "B"	
If residential	20'
If non-residential	0'
<b>Maximum Building Height</b>	
Within 75' of an R district**	14'
Greater than 75' from an R district**	26'

*\*Only vehicles of no greater height than the exterior screening walls or fence are allowed, and they must be placed in areas where they cannot be viewed at street level from the exterior of the PUD.*

*\*\*If the roof is visible from an R district it shall be constructed of a customary residential roofing material.*

**Signs**

One ground sign is permitted adjacent to Peoria Avenue with a maximum height of 6' and a maximum display surface area of 96 SF.

One wall sign is permitted. It shall face Peoria Avenue and be on a building on the east 100' of the PUD and shall have a maximum display surface area of not more than two sq. ft. for every lineal foot of building wall to which it is affixed.

**DEVELOPMENT AREA "B"**

**Permitted Uses** *Existing dwelling or mini-storage excluding any outside storage except vehicles.\**

**Maximum Building Floor Area** 1,900 SF

**Minimum Building Setbacks**

IF existing dwelling in  
Dev. Area B existing setbacks

IF mini-storage in Dev. Area B

From centerline of Owasso Avenue	35'
From Dev. Area C	
If dwelling in Dev. Area C	20'
If mini-storage in Dev. Area C	0'
All other boundaries	0'

**Maximum Building Height**

Within 75' of an R district**	14'
Greater than 75' from an R district **	26'

**Minimum Screening Fence Height** 8'

\*No non-residential use may be established until the dwelling is removed. *Only vehicles of no greater height than the exterior screening wall or fence are allowed and they must be placed in areas where they are not visible from the exterior of the PUD, when viewed at street level.*

\*\*If the roof is visible from an R district, it shall be constructed of a customary residential roofing material.

**Signs:** No ground or wall signs are permitted

## Development Area "C"

<b>Permitted Uses</b>	<i>Existing dwelling or mini-storage excluding any outside storage except vehicles* and off-street parking limited to the east 100' of Development Area "C".**</i>
<b>Maximum Building Floor Area</b>	1,900 SF
<b>Minimum Building Setbacks</b>	
If existing dwelling in Dev. Area C	existing setbacks
If non-residential use in Dev. Area C	
From centerline of Owasso Ave.	35'
All other boundaries	0'
<b>Maximum Building Height</b>	
Within 75' of an R district ***	14'
Greater than 75' from an R district***	26'
<b>Minimum Screening Fence Height</b>	8'

*\*Only vehicles of no greater height than the exterior screening wall or fences are allowed and they must be placed in areas where they are not visible from the exterior of the PUD when viewed at street level.*

*\*\*No non-residential use may be established in Dev. Area C until the dwellings in Dev. Area B and C are removed.*

*\*\*\*If the roof is visible from an R district, it shall be constructed of a customary residential roofing material.*

**Signs:** No ground or wall signs are permitted.

3. It is intended that the outer building wall of mini-storage buildings will form the majority of the screening between development in the PUD and the residences to the north and west. These exterior walls shall be made of concrete tilt-wall panels and painted an earth-tone color approved by the TMAPC. Where there are no building walls to form a buffer for the residences, 8' high screening walls with a finish similar in appearance to the building walls shall be provided so that no doors to storage areas are visible from the residential area. Also if off-street parking is established in Dev. Area C it shall be completely screened from the residential areas by an 8' screening fence and/or storage building walls.

The area between the buildings or screening walls and the street rights-of-way of Owasso Avenue and

39th Street shall be landscaped with trees and shrubbery.

4. No vehicular access shall be permitted to Owasso Avenue nor 39th Street from non-residential uses in the PUD except as shown on the revised site plan.
5. *The hours of operation of the mini-storage shall not exceed 7:00 A.M. to 10:00 P.M.*
6. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
7. A Detail Landscape Plan for each development area 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 for that development area 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.
8. No sign permits shall be issued for erection of a sign within Development Area "A" of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
9. All trash, mechanical and equipment areas shall be screened from public view.
10. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12 feet.
11. The Department of Public Works 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 serving a development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit.

12. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City beneficiary to said Covenants.
13. Subject to review and approval of conditions as recommended by the Technical Advisory Committee.

**Note:** Conditions in *italic* were amended by TMAPC at the public hearing.

#### TMAPC DISCUSSION

Chairman Doherty questioned the site plan indicating access to 39th Street.

Mr. Gardner explained the original layout access point was depicted as south of the single-family residences to the north, having them face directly into the access and lights. The revised access is near Peoria Avenue opposite other commercial zoning.

In response to a question from Mr. Neely, Mr. Gardner replied a landscape plan with more detailed specifications will be required for review. Essentially, staff wanted to soften the commercial look by landscaping.

Mr. Neely noted the applicant is proposing only a 5' buffer.

Mr. Gardner explained the applicant is proposing only 17' between the curb and the solid building wall and staff is recommending 22'.

