

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1979
Wednesday, June 15 1994, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Broussard	Gardner	Linker, Legal
Carnes, 2nd Vice Chairman	Harris	Hester	Counsel
Doherty	Neely	Jones	
Horner		Matthews	
Midget, Mayor's Designee		Stump	
Pace			
Parmele Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, June 14, 1994 at 12:28 p. 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 1:35 p.m.

Minutes:

Approval of the minutes of June 1, 1994, Meeting No. 1977:

On **MOTION** of, **WILSON** the TMAPC voted **6-0-1** (Carnes, Doherty, Horner, Pace, Parmele, Wilson "aye"; no "nays"; Ballard "abstaining"; Broussard, Harris, Midget, Neely "absent") to **APPROVE** the minutes of the meeting of June 1, 1994 Meeting No. 1977.

REPORTS:

Chairman's Report:

Chairman Parmele instructed Staff to arrange an orientation with City Councilors Gardner, Gilbert, and Williams, and any other Councilors who may wish to attend, to explain the zoning process, Comprehensive Plan, etc.

Committee Reports:

Budget and Work Program Committee

Ms. Wilson announced that the Budget and Work Program Committee will meet in work session at the conclusion of the Planning Commission meeting.

Rules and Regulations Committee

Mr. Doherty announced that the Rules and Regulations Committee will also meet in work session at the conclusion of today's Planning Commission meeting. He reported that the Rules and Regulations Committee made a recommendation to set for public hearing consideration of an amendment to the Zoning Code regarding requirements for real estate signs, Section 402 4d. After discussion, Chairman Parmele instructed Staff to set the public hearing for July 20, 1994.

NOTE: Due to the length of the Planning Commission meeting the Rules and Regulations meeting was rescheduled to July 7.

Director's Report:

Mr. Gardner presented the report of TMAPC/BOA receipts for the month ending May 31, 1994.

SUBDIVISIONS:

PRELIMINARY PLAT:

Yale Cleaners 41 (3094)

(PD-17)(CD-5)

Southeast corner of East 41st Street South and South 109th East Avenue

Jones presented the plat with Dwayne Wilkerson in attendance at the TAC meeting.

Pierce recommended a utility easement on the west side of the existing KAMO easement from 41st Street to the building. He stated that this could be done by separate instrument.

Miller recommended a 17.5' easement along the north and west sides of the plat.

French stated that the access may meet Traffic Engineering approval but further review of the Site Plan will be required.

Goz recommended a change in the Deed of Dedication which made reference to Mingo Road.

Yale Cleaners 41 subdivision plat is the balance of rezoning application Z-5444, which rezoned the subject tract to corridor (CO) in 1980. This one-lot subdivision is subject to Detail Site Plan approval by the TMAPC prior to the issuance of a building permit.

Staff would offer the following comments and/or recommendations:

1. Advisory only, not a condition of the plat: Corridor Detail Site Plan approval must be obtained by the TMAPC prior to the issuance of a building permit.
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 and sanitary sewer 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.
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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
8. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
9. Street names shall be approved by the Department of Public Works and shown on plat.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by Department of Public Works (Engineering).
12. All adjacent streets, intersections, and/or widths thereof shall be shown on plat.
13. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic). Include applicable language in covenants.
14. It is recommended that the developer coordinate with the Department of Public Works (Traffic) or County Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
15. 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.
16. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
17. The key or location map shall be complete.
18. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. A building line shall be shown on plat on any wells not officially plugged.
19. 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.

- 20. This plat has been referred to Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
- 21. 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.
- 22. All (other) Subdivision Regulations shall be met prior to release of final plat.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PRELIMINARY PLAT** for **YALE CLEANERS 41**, subject to all conditions listed above.

Jones reminded the applicant that since the property is zoned *CO*, it is subject to Corridor Site Plan review by the TMAPC and City Council.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the **PRELIMINARY PLAT** of Yale Cleaners 41 subject to conditions recommended by Staff.

* * * * *

FINAL APPROVAL AND RELEASE

Charity Baptist Church (1694)
East of the SE/c of East 21st Street South & South 129th East Avenue

(PD-17)(CD-6)

Staff Comments

Mr. Jones informed that all releases have been received and Staff recommends **APPROVAL**, subject to final approval of the Deed of Dedication and Restrictive Covenants from the Legal Department.

