

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1992  
Wednesday, September 28, 1994, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

**Members Present**

Ballard  
Carnes, 2nd Vice  
Chairman  
Doherty  
Gray  
Horner  
Midget, Mayor's  
Designee  
Neely, 1st Vice  
Chairman  
Pace  
Parmele  
Chairman

**Members Absent**

Harris  
Wilson

**Staff Present**

Gardner  
Jones  
Lindersmith  
Stump

**Others Present**

Jackere, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, September 6, 1994 at 8:38 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:35 p.m.

**Minutes:**

Approval of the minutes of September 14, 1994, Meeting No. 1990:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-1** (Carnes, Doherty, Gray, Horner, Midget, Pace, Parmele, "aye"; no "nays"; Neely "abstaining"; Ballard, Harris, Wilson "absent") to **APPROVE** the minutes of the meeting of September 14, 1994 Meeting No. 1990.

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### Director's Report

Mr. Gardner announced that there are no zoning or land division items on the City Council Agenda.

Chairman Parmele announced that Mr. Doherty will be available at the City Council meeting regarding closing of the public way in Woodland Park Addition at 33rd Street North and North Memorial. Mr. Doherty informed that this area is being considered as one lot because it is under common ownership; however, he pointed out that it is platted as three separate lots. He was concerned that closing the public way would leave the rear two lots landlocked unless there is access through the front. Mr. Doherty will be present at the City Council meeting to mention that the Planning Commission is available to review such items if requested.

### COMPREHENSIVE PLAN PUBLIC HEARING:

Housekeeping amendments to District Plans for Planning Districts 1, 2, 4, 5, 6, 7, 8, 11, 16, 18, and 26 and to the INCOG Regional Park, Recreation, and Open Space Plan and Tulsa Trails Plan, all parts of the Comprehensive Plan for the Tulsa Metropolitan Area -- Resolutions.

### Staff Comments

Ms. Matthews informed that these are the annual housekeeping amendments and reviewed the changes to the District Plan Maps and Text as relates to the recommendations.

Mr. Doherty asked when the trails change was referred to the Tulsa Trails Coalition.

Ms. Matthews replied that she did not believe that Tulsa Trails Coalition reviewed this item; it was referred by the Park Department. She informed that the Park Department will submit this plan as part of an Intermodal Surface Transportation Efficiency Act (ISTEA).

Mr. Doherty questioned the process of considering this as an amendment to the Comprehensive Plan without review by the appropriate bodies.

In response to a question from Chairman Parmele, Mr. Neely informed that, although there was not a quorum present, the Comprehensive Plan Committee reviewed these items, and it was the consensus of those present to recommend approval.

### Interested Parties

**Terry Wilson**

**7728 East 30th Street 74129**

**Planning Team Chair, District 5**

Mr. Wilson presented a history of work accomplished to improve the area at 31st and Memorial and 31st and Sheridan. As an example he noted that a new Tracy Park with 75 homes being constructed at 27th Street and Memorial with a new 10-acre City Park at the rear of this project. Mr. Wilson thanked the Planning Commission for their efforts, noting that this park was a direct effort from the TMAPC. He requested that the trails system be routed through the District 5 area. Mr. Wilson requested that after the flood project in the area is completed that the trails be extended from the Rockwell Park area, over the 90th Street bridge, over I-44, down Skelly Drive access road to 27th Street, through the new home area into the park and maybe down to the flood area.

**TMAPC Action; 10 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **10-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" "Harris, Wilson "absent") to **APPROVE** the Housekeeping Amendments to District Plans for Planning Districts 1, 2, 4, 5, 6, 7, 8, 11, 16, 18, and 26 and to the INCOG Regional Park, Recreation, and Open Space Plan and Tulsa Trails Plan, all parts of the Comprehensive Plan for the Tulsa Metropolitan Area and withhold signing the resolution on the Tulsa Trails Amendments until input is received from the Tulsa Trails Coalition.