Mr. Gardner advised this was a poor land use relationship to begin with. The houses to the west are facing into vacant land, a commercial building and parking. Surprisingly, the houses are fairly well-maintained. Staff is able to support this application if the land use relationships are better than what they are now, if the development cuts off any access, provides landscaping, and constructs a solid wall so there are no doors for residents to view.

There was much concern voiced by the Planning Commission over sufficient screening for existing residences.

#### Applicant's Comments

##### **Brian Connally**

Mr. Connally, part owner of the proposed mini-storage project, gave a detailed description of his efforts to communicate with area residents, carefully taking under consideration their comments and suggestions in development of this project. Mr. Connally noted that positive responses were received. Mr. Connally also reported meeting with area merchants and advised of their support of the



proposed project. Mr. Connally gave a description of the tract as it is at present. He noted that the existing structures are an eyesore to the neighborhood and have been a source of concern to the owners and surrounding residents. Mr. Connally proposes to construct an aesthetically pleasing facility which will complement the Brookside area. Mr. Connally gave a detailed description of the proposed structure, signage, lighting, security, sidewalks, noise, and landscaping. Mr. Connally withdrew his request for the extra 10' landscaping from the curb.

In response to a question from Mr. Carnes, Mr. Connally advised the existing structure would be removed.

In response to landscaping questions from Mr. Carnes, Mr. Connally described the proposed project as having the perimeter surrounded with trees, and anticipate planting 5' - 10' of grass or a planter with a small rail fence along Peoria.

Mr. Carnes congratulated Mr. Connally on his work with area residents.

In response to inquiry from Mr. Neely, Mr. Connally advised sidewalks will be installed along Peoria.

Mr. Neely asked Mr. Connally what the hours of operation would be.

Mr. Connally advised hours of operation have not been set; however, typical operating hours for other mini-storages are from 7:00 a.m. until 9:00 p.m. or one hour after dark.

#### Interested Parties

**Pam Deatherage, Planning District 6 Chair** 1516 E. 36th St.  
Ms. Deatherage reported that meetings were held in the Planning District, and she has had subsequent dialogue with residents and commercial business owners, and all have expressed agreement with staff recommendation.

Mr. Connally requested the Planning Commission allow him storage parking within the storage area, not to exceed the wall height.

Mr. Gardner suggested the storage be interior within the surrounding screening wall and not be visible above the fence.

Ms. Wilson asked staff how the automobile storage would affect security.

Mr. Gardner declared vehicles usually do not present a security risk if they are not visible from the street. Mr. Gardner advised that a staff condition would be that, so long as the storage of vehicles is interior to the project, there would be no opposition.

Ms. Wilson proposed that storage hours restrictions be from 7:00 A.M. to 10:00 P.M.

**TMAPC Action; 9 members present:**

On **MOTION** of **BUERGE**, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; no "abstentions"; Parmele, Selph "absent") to **APPROVE** PUD 491 as amended.

**Legal Description**

Lots 1, 2, 7, 8, 9, 10 11, & 12, Block 1, Roberts Subdivision.

\* \* \* \* \*

**PUBLIC HEARING**

**Public Hearing to consider amendments to the City of Tulsa and Tulsa County Zoning Codes pertaining to off-street parking requirements and landscaping of parking lots and abutting areas.**

Mr. Jones had earlier distributed the latest revised portion of the landscape study to the Planning Commission and advised that this is part of the Parking Design and Requirements Study. At the onset of the study, Mr. Roy Johnsen, representative of the Tulsa Board of Realtors, expressed concerns over the study. The Rules and Regulations Committee then requested staff and Mr. Johnsen to work together to smooth out these concerns while putting it in ordinance form. Mr. Jones announced meeting with Mr. Johnsen, and the study is now in ordinance form. Mr. Jones advised that some of the text has been reworded, and with Mr. Johnsen's assistance, it will be easier to administer when it does become an ordinance. Mr. Jones reviewed some of the revisions made. Since the Planning Commission has not had an opportunity to review the study, Mr. Jones recommended referring it back to the Rules and Regulations Committee to allow time to review the study in detail and bring it back to the Planning Commission at the August 5, 1992 meeting.

Mr. Gardner explained that Doug Vincent, District 26 Chair, had to leave the meeting earlier and asked him to express Mr. Vincent's and District 26 support of the landscape standards.

It was the consensus of the Planning Commission to hold the Rules and Regulations Committee meeting Wednesday, July 15, 1992, at 11:30 A.M., in the INCOG large conference room.

**TMAPC Action; 9 members present:**

On MOTION of MIDGET, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; no "abstentions"; Parmele, Selph "absent") to CONTINUE the Public Hearing of amendments to the City of Tulsa and Tulsa County Zoning Codes pertaining to off-street parking requirements and landscaping of parking lots and abutting areas to August 5, 1992.

\* \* \* \* \*

**CONTINUED OTHER BUSINESS**

**PUD 216-5** Minor amendment - northwest corner of East 98th Street South and South Sandusky Avenue

The applicant is requesting a reduction in the required front yard on lot 13, block 2 of Hunter's Point from 25' to 22' in conjunction with construction of an enclosed swimming pool attached to an existing dwelling. There is also a request to allow a screening wall of up to 7' in height in the required front yard rather than the existing maximum of 4'.