Mr. Sack was in attendance representing the applicant.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the **FINAL PLAT** of Charity Baptist Church and **RELEASE** same as having met all conditions of approval as recommended by Staff subject to approval by the Legal Department.

* * * * *

Cable Acres (1382)
South of the SW/c of East 81st Street South & South Peoria Avenue

(PD-8)(CD-2)

Staff Comments

Mr. Jones informed that all release letters have been received and the Legal Department is in agreement with the Deed of Dedication; therefore, Staff recommends **APPROVAL**.

Mr. Sack was in attendance representing the applicant.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the FINAL PLAT of Cable Acres and **RELEASE** same as having met all conditions of approval as recommended by Staff.

* * * * *

Jim Norton Center (PUD-411-A)(2483)
SE/c of East 98th Street South & South Memorial Drive.

(PD-26)(CD-8)

Staff Comments

Mr. Jones informed that all release letters have been received and Staff recommends **APPROVAL**, subject to approval of the separate instrument which will tie this plat to the remaining property or by minor amendment being filed of record prior to the plat being filed of record and subject to final approval of the Deed of Dedication from the Legal Department.

Mr. Sack was present representing the applicant.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the FINAL PLAT of Jim Norton Center and **RELEASE** same as having met all conditions of approval as recommended by Staff and approval from the Legal Department, subject to either the execution of the tie agreement or approval of the minor amendment.

* * * * *

PLAT WAIVER REQUEST: SECTION 213:

BOA-16697 City of Tulsa (Unplatted)(2203)
3001 North Erie Avenue

(PD-16)(CD-3)

Jones presented the application with Pat Hoggard in attendance at the TAC meeting.

Miller questioned if Erie Avenue located north of the Gilcrease Expressway was a dedicated street. He mentioned that there is an existing gas line along the north side which cuts under to the west side of the street. Miller recommended that if not dedicated, a utility easement be filed of record to accommodate the existing utilities.

Herbert noted that a major portion of the tract is in a regulatory floodway.

This request is the result of a Board of Adjustment application by the City of Tulsa to locate the new animal shelter at this location.

The intent of the subdivision plat and plat waiver process is to protect the public's interests in matters such as street dedications, utility easements, stormwater detention and other land development issues. In this particular case, since the owner/developer is also the public body with the interests to be protected, it can be assumed that these concerns will be addressed. Staff is supportive of the requested Plat Waiver subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Utility extensions and/or easements if needed.

On the **MOTION** of **MILLER**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PLAT WAIVER** for **BOA-16697**, subject to all conditions listed above.

Staff Comments

Mr. Jones explained that due to a lack of quorum, the Board of Adjustment (BOA) was unable to meet June 14 and have rescheduled their meeting to June 16. He explained that should the Planning Commission decide to waive the platting requirement, the Legal Department has suggested making it subject to BOA approval and any additional conditions they may impose which would affect the plat waiver. Mr. Jones informed that Staff recommends **APPROVAL**, subject to conditions and subject to BOA approval of the use and approval of any conditions which may affect the plat waiver request.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the **WAIVER** of Plat for BOA#16697 as recommended by Staff subject to conditions and subject to BOA approval of the use and approval of any conditions which may affect the plat waiver request.

Z-6393 (Loma Linda)(1693)
3719 East 31st Street South

(PD-6)(CD-7)

Jones presented the request with Martin Brown in attendance at the TAC meeting.

French stated that Traffic Engineering objected to the closing of the access to East 31st Street and the new proposed ingress and egress points.

French recommended that Staff condition number 2, dealing with the access control agreement, be approved by Traffic Engineering.

Miller pointed out that paving for an existing trash bin was over a utility easement.

Considerable discussion was made whether to require the applicant to return to the TAC with a revised plan.

Brown stated that the building permit has already been issued.

It was determined not to require the applicant to return with the revised plans but to require Traffic Engineering approval on the final access points. French suggested the applicant work with them early in the process.

French advised he was not in agreement with the subdivision waiver for a full 50' of dedication.

Z-6393 rezoned Lot 10 from residential to office light (*OL*) to provide a drive-in banking facility for the existing bank to the west. Since the lot is less than 2.5 acres in size and is already platted, Staff is supportive of the plat waiver request. According to the atlas maps, an additional 10' of right-of-way will need to be dedicated, bringing the total on the north side of East 31st Street to 50' at this location.

Staff recommends **APPROVAL** of the Plat Waiver for Z-6393 subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.
4. Dedication of additional right-of-way for East 31st Street South in order to meet the Major Street Plan.