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**SUBDIVISIONS:**

Consideration and execution of partial abandonment and modification of restrictive covenants for Chimney Ridge Townhomes, plat number 4172.

**Staff Comments**

Mr. Jones informed that this item was placed on the agenda as a result of a PUD in a subdivision plat currently working for Colefax Hills, located west of the northwest corner of 91st and Sheridan. He reminded the Planning Commission that this property was included in a PUD, which has been approved. Mr. Jones disclosed that a portion of the property was part of the original Chimney Ridge Townhomes subdivision plat which needed to be vacated, as this document would cancel and modify that portion of the Deed of Dedication and Restrictive Covenants, specifically stating that this property is to be used for only residential purposes. He revealed that this is the OL tract where the proposed dentist's office will be located; this document will remove that property from the subdivision plat Deed of Dedication for Chimney Ridge Townhomes. Mr. Jones advised that the document states, "*this property shall be subject to Tulsa Zoning Code as amended from time to time*". He informed that this puts it back under straight OL zoning; dentist office use is permitted in an OL-zoned district. Mr. Jones that the Legal Department has reviewed this document and Staff would recommend approval.

**TMAPC Action; 9 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele, "aye"; no "nays"; no "abstentions" "Harris, Wilson "absent") to **APPROVE EXECUTION** of partial abandonment and modification of restrictive covenants for Chimney Ridge Townhomes, plat number 4172.

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**RECONSIDERATION OF FINAL APPROVAL AND RELEASE:**

Albertson's #2237 (PUD-512)(784)

(PD-18)(CD-8)

Southwest corner of East 71st Street South & South Garnett Road.

**Staff Comments**

Mr. Jones reported that the Planning Commission approved the Final Approval and Release of this plat on September 7, 1994. At that time, there was a mutual access easement depicted across the property running east to west. Since approval, the owners of the property have agreed to relocate the mutual access easement to the northside and add a mutual access easement along the entire south side of the property. He informed that west of the subject property still has access via the mutual access easement, but not directly through the middle. Mr. Jones informed that with the Albertson's store location, they did not want large trucks to travel in front of the Albertson's store. He reported that Traffic Engineering has reviewed this and Staff recommends **APPROVAL**.

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" "Harris, Wilson "absent") to **RECONSIDER FINAL APPROVAL AND RELEASE** of Albertson's #2237 as recommended by Staff.

**MOTION PASSED.**

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele, "aye"; no "nays"; no "abstentions" "Harris, Wilson "absent") to **APPROVE** the **AMENDED FINAL APPROVAL AND RELEASE** of Albertson's #2237 having met all conditions of approval as recommended by Staff

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**LOT-SPLIT FOR DISCUSSION:**

L-17958 Erick & Angela Cunningham (1993)

(PD-6)(CD-9)

1618 E. 35th St. S.

RS-3

It is proposed to split a 60' X 61' piece from the rear of this 60' X 183' lot. This will leave a 60' X 122' lot which will be in conformance with the RS-3 zoning regulations. The 60' X 61' piece is to be attached to the adjacent 50' X 183' lot to the east. The 50' width of this lot is a pre-existing nonconformity, but the lot has sufficient square footage even without the

additional 60' X 61' piece. However, the attachment of this piece will cause a lot to be created that has more than three side yard lines.

Chairman Parmele asked what would happen if in the future the applicant wants another lot with 61' of frontage on Troost and 140' depth.

Mr. Gardner informed that the applicant could have done so, but the lot would not meet RS-3 zoning requirements. He noted that the lot to the east to which this tract is being attached is nonconforming in terms of width but not area.

Mr. Jones informed that this lot-split meets all Subdivisions Regulations in the Zoning Code, but because of TMAPC policy it is a lot-split for discussion.

Mr. Doherty moved approval, noting that the lot does meet the average width requirement in RS-3.

There were no interested parties in attendance.

**TMAPC Action; 9 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" "Harris, Wilson "absent") to **FIND** this **LOT-SPLIT** in **ACCORDANCE** with Subdivision Regulations and **APPROVE** as recommended by Staff.