After review of the submitted plans for the addition, staff finds the closest point of the wall enclosing the pool to be 26' from the front property line. This would mean no minor amendment is necessary if the addition is constructed per the submitted plans. Staff would note that the developer at the time the plat was recorded placed a private restriction that all buildings have a minimum front setback of 35'. Relief from this requirement would need to be obtained from the other lot owners in the subdivision who are party to that private restriction.

The applicant's request for screening walls up to 7' high in the front yard appears to be as a result of the significant slope on the southwestern portion of the property. The screening wall height as seen from the front would range from 4 to 7 feet in height. The closest point to the front property line where the wall is 7' high is setback 15' and is only a corner. Staff believes that due to the topography of the site and the design of the wall it will be compatible with the remainder of the PUD. Therefore, staff recommends allowing up to a 7' high screening wall in the required front yard per the site plan submitted.

The PUD also has a requirement that TMAPC approve a grading plan for any development which alters the natural grade more than one foot. This proposed enclosed pool and patio will definitely do that. In addition, the proposed patio will necessitate the relocation of a creek bed and drainage easement on the northwest side of the property. Staff would recommend that the Public Works Department approve any changes in this drainageway and easement

prior to the applicant's submittal of a grading plan to TMAPC for approval.

Staff Comments

Mr. Stump advised staff has reviewed the newly submitted plans and feels the request for a 7' wall in the front yard and moving the wall closer to the street and can not support the layout with the 7' retaining walls. Staff can support the reduction in building setbacks per the submitted plans for the enclosed pool addition to 22'.

Applicant's Comments

**Bill Langdon**

**9722 South Sandusky**

Mr. Langdon explained the original drawing indicated a privacy wall completely surrounding the structure. When it was resurveyed it was discovered there was not enough room between the driveway and the structure to accomplish this. Mr. Langdon conceded the 7' height could be lowered. Mr. Langdon explained due to the elevation, even with a 7' wall, the actual height seen from the street would only be a few feet for approximately 2/3 of the distance across the front of the house.

Mr. Doherty suggested taking a brief recess so staff can confer with Mr. Langdon since the submitted plans were given to staff so late. After conferring with staff, Mr. Langdon agreed to move the majority of the fence behind the 25' building setback line and resubmit plans showing this to staff.

TMAPC Action; 9 members present:

On MOTION of BUERGE, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; no "abstentions"; Parmele, Selph "absent") to APPROVE PUD 216-5 with the following condition.

- 1) Submittal of a new site plan to staff showing the 7' fence being primarily behind the 25' building setback line.

\* \* \* \* \*

**SUBDIVISIONS**  
**FINAL APPROVAL AND RELEASE**

Mapleview on Cherry Street (PUD 478-1) (1292) (PD-6)(CD-4) (RS-4)  
East 15th Street and South Owasso Avenue

Mr. Gardner advised all releases have been received.

**TMAPC Action; 9 members present:**

On MOTION of WILSON, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; no "abstentions"; Parmele, Selph "absent") to recommend APPROVAL and RELEASE of Mapleview on Cherry Street.

\* \* \* \* \*

9700 Memorial Lots 2 & 3, Blk 1 (PUD 411) (2483) (PD-26)(CD-8)  
9700 Block of South Memorial Drive (CO)

Mr. Gardner advised all releases have been received.

**TMAPC Action; 9 members present:**

On MOTION of NEELY, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; no "abstentions"; Parmele, Selph "absent") to recommend APPROVAL and RELEASE 9700 Memorial, Lots 2, & 3, Blk 1.

\* \* \* \* \*

LOT SPLIT FOR RATIFICATION OF PRIOR APPROVAL  
L-17562 Gilbert (PD-6)(CD-9) 3730 S. Delaware Avenue (RS-2)

Chairman Doherty announced that the applicant and interested parties are amenable to a continuance to July 22, 1992 in an attempt to address a number of unresolved issues.

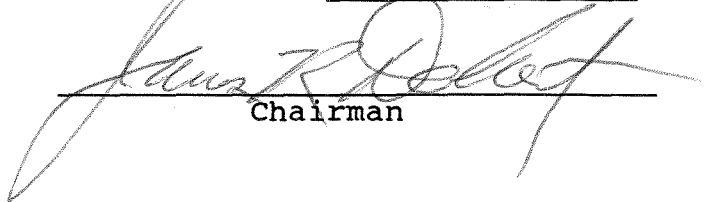
**TMAPC Action; 8 members present:**

On MOTION of HORNER, the TMAPC voted 8-0-0 (Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Parmele, Selph "absent") to CONTINUE L-17562 to July 22, 1992.

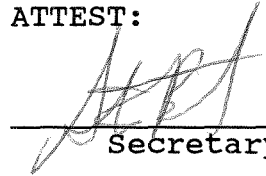
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There being no further business, the Chairman declared the meeting adjourned at 2:35 p.m.

Date Approved: 7-22-92

  
Chairman

ATTEST:

  
Secretary