On the **MOTION** of **MATTHEWS**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PLAT WAIVER** for **Z-6393**, subject to all conditions listed above and **DENIAL** of the **WAIVER** of the **SUBDIVISION REGULATIONS**.

Staff Comments

Mr. Jones informed that the architect is now in agreement with dedicating the additional 10' of right-of-way needed to bring the north side of East 31st Street to 50' of right-of-way.

Martin Brown, architect for the development was in attendance and expressed agreement with Staff recommendation.

TMAPC Action: 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** the **WAIVER** of **PLAT** for **Z-6393** subject to conditions as recommended by Staff.

Z-6078 (Union Gardens)(684)

(PD-18)(CD-8)

North of the NW/c of East 66th Street South & South 101st East Avenue.

Staff Comments

Mr. Jones informed that the applicant is requesting a continuance of this item to June 22 to allow the site plan and plat waiver to be heard simultaneously.

TMAPC Action: 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **CONTINUE** **WAIVER OF PLAT** for **Z-6078** to June 22, 1994.

CHANGE OF ACCESS ON RECORDED PLAT:

Dickens Commons (2893)

(PD-18)(CD-7)

West of the NW/c of East 51st Street South & South Pittsburg Avenue.

Staff Comments

Mr. Jones explained that an existing access is being shifted approximately 15'. He informed that once the property was platted and access point assigned, it was discovered that a telephone pole was in the middle of the proposed access point. Mr. Jones advised that Traffic Engineering signed off on this item and Staff was recommending **APPROVAL** subject to the plot plan as presented.

TMAPC Action: 8 members present:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** **CHANGE OF ACCESS ON RECORDED PLAT** of **Dickens Commons** as recommended by Staff.

Hyde Park (383)
NE/c of East 71st Street South & South Yale Avenue.

(PD-18)(CD-7)

Staff Comments

Mr. Jones informed that this is a new access point being proposed and has been approved by Traffic Engineering. He advised that presently there are limits of no access on 71st Street from the corner back approximately 600'. The new proposed access point will split Lots 2 & 3 and act as a mutual access point for both lots. Mr. Jones advised that Staff recommends **APPROVAL** of the access subject to the submitted site plan.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE CHANGE OF ACCESS ON RECORDED PLAT** for Hyde Park as recommended by Staff.

* * * * *

LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

- | | |
|--|------------------------------|
| <u>L-17906 Bolewood Homes, Inc. (3093)</u>
4800 Block S. Yorktown Pl. | (PD-6)(CD-9)
<i>OL</i> |
| <u>L-17907 TDA (2502)</u>
NE/c of N. Pine & Cincinnati | (PD-2)(CD-1)
<i>CS</i> |
| <u>L-17909 Arvil Francis (2703)</u>
2430 N. Darlington | (PD-16)(CD-3)
<i>RS-3</i> |
| <u>L-17910 Sharon Stafford (3492)</u>
5842 S. 30th W. Ave. | (PD-8)(CD-2)
<i>RS-3</i> |
| <u>L-17911 Fred L. & I. Dean Brant (3192)</u>
6620 W. 51st St. | (PD-23)(County)
<i>RS</i> |

Staff Comments

Mr. Jones announced that Staff has found the above-listed lot-splits to be in conformance with the lot-split requirements.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **RATIFY** the above-listed lot-splits having received prior approval and finding them to be in accordance with subdivision regulations.

* * * * *

CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-6448/PUD 513**

Applicant: Kevin Coutant

Location: East of the southeast corner of East 51st Street South and South Delaware Place.

Date of Hearing: June 15, 1994

Presentation to TMAPC: Kevin Coutant

Present Zoning: RS-2

Proposed Zoning: PUD/CS/RM-1

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the north 150' of the property as Medium Intensity Office; the south 300' of the north 450' is designated as Medium Intensity - Residential and the south 200' of the tract is designated as Low Intensity Residential.

According to the Zoning Matrix the requested CS zoning on the north 450' is not in accordance with the Plan Map. The requested RM-1 zoning on the south 200' may be found in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property contains approximately 2.77 acres. The property is non-wooded, is flat and has a single-family dwelling, several large buildings previously used for storage and greenhouses for a nursery, and the south portion is vacant.

