

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1921
Wednesday, March 24, 1993, 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	Neely	Hester	Counsel
Secretary	Wilson	Jones	
Carnes		Matthews	
Dick		Stump	
Doherty, Chairman			
in at 1:40			
Horner			
Midget, Mayor's			
Designee, in at 1:41			
Parmeale, 1st Vice			
Chairman			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, March 23, 1993 at 9:59 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, in the absence of Chairman Doherty, 1st Vice Chairman Parmele called the meeting to order at 1:32 p.m.

Minutes:

Approval of the minutes of March 10, 1993, Meeting No. 1919:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Broussard, Carnes, Dick, Horner, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Doherty, Midget, Neely, Wilson "absent") to **APPROVE** the minutes of the meeting of March 10, 1993 Meeting No. 1919.

REPORTS:

Chairman's Report:

1st Vice Chairman Parmele announced receipt of a letter from Therese and Douglas Birkbeck concerning a lot split on South Lewis in the Bolewood Acres area. He advised that this item would be referred to Chairman Doherty for response with a letter to the Board of Adjustment (BOA).

Committee Reports

1st Vice Chairman Parmele announced that the Rules and Regulations Committee met today and reviewed the final draft of parking and landscaping amendments to the Zoning Code.

ZONING TEXT AMENDMENTS:

Approval of the final format of amendments to the Zoning Code relating to parking and landscaping.

Staff Comments

Mr. Jones distributed copies of the final format of the Zoning Code Amendments relating to parking and landscaping and presented a detailed review of changes made to the proposal as recommended by TMAPC and the Legal Department.

Mr. Parmele announced that the Rules and Regulations Committee recommended accepting the amendments to the Zoning Code relating to parking and landscaping requirements as presented.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to APPROVE the final format of the amendments to the Zoning Code relating to parking and landscaping requirements as presented by Staff.

Mr. Jones conveyed that Staff would draft a letter to the City Council with the goal of transmitting it to them this week for their review and action.

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WORK PROGRAM ITEMS:

Scope of services for completion of Tulsa Trails Master Plan.

Ms. Matthews reported that this is to complete the work program item. She announced that it has been reviewed with the Budget and Work Program Committee and received their approval.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to APPROVE the Scope of Services for completion of Tulsa Trails Master Plan.

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DECLARATION OF COVENANTS

PUD 388-A Approval of Amendment of Deed of Dedication and Declaration of Covenants.

Staff Comments

Mr. Stump advised that this item was submitted by Roy Johnsen, attorney. Staff reviewed these items and recommend making one change regarding ground signs. That change is to state that only wall signs are allowed in areas 3A and 3B. Staff recommends **APPROVAL** subject to that change and subject to approval by the Legal Department as to form.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** PUD 388-A of Amendment of Deed of Dedication and Declaration of Covenants subject to Staff recommendation and subject to approval by Legal as to form.

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PUD 190 Approval of Amendment of Deed of Dedication and Declaration of Covenants for Minshall Hill

Staff Comments

Mr. Stump advised that Roy Johnsen, attorney, submitted this item and Russell Linker, Assistant City Attorney, advised that he would recommend **APPROVAL** of this item subject to approval of form by the Legal Department.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** PUD 190 Amendment of Deed of Dedication on Declaration of Covenants for Minshall Hill as recommended by Staff and subject to approval by the Legal Department as to form.

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CONTINUED ZONING PUBLIC HEARING:

ZONING PUBLIC HEARING

Application No.: Z-6396 Present Zoning: OM & CS
Applicant: Troy Gudgel Proposed Zoning: RS-3
Location: West side of Memorial Drive at 27th Street South
Date of Hearing: March 24, 1993

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Commercial on the east 650' and Medium Intensity -- Office on the west 500'. 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 38 acres in size and is located on the west side of Memorial Drive at 27th Street South. It is partially wooded, gently sloping, vacant, and is zoned CS and OM.

Surrounding Area Analysis: The tract is abutted on the north by large lot single-family dwellings zoned RS-1; on the east by commercial buildings zoned CS; on the south and west by single-family dwellings zoned RS-3.

Zoning and BOA Historical Summary: The subject tract was rezoned for office and commercial uses in 1971 with an AG buffer area on the western portion of the tract. The tract has never been developed and the City of Tulsa now owns the western portion of the tract which is to be developed as a park.

Conclusion: The area is surrounded by single-family residential areas and this zoning would allow similar uses.