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**CONTINUED ZONING PUBLIC HEARING:**

Application No.: **Z-6451/PUD-516** Present Zoning: AG  
Applicant: Roy Johnsen Proposed Zoning: CS, RS-4 and PUD  
Location: Southeast corner of East 101st Street South and South Yale Avenue.  
Date of Hearing: September 28, 1994  
Presentation to TMAPC: Roy Johnsen

The applicant continued the rezoning request and accompanying PUD for professional office and apartment development in order to readvertise for commercial and single-family zoning to accommodate limited retail commercial uses, professional offices and the balance of the ten acres for single-family residential development. These changes in land use were negotiated with the surrounding single-family home owners.

Staff supported commercial zoning and development at this intersection on at least two previous occasions based on the Comprehensive Plan and surrounding land use. However, the physical facts in the area have changed, most notably the construction of the new Jenks Elementary School on the southwest corner of the subject intersection. Staff cannot support commercial zoning and uses that would conflict with the operation of the school and the

nearby residential subdivision. Late-hour commercial operations such as a convenience store, service station, etc., or commercial uses that would attract the children, such as any type of eating establishments, would be inappropriate for the area.

Staff does not find the amended proposal to be injurious to the neighborhood based on the PUD restrictions as to the types of commercial uses permitted, the assigned amount of commercial office floor area and the sign and landscape controls proposed.

Therefore, if the Planning Commission is inclined to support the amended proposal, Staff would recommend a zoning pattern of 450' (from centerline of Yale) of OL along 101st Street, a depth of 150' from centerline of 101st and 300' of OL along Yale Avenue, a depth of 150' from the centerline of Yale; a rectangle of CS adjacent to the OL on the south and east 300' X 150' and RS-4 on the balance of the 10 acre tract. This zoning pattern under the PUD supplemental zoning overlay would permit 15 single-family homes on a private street, 18,250 SF of office and 22,500 SF of limited retail plus an additional 10,000 of office floor area.

Based on the zoning patterns as delineated above, 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-516 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-516 subject to the following conditions:

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

Land Area (Gross):	10.05 acres
(Net):	8.44 acres

#### **DEVELOPMENT AREA A:**

Net Area:	3.08 acres
Permitted Uses:	Use Units 10 and 11 and the uses included within Use Unit 13 <u>Convenience Goods and Services</u> (but excluding the establishment commonly known as a convenience grocery and excluding any food establishment as therein set forth); and the uses included within Use Unit 14 <u>Shopping Goods and Services</u> (but excluding automobile parts and accessories store, pawn shop, retail building material establishment and self service laundromat as therein set forth) as such use units are described and set forth within the Tulsa Zoning Code on this date.

Maximum Building Floor Area:	*32,500 SF
Maximum Building Height:	30' but not more than 2 stories
Minimum Building Setbacks	
From centerline of 101st Street:	100'
From centerline of Yale Avenue:	108'
From east boundary:	20'
From south boundary adjacent to Area C:	50'
From south boundary adjacent to Area B:	15'
Minimum Off-Street Parking:	As required by the Tulsa Zoning Code
Minimum Lot Frontage:	150'
Minimum Landscaped Open Space:	15% of net area

\*Maximum 22,500 SF of retail.

### **DEVELOPMENT AREA B:**

Net Area:	1.70 acres
Permitted Uses:	Use Units 10 and 11
Maximum Floor Area:	18,250 SF
Maximum Building Height:	30' but not to exceed 2 stories
Minimum Building Setbacks	
From centerline of 101st Street:	NA
From centerline of Yale Avenue:	100'
From east boundary adjacent to Area C:	20'
From south boundary adjacent to Area C:	20'
Minimum Off-Street Parking:	As required by the Tulsa Zoning Code

### **DEVELOPMENT AREA C:**

Net Area:	3.66 acres
Permitted Uses:	Use Unit 6 (Detached Single-family and Detention Area.
Maximum Dwelling Units	15
Bulk and Area Requirements	
Minimum Lot Width	50'
Minimum Lot Area	5,500 SF
Front Yard Setback (From Private Street)	20'
Rear Yard Setback	20'
Side Yard Setback	5'
Private Street:*	
Minimum right-of-way width	30'
Minimum Street Width (curb to curb)	26'

\*must be closed to public traffic by use of privacy gates.