Surrounding Area Analysis: The subject tract is abutted on the north by an apartment complex and a drive-in bank, zoned RM-2 and OL; to the northeast by an office, zoned OM; to the east by vacant property and a drainage canal, zoned RM-2; to the south by apartments, zoned RM-1 and to the west by two single-family dwellings zoned RS-2, then apartments zoned RM-2.

Zoning and BOA Historical Summary: Past zoning actions in this area have established multifamily uses and office uses along 51st Street. Although there is CS zoning 100' to the east of the tract, the request for CS zoning on the subject tract creates somewhat "spot zoning" and would open the possibility of additional CS zoning along 51st Street which is contrary to the Comprehensive Plan. Staff therefore recommends **DENIAL** of Z-6448.

If this request is approved and the zoning ordinance text is subsequently amended to allow mini-storage in a lower zoning category than CS, Staff would recommend that the TMAPC initiate a rezoning request to down-zone this tract.

PUD 513

The applicant is proposing a mixed-use development on a two and three-quarter acre tract on the south side of East 51st Street South approximately 150' west of Joe Creek. The tract has 195' of frontage and is 660' deep. Office buildings are planned for the northern third of the property with 43,000 SF of mini-storage proposed on the southern portion. Staff cannot support this PUD because the required CS underlying zoning is contrary to the Comprehensive Plan and establishes CS zoning near the middle of the section. If the Planning Commission is willing to support the underlying zoning change, Staff would recommend the following development standards:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. **Development Standards:**

Land Area (Gross):	2.87 acres
(Net):	2.65 acres
Permitted Uses:	Use Unit 11 uses and mini-storage* and customary accessory uses

**No outside storage of vehicles, boats, trailers or other items is permitted. Mini-storage use to be at least 250' from centerline of 51st Street. ♦*

Maximum Building Floor Area	
Use Unit 11 uses:	15,000 SF
Mini-Storage:	43,000 SF**

*** Any building floor area not used for mini-storage may be added to the permitted building floor area for office uses. ♦*

Maximum Building Height	
Use Unit 11 uses:	35'
Mini-Storage:	12***

**** Exterior perimeter walls of the mini-storage-buildings shall not exceed 8' in height. ♦*

Minimum Required Off-Street Parking:	As required for the use unit in the Tulsa Zoning Code.
--------------------------------------	--

Minimum Lot Frontage:	
Office Uses	75' ♦
Mini-storage Uses	0' ♦

Minimum Landscaped Open Space (Net):	
Use Unit 11 uses:	15%
Mini-Storage:	10%

Maximum Signage	As permitted in the OL zoning district with all ground signs being monument style signs. ♦
-----------------	--

Minimum Building Setbacks	
From centerline of 51st St.:	100'
From east and west property lines ♦	
within 250' of the centerline of 51st Street	10'****
(may be changed at Detail Site Plan review)	
greater than 250' of the centerline of 51st Street	3'
From the south boundary	3'
<i>**** Plus 2' of setback for each foot of building height exceeding 15'; if abutting an RE, RS or RD District.</i>	

♦ Changes made at the TMAPC meeting.

3. The mini-storage shall be designed so that all openings to storage buildings are screened from view by persons standing at ground level at the boundaries of the PUD. This screening shall be accomplished by the use of the exterior building walls of storage units and screening walls which are constructed of tilt-up concrete or other masonry which is painted white or earth-tone colors or finished with stucco, rock and/or brick. Painted smooth concrete block is not to be used nor is metal sheeting for these walls or screening. Access gates shall be opaque if needed to screen interior door openings. Long walls facing residential properties to the east and west of the PUD shall be designed with periodic breaks in roof line and variations in exterior wall setbacks ♦, surface material or landscaping designed to provide visual breaks in the walls.
4. A mutual accessway shall be provided between 51st Street and all the lots within the PUD. The PUD shall have only one vehicular access to 51st Street. ♦
5. 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. Elevation drawings are required to be submitted with the Detail Site Plan and all landscaped areas shall be shown. ♦
6. 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.
7. No sign permits shall be issued for erection of a sign within a development area 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.
8. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
9. 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.
10. 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.
11. 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.
12. Subject to conditions as recommended by the Technical Advisory Committee, as a result of the platting process, unless modified by TMAPC.

♦ Changes made at the TMAPC meeting.