Therefore, Staff recommends **APPROVAL** of Z-6396 for RS-3 zoning.

There were two interested parties present expressing support for the rezoning.

There were none present in opposition.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to recommend **APPROVAL** of Z-6396 for RS-3 zoning as recommended by Staff.

LEGAL DESCRIPTION

Lot 1, 2, and 4, Block 1, Hodges Addition to the City of Tulsa, Oklahoma, according to the recorded plat thereof.

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ZONING PUBLIC HEARING

Application No.: **PUD 446-A**
Applicant: John Nuckolls
Location: 7370 E. 71st Street
Date of Hearing: March 24, 1993

TMAPC Comment

Chairman Doherty announced that this application was withdrawn by the applicant on February 26, 1993. Staff recommends a refund of sign fee, postage and \$50.00 of the public hearing fee.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** refund of sign fee, postage and \$50.00 of the public hearing fee as recommended by Staff.

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CONTINUED OTHER BUSINESS:

PUD-468: Detail Landscape Plan -- Development Area 5 --
McDonald's Restaurant --- west of the northwest
corner of Mingo Road and 71st Street South

Staff has reviewed the proposed landscape plan for a McDonald's Restaurant and finds it to be in conformance with the PUD requirements with the following changes:

1. The entrance landscaping shown at the southwest corner of this tract which was previously approved as part of

- Development Area 1 shall remain or be reinstated as originally approved.
2. Add two Red Bud trees to the middle island at the west side of the tract.
 3. All landscaped areas shall be sprinkled.

Mr. Stump reminded the Planning Commission of the irrigation system and landscape damages suffered at the time of Hardee's and McDonald's construction. Staff has since learned that Wal-Mart is taking responsibility to work out landscaping details and have advised that the trees that had died will be replaced, and that they would be coordinating with Hardee's and McDonald's to work out who is responsible for replacing and repairing the sprinkler system and plants. Mr. Stump advised that if the original plantings are replaced at McDonald's, and if they comply with the remainder of the conditions, then Staff can recommend **APPROVAL** of the landscape plan for McDonald's.

The applicant was present and expressed agreement with Staff recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** PUD 468 Detail Landscape Plan for McDonald's as recommended by Staff.

Mr. Parmele requested that Staff monitor the landscaping and report back to the Planning Commission over the replanting process.

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OTHER BUSINESS

PUD 176-2 Minor Amendment to building setbacks and parking requirements-northwest corner of 81st Street South and Yale Avenue.

The Valley National Bank is proposing to add a teller booth and drive-in window on the east side of the existing bank. The teller booth will comply with the required building setback, but the canopy will not. At its closest point it will be 96', rather than the required 110', from the centerline of Yale Avenue. Also, PUD 176 established the off-street parking requirement at 5.5 spaces per 1,000 SF of building floor area. The applicant is requesting that this be changed to whatever is required by the Zoning Code for particular Use Units.

No notice of this proposed minor amendment has been given and the applicant is requesting that all notice requirements be waived.

Staff can support the amendment in building setback for the 20' wide canopy since it has no building walls. The amendment to the off-street parking requirements would make this PUD have the same standards as all the recently approved PUDs. Staff can also support the waiver of notice due to the nature and location of the request. Therefore, Staff recommends **APPROVAL** of PUD 176-2 as requested.

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REVISED DETAIL SITE PLAN

If PUD 176-2 is approved Staff recommends **APPROVAL** of the revised site plan for the Valley National Bank.

Applicant's Comments

Charles Norman, attorney for the applicant, advised that he has submitted letters of approval from the owner and from Albertson's, which is a party to the original PUD. He explained the request for the waiver is a matter of convenience since the Planning Commission is not meeting next week and the bank would like to proceed with ordering the needed equipment. Mr. Norman pointed out that there is no immediate development on any of the other three corners which would be affected by the request for waiver.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** PUD 176-2 Waiver of notice requirement and **APPROVE** PUD 176-2 and the Revised Detail Site Plan for Valley National Bank.

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PUD 179G Revised Detail Site and Sign Plan - south of the southeast corner of 73rd Street South and Memorial Drive.

The applicant is proposing a new canopy over the play area in the rear of the existing McDonald's Restaurant and new 6'6" x 4'6" wall signs on the west and south sides of the building and an 11'9" x 8'6" sign on the east side of the canopy. The canopy will cover 995 SF and is 19'6" x 51'. Staff finds all the proposed changes to

comply with the PUD conditions, and therefore, recommends **APPROVAL** of the Revised Detail Site and Sign Plans.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** PUD 179-G Revised Detail Sign Plan and Revised Detail Site Plan.