3. Parking adjacent to arterial streets shall be setback at least 10' from the street right-of-way and shall be screened from view from the street by landscaping or berming to a minimum height of 3'. Parking adjacent to the east boundary of the PUD shall be setback at least 5' from that boundary.
4. A landscaped buffer strip or screening fence shall be provided between Development Areas A and C and between Area B and C.
5. Not more than three access points shall be permitted on each of the arterial streets. All lots in Development Area A and B shall be mutually accessible to each other.
6. All nonresidential buildings in Areas A and B shall have pitched roofs and an architectural style which will be compatible with the surrounding residential structures. Elevation drawings of the office and retail buildings shall be submitted with the detail site plans. Variations in roof lines, brick or stone facades, and buildings with offset rather than straight exterior walls are encouraged.
7. Signs shall comply with the requirements of Section 1103.B.2 of the Tulsa Zoning Code, except in Development Area A wall signs shall not exceed 1 SF per linear foot of building wall to which affixed and one ground sign on each arterial street frontage not to exceed 8' in height nor 100 SF in display surface area per sign.
8. No Zoning Clearance Permit shall be issued for Development Areas A and B 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.
9. 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.
10. 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.
11. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
12. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 15 feet.



13. 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.
14. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all common areas, including any stormwater detention areas within the PUD.
15. All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10%.
16. 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.
17. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

Mr. Gardner pointed out that Development Area A is very restrictive as to the types of commercial which would be allowed. There are no services that would attract students between the school and the commercial site. He stated that none of the activities would be considered late-hour activities, etc. Mr. Gardner informed that with these restrictions, there will be no negative impact on the surrounding area. He noted that since it would be tempting to travel through the single-family residential area to bypass the intersection, those streets have to be private and so indicated through the use of gates to discourage vehicles from avoiding the intersection.

Mr. Neely asked whether the purpose is to prevent people from going through the residential streets, and if there is also a concern about also cutting through the commercial or office areas.

Mr. Gardner replied in the negative, stating that increased traffic would be detrimental to the single-family homes.

#### Applicant's Comments

Mr. Johnsen distributed a map depicting surrounding land use with the site plan superimposed, giving a perspective of the area. He gave a detailed description and zoning history of the surrounding area. Mr. Johnsen reported on neighborhood meetings where opposition to multifamily development was expressed. He informed that the application as presented is a result of negotiation with area residents and has their support. Mr. Johnsen disclosed that there is a formal written agreement with the Wexford Homeowners Association that establishes a number of restrictions on the use of the property, which for the most part parallels Staff's recommendation for public restrictions. He presented a detailed description of the proposed development. Mr. Johnsen informed that it is anticipated that

detention will be addressed in conjunction with Wexford, an existing facility that will become a common facility, and advised that agreement has been reached regarding construction and maintenance of that facility.

Interested Parties

**David Tracy**  
Vice Chair, District 26 Planning Team

1701 South Boston 74119

Mr. Tracy informed of a meeting held July 25, 1994 at the Jenks Southeast Elementary School where over 300 individuals attended, and he was presented with petitions signed by 137 homeowners in the area opposing multifamily development. He informed that the agreement between the applicant and Wexford HOA mirrors Staff recommendation, pointing out that the agreement involves follow-up approval of hydrological impact of development on that area. Mr. Tracy informed of being approached by a representative from the church to the east of the subject property inquiring about screening.

Mr. Johnsen informed that the church has a split-rail fence along the boundary, noting that there is substantial tree growth on the common boundary and indicated that a plain screening fence is the appropriate solution.