Applicant's Comments

Kevin Coutant

320 South Boston

Mr. Coutant gave a detailed description of surrounding properties, noting that there are 17 special exceptions or variances which have been granted within one and one-half blocks of the subject property. He pointed out that self-storage use is one which promotes low traffic and low intrusion. Mr. Coutant noted that in other communities, including Oklahoma City, self-storage uses are permitted by exception and with controls in multifamily districts. He informed of meeting with Judy McCormick, abutting neighbor to the west, as the Planning Commission requested to discuss the issues she opposed. Mr. Coutant disclosed that they were not able to resolve their differences.

Mr. Coutant requested the following changes to Staff recommendation:

- 1) Maximum Building Floor Area: add a footnote (**) as follows:

**Use Unit 11 uses will be increased by the number of square feet of allowed mini-storage square feet not actually used.

- 2) Minimum Lot Frontage:
Lots abutting 51st Street: 75 feet
All other lots: 0 feet
- 3) Minimum Landscaped Open Space (net) 10%
- 4) Maximum Signage:
As permitted in OL District.
- 5) Minimum Building Setbacks:
From Centerline of 51st Street: 100 feet
From east, west and south property line 3 feet
- 6) Delete landscape requirement along east and west property line. (Staff recommendation No. 4.)
- 7) Confirm that TAC review (Staff recommendation No. 12.) is standard review incident to platting.

Mr. Coutant noted that, in an attempt to effect a compromise, the applicant has suggested considering a 10' setback along the western property line which is contiguous to existing residential properties.

Interested Parties

Steven Smith

5310 East 31st Street, Suite 900 74135

Mr. Smith, attorney and co-owner of Heatherwood Apartments, indicated on the map the location of the apartments and indicated the areas near the subject property designated for future expansion of the apartments. He expressed opposition to the proposed application, declaring that mini-storage use is incompatible with existing development. Mr. Smith informed that future development of apartments would abut the proposed mini-storage, giving those apartments a view of a stone wall over 600' in length. He deemed the esthetic impact on nearby residential properties to be derogatory and offensive to residential living. Mr. Smith urged the Planning Commission to protect existing uses by denying mini-storage use.

Steve Schuller

525 South Main Street 74103

Mr. Schuller, attorney representing Judy McCormick, whose property abuts the western boundary of the proposed development, pointed out Ms. McCormick's property on the map. He declared the proposed development is not an appropriate limitation on the character and intensity of use for the subject property. He noted that the surrounding multifamily use is a small-scale development compared to that which the applicant is proposing. Mr. Schuller declared that the proposed development is incompatible with existing adjacent development. Mr. Schuller disclosed that the proposed development does not allow for meaningful open space within the mini-storage. He commented on the view from the residential properties surrounding the proposed mini-storage. Mr. Schuller declared that the proposed use is not appropriate adjacent to multifamily-family nor is it an appropriate intensity of development for this type of neighborhood. He conceded that with sufficient landscaping, architectural controls and design standards, such a development could be appropriate; however, he deemed that this development does not make those provisions. Mr. Schuller reminded the Planning Commission, that according to the Zoning Code, the purpose of a screening fence is not to provide security for the development, but to screen an otherwise objectionable development from surrounding uses. He declared that the screening proposed destroys the concepts of meaningful open space which the Zoning Code calls for; therefore, Mr. Schuller perceives this to be inconsistent and incompatible with the surrounding neighborhood.

There was considerable discussion between the Planning Commission and Mr. Schuller regarding landscaping, screening and intensity. In response to a question from Mr. Doherty, Mr. Schuller conceded that an office development would be more acceptable at this location than a mini-storage. Ms. Pace noted that the high intensity of multifamily-zoning would indicate that a mini-storage would be used by some of the occupants, and questioned whether the mini-storage might be more acceptable if made to look like garages belonging to the apartment complexes.

In response to Chairman Parmele's question regarding the number of single-family residences abutting the subject property, Mr. Schuller informed of being aware of three.

Sandy Reese

2882 East 51st Street Apt. G 74104

Ms. Reese, manager of Brittany Square Apartments, indicated the location of the apartments in relation to the proposed development. She expressed opposition to the proposed development due to esthetics.

Applicant's Rebuttal

Mr. Coutant took issue with comments made that the project would be visually offensive and unacceptable because it would be inconsistent with multifamily development. He noted that this project would not generate the amount of traffic an office or apartment development would generate, noise would not be an issue, maximum height would be 12' at the ridge of the buildings with an 8' perimeter wall and added that a mini-storage would be a good service for those residing in area apartments. Mr. Coutant took issue with protestants considering this area as a single-family neighborhood, pointing out there were three and four-story office buildings within two blocks of the subject property.