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PUD-261 REVISED Detail Site Plan -- Wal-Mart - east of the northeast corner of 71st Street South and Peoria Avenue

The Wal-Mart store is requesting site plan approval for a temporary greenhouse (3-24 through 9-15-93) for sale of plants. The plastic covered greenhouse will be located in the parking lot in front of the store and will reduce the number of off-street parking spaces by 14 spaces. The greenhouse would be 21' x 60'. Staff can support this accessory building since it does not occupy required off-street parking and therefore recommends **APPROVAL** for the time period requested.

TMAPC Action; 8 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **7-1-0** (Ballard, Broussard, Dick, Doherty, Horner, Midget, Parmele, "aye"; Carnes "nay"; no "abstentions"; Buerge, Neely, Wilson "absent") to **APPROVE** PUD 261 Revised Site Plan for a plant sales greenhouse on the Wal-Mart tract from March 24 to August 24, 1993.

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PUD-481 Revised Sign Plan for Petsmart -- Northwest corner of 71st Street S. and the Mingo Valley Expressway

The applicant is proposing two additional wall signs on the east face of the Petsmart Store. Both signs are 15" in height and add 28 SF to the total display surface area on that face of the store. The revised signs are still in compliance with the PUD conditions; therefore, staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On MOTION of DICK, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to APPROVE PUD 481 Revised Detail Sign Plan for Petsmart.

Chairman Doherty asked that Staff check if veterinary use is permitted in this PUD.

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PUD 478 Detail Landscape Plan - northwest of the northwest corner of 15th Street south and Peoria Avenue.

Staff has reviewed the proposed landscape plan and recommends APPROVAL.

TMAPC Action; 8 members present:

On MOTION of CARNES, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to APPROVE PUD 478 Detail Landscape Plan.

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EXTENSION OF PRELIMINARY APPROVAL

Minshall Pointe (PUD-190)(1083)(PD-18)(CD-8) (RS-3)
East 76th Court and South Joplin Avenue

Staff Recommendation

Mr. Stump advised that Staff recommends a one year extension.

TMAPC Action; 8 members present:

On MOTION of PARMELE, the TMAPC voted 8-0-0 (Ballard, Broussard, Carnes, Dick, Doherty, Horner, Midget, Parmele, "aye"; no "nays"; no "abstentions"; Buerge, Neely, Wilson "absent") to APPROVE a one year Extension of Preliminary Approval for Minshall Pointe.

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Mr. Parmele reminded the Planning Commission of the Birkbeck letter opposing rezoning of Bolewood from RS to RE due to plans for their property. He advised that Councilor Bartlett has written a letter

to the Board of Adjustment supporting the Birkbeck's request for variances from the Board for lot frontage at the hearing of April 27.

Chairman Doherty advised that during conversations with the Birkbecks, the concept of developing this property under a PUD was discussed. He stated that he feels the TMAPC should not support any lot split that does not have an accompanying PUD.


There was a general discussion among the Planning Commissioners concerning a letter from the Birkbecks requesting Planning Commission support. It was determined that the Planning Commission could not give the Board of Adjustment encouragement regarding the matter. Chairman Doherty suggested that Staff contact the Birkbecks and give them an overview of the Planning Commission's discussion of the matter.

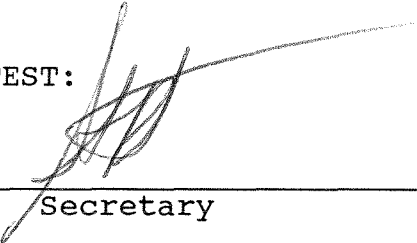
Chairman Doherty referred to a letter from John Morris regarding a zoning application at 101st and Yale.

Mr. Stump advised that approximately two months ago Mr. Gardner had discussion with individuals concerning this item, and noted that no application has been made. Individuals in the neighborhoods had heard that a convenience store was to be built in the area. Mr. Stump reported that no application has been received and he stated that there is not enough Staff to monitor every parcel and send out special notice when something is filed on a particular parcel.

Chairman Doherty asked that the name of the district planning team chair be given to interested parties since they have asked how they might get involved.

There being no further business, the Chairman declared the meeting adjourned at 2:15 p.m.

Date Approved: 4/7/93

Chairman

ATTEST: 
Secretary