Mr. Coutant answered questions from the Planning Commission regarding fencing and setback.

TMAPC Review

There was discussion over the percentage of landscaping required in the office and mini-storage area.

Mr. Doherty conceded that the proposed use is intense as to area coverage, but is minimal intensity regarding traffic generation. He expressed being sensitive to concerns of single-family residences abutting the proposed development and would be opposed to close encroachment; 10' setback adjacent to those single-family residences would be minimum. Mr. Doherty discerns that should this application be approved there must be setback and appropriate landscaping at the front 250' to the west and front 200' on the east to protect existing single-family residences; however, he sees no reason for the setback for the balance of the project.

Mr. Carnes inquired as to the location of the sewer easement.

Mr. Coutant was unable to render an opinion, but understands it to penetrate along the common property, along the western boundary line 5' in width and as deep as 250'.

There was considerable discussion over relocation of landscaping to better benefit the single-family area and interior landscaping within the mini-storage area.

Mr. Stump informed that 10% landscaping is now mandated by the PUD chapter for commercial development.

Mr. Doherty made a motion for approval as presented with the following exceptions:

10' setback for depth of 250' or to accommodate the residences to the west of the subject property, to be determined under detail site plan, with a 10' setback similarly measured to the east, a 3' setback on the balance of the property, and limiting the height of any wall or structure at the edge of that setback to 8'; accepting the applicant's request for amended language as to a maximum building floor area and to minimum lot frontage, provided that there be only one point of access to 51st Street and providing for minimum percentages of landscaping as recommended by Staff; approximately the rear 2/3 of the property, Development Area 3 be limited to mini-storage only; maximum signage to be limited to two monument signs, size and height in accordance with OL provisions, one sign for the mini-storage and one for the office; landscape requirement on the east and west property line to be determined at detail site plan with consideration given to interior mature trees and possibility of architectural features resembling surrounding uses; to include approval of an elevation sketch under detail site plan, and encourage breaking the construction into segments which are not a straight line. Mr. Midget seconded the motion.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-1-0** (Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; Ballard "nay"; no "abstentions"; Broussard, Carnes, Harris, Neely "absent") to **APPROVE** Z-6448 for CS zoning on the north 450' and RM-1 on the remainder and PUD 513 with conditions recommended by Staff and as amended.

PUD LEGAL DESCRIPTION

Part of the Northwest Quarter of the Northeast Quarter of Section 32, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma beginning 700' East of the Northwest corner of the Northwest Quarter of the Northeast Quarter, thence South 656.5', thence East 195', thence North 659.5', thence West 195.5' to the point of beginning, less the East 5' of the North 264' of the tract thereof, and containing approximately 2.77 acres.

Z-6448 LEGAL DESCRIPTION

CS PORTION

The north 450' of the following tract: Part of the northwest quarter of the northeast quarter of Section 32, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma beginning 700' east of the northwest corner of the northwest quarter of the northeast quarter, thence south 656.5', thence east 195', thence north 659.5', thence west 195.5' to the point of beginning less the east 5' of the north 264' of the tract thereof.

RM-1 PORTION

Part of the northwest quarter of the northeast quarter of Section 32, T-19-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma beginning 700' East of the Northwest corner of the northwest quarter of the northeast quarter, thence south 656.5', thence east 195', thence north 659.5' thence west 195.5' to the point of beginning, less the north 450' of the tract thereof.

ZONING PUBLIC HEARING:

Application No.: **PUD-190**

Applicant: Ann Smith

Location: Southwest corner of East 71st Street South and South Sheridan Road.

Date of Hearing: June 15, 1994

Detail Sign Plan

Pennington's restaurant is requesting approval of a 9' X 12' wall sign in rental spaces 26 and 27 of Summit Square Shopping Center. The restaurant will have 80' of building wall on the side where the sign is affixed, so it is within the 1 1/2 SF per foot of wall limitation of the PUD. Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Broussard, Harris, Neely "absent") to **APPROVE** PUD 190-E-1 **MINOR AMENDMENT** as recommended by Staff.

OTHER BUSINESS:

Discussion and possible action on the TMAPC Citizen Participation Study.

Chairman Parmele reminded those in attendance that this is not a public hearing item and no action will be taken today. He explained that it is the intent of the Planning Commission to receive input from those wishing to address the Planning Commission, and he requested that comments be limited to a reasonable time since there is a chance of losing a quorum due to the length of today's meeting. Chairman Parmele revealed that this item will be referred to Rules and Regulations Committee for consideration of comments which will be received and then returned to the Planning Commission for public hearing and final action.

Mr. Doherty set the Rules and Regulations Committee meeting for July 13, 1994 in the City Council meeting room #201 at City Hall.

Staff Comments

Ms. Matthews reviewed the following:

- I. Introduction - Purpose of the study was to encourage more participation, and Staff sees the neighborhood associations as the building block for meaningful citizen input. The associations, to a large extent, are already formed in a great part of the city. These are resources which need to be tapped.

The study was undertaken, in part, because of concern expressed by some of the Planning District residents that their Chairs and Vice-Chairs weren't representative, and that the Planning Teams were inactive or nonfunctioning.

- A. History - Vision 2000 in 1970's, Planning Districts - Roles Changed
 1. Role of District Chairs and Planning Teams was to assist in plan development see plans through adoption process.
 2. After the adoption of all District plans, the roles became more functions of monitoring plan implementation.
 3. In recognition of this change, Mayor Young, in 1985, signed a resolution that assigned to TMAPC the responsibility of overseeing the Planning Districts and to INCOG Staff the responsibility of assisting in that.
- II. After the 1985 resolution, TMAPC defined roles and functions of the District representatives, based on provisions in that resolution.
 - A. Responsibilities of District representatives specified: monitor Districts for zoning/BOA activities, code enforcement, capital improvement needs.
 - B. Beyond that, it was left up to TMAPC to determine how to fulfill their responsibilities.
 - C. How current system operates:
 1. Under the auspices of TMAPC, which is the body mandated by statute to be responsible for the Comprehensive Plan.
 2. Elections are held every two years, usually in the fall.

Ms. Matthews then highlighted the recommendations of the study.

To encourage unregistered associations to register and the formation of new homeowners associations and neighborhood associations.

Revise the election process to allow registered homeowners and neighborhood association representatives to elect the Chairs and Vice-Chairs; one representative from each association would be the electors. Any individual who lives in or has a significant business interest in the district could serve as Chair or Vice-Chair. An individual does not have to be a member of a homeowners association or neighborhood association, just elected by the association. The planning team would be made up of presidents of the registered homeowners associations, neighborhood associations or their designees, with the Planning Commission having the right to appoint additional members to the planning teams as deemed appropriate. The Chairs should notify Staff of the members of their planning team.

Elections should be held in October of the even-numbered years.

The definitions of homeowners association and neighborhood association should be broadened. Included would be tenant associations, TCAA groups, condominium associations and neighborhood-based businesses.

If all records are kept in one place, the bureaucracy will be reduced, as will having a single point of entry through the Mayor's Office.

Ms. Matthews informed the remainder of the recommendations are logistical and strategic in procedural items that Staff would do if requested.

Ms. Matthews recommended that the Planning Commission hear comments of all who wish to speak and refer it to the Committee, and based on comments heard, discussion of the committee, recommend changes and set again for review before the full Planning Commission.

There was discussion among the Planning Commission over funds expended through workshops, advertising, notification of media, and mailings, etc., and the continued decline of participation. It was the consensus of the Planning Commission that it appears the process only works when there is a matter of controversy within a district.

Interested Parties

Darla Hall

D-2 Councilor

Councilor Hall conceded that changes need to be made to encourage more citizen participation; however, she expressed opposition to requiring membership in a homeowners association to vote, and TMAPC appointing as many members as they wish to the planning teams. Councilor Hall perceives that business associations could dominate the residential areas.

Veretta Carter

1739 East 50th Place North 74130

Tulsa Community Action Agency (TCAA)

Ms. Carter requested that TCAA be considered as a single point of entry. She urged that neighborhood associations be registered with INCOG and TCAA. Ms. Carter discussed the existing cooperative relationship TCAA has with neighborhoods and detailed the agency's efforts in informing the community. She disclosed that many citizens distrust governmental entities. Ms. Carter suggested that TCAA assist in organizing planning teams, because their involvement would prevent duplication of services. Ms. Carter declared that the current system is not participatory and changes should be made.

Nancy Davis

2232 East 19th Street 74104

Yorktown Neighborhood Association

Ms. Davis discerns the proposal will not encourage citizen participation. She deemed that a system which limits the citizens' voting ability does not encourage participation. She encouraged more education by sending information to HOA and Neighborhood Associations. Ms. Davis encouraged that voting not be restricted and that TMAPC not have the ability to appoint other members to the planning team, since the citizenry perceives the TMAPC as a supporter of the business community rather than neighborhoods. Ms. Davis encouraged that the definition be broadened to include condominium associations, neighborhood-based business associations, etc. She encouraged one-person one-vote for businesses and citizenry alike. Ms. Davis believes the proposal gives more power to the developer.

Norma Turnbo

1822 South Cheyenne 74119

Co-Chair District 7

Ms. Turnbo gave background of why the citizens of Tulsa feel TMAPC is against them. She urged more information and education for Chairs and Vice-Chairs over the Comprehensive Plan and how to defend it. Ms. Turnbo informed that Chairs and Vice Chairs have never felt welcome for participation and collective Staff support is lacking. She does not agree with limiting voting to HOA or Neighborhood Associations and supports limited business participation. Ms. Turnbo urged that a massive effort be made to educate the citizenry. Ms. Turnbo suggested using *INSIGHT* to advertise meetings with Staff to inform area residents of applications in their area and how to defend their Comprehensive Plan. She does not feel the TMAPC has extended themselves to support the Chairs and Vice Chairs.

E.J. Brooks

1564 East 52nd Street North 74126

Mr. Brooks requested that the Berry Park neighborhood facility be restored to accommodate neighborhood meetings. He suggested placing the District Chairs on the payroll to encourage participation.

Laurie Connors

1716 South Detroit Avenue 74119

Chairperson, United Neighborhoods & Present-elect Maple Ridge Association

Ms. Connors stated that the United Neighborhoods agrees with most of the Study; however, the association objects to limitations regarding planning teams allowing business interests the same vote as an HOA. She declared that business groups should be allowed informal participation. Ms. Connors suggested that a sign-off process be established to ensure that developers and citizen groups meet in an attempt to resolve differences in any proposed development. She stressed the importance of more education. Ms. Connors supports one-person one-vote.

Captola Thomas

3016 East 2nd Street 74104

Ms. Thomas expressed opposition to the requirement of membership in HOA in order to vote.

Jewru Bandeh

531 East 36th Street North 74106

Director, TCAA

Mr. Bandeh commented on the need to increase citizen participation efforts. He suggested the election process does not allow for a great degree for citizen participation. Mr. Bandeh urged assurances for broad grassroots community involvement which would allow a greater degree of acceptance at the individual and group level, particularly within the low and moderate income communities. He urged that involvement of umbrella agencies be central in all planning efforts in order to inform and support neighborhood groups. These agencies should be central in all community planning efforts, and can be utilized in citizen education efforts, to provide continuous support to neighborhood group development, to serve as an access point for easy registration and a source for direct feedback. Mr. Bandeh urged

expansion of the role assigned to Planning District Teams, Chairs and Vice-Chairs to include comprehensive, coordinated relationships with grassroots community based-entities.


Roy Heim 6303 South 30th West Avenue 74132
Mr. Heim suggested ways to increase participation such as increased media coverage, written nominations, acceptance letters from the nominees with a resume' and photograph before the election. He suggested a weekend orientation retreat offering a variety of training sessions for new Chairs and Vice Chairs.

Nancy Apgar 3914 South Norfolk 74105
Zoning Vice-Chair, Brookside Neighborhood Association
Ms. Apgar expressed support of one-person one-vote with all citizens in the district being given the opportunity to vote. She urged that the manner of voting not be changed.

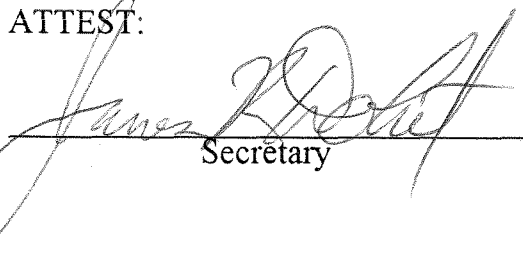
Cathy Voight 3145 South Rockford
Vice-Chair, Planning District 6 & member of the Brookside Neighborhood Association
Ms. Voight, expressed support of one-person one-vote and expressed support of Neighborhood Associations being involved in the planning teams.

Chairman Parmele extended his thanks to individuals who participated in discussion.

There being no further business, the Chairman declared the meeting adjourned at 5:05 p.m.

Date Approved: 7-6-94


Chairman

ATTEST:


Secretary