Chairman Parmele declared that he would prefer to review screening at detail site plan to allow area residents the opportunity to review the plan and suggest changes.

Mr. Tracy added that the agreement requires a mandatory HOA within the single-family portion of the PUD required to maintain private streets.

**Jack Petreikis**  
President, Wexford HOA

10405 South Canton 74137

Mr. Petreikis informed that the Board of Directors of the HOA recommends that the Planning Commission approve the development as presented.

Regarding his antipathy to gated-private streets, Mr. Doherty acknowledged that in this instance there seems to be no other practical approach to this development, noting that the private streets enhance the area.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele, "aye"; no "nays"; no "abstentions" "Harris, Wilson "absent") to recommend **APPROVAL** of Z-6451/PUD 516 as recommended by Staff.

**PUD 516 LEGAL DESCRIPTION**

The Northwest Quarter, Northwest Quarter, Northwest Quarter, Section 27, T-18-N, R-13-E, Tulsa County, Oklahoma, and located in the southeast corner of East 101st Street S. and South Yale Avenue.

**Z-6451 LEGAL DESCRIPTION**

Portion Zoned OL: The north 150' of the west 450' and the south 150' of the north 300' of the west 150' of Section 27, T-18-N, R-13-E Tulsa County, Oklahoma.

Portion Zoned CS: The south 150' of the north 300' of the east 300' of the west 450' of Section 27, T-18-N, R-13-E Tulsa County, Oklahoma.

Portion Zoned RS-4: The northwest Quarter, northwest quarter, northwest quarter less and except the north 300' of the west 450' of Section 27, T-18-N, R-13-E Tulsa County, Oklahoma.

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Application No.: **PUD-179-O-4**  
Applicant: John W. Moody  
Location: 9006 East 71st Street South.  
Date of Hearing: September 28, 1994  
Presentation to TMAPC: John Moody

The applicant is requesting approval of a Minor Amendment to permit one additional ground sign in Development Area "C" to serve Development Area "B" (this increases the number of allowed signs on the street frontage from two to three); increase total display surface area allowed in the PUD from 250 SF to 390 SF; decrease parking in Area "C" by one space, and decrease the minimum spacing requirement for this sign from 200' to 115'.

Staff has reviewed the original PUD approval and finds that one sign was allowed along the Memorial frontage for a maximum of 250 SF. If two signs were provided, the maximum display area would be 112 SF each or 224 SF. Minor Amendment 179-3 increased the maximum area of the proposed sign in Area "C" to 126 SF.

Staff also notes that the requested increase will require Board of Adjustment approval. Sections 1221 D of the Zoning Code states, *"that if more than one sign is erected the maximum display area shall not exceed one square foot per linear foot of street frontage."* Street frontage of Area "C" is 160 ', 126 SF of display area is being utilized by the existing sign leaving 34 SF.

Staff finds that the request as presented, does not conform to the spirit and intent of the original PUD approval. It far exceeds the original anticipated visual impact along the Memorial frontage. Therefore, Staff recommends **DENIAL**.

TMAPC Comments

Chairman Parmele announced that this request was initially denied on September 14, 1994 because Staff recommendation was for denial and the applicant was not present. On September 21 the Planning Commission voted to reconsider the application.

Mr. Stump explained Staff's recommendation for denial.

Applicant's Comments

Mr. Moody reviewed signage square footage permitted under past and present PUD Ordinances and presented a detailed history of each PUD in the area along with approved signage in the vicinity. He declared that the use of three signs on the subject parcel is not inconsistent with the surrounding area and that it conforms to the standards of the Zoning Code and practices of the Planning Commission on the 71st Street Corridor. Mr. Moody disclosed that all the properties that have developed on 71st Street which have outparcels have been permitted signs to identify the use of the parcel behind the outparcels.

Mr. Stump answered questions from the Planning Commission regarding Staff recommendation.

Mr. Gardner pointed out that most interior tracts maintain some frontage on the street. He declared that if there is a hardship, it is self-imposed by not keeping any frontage or establishing signs on the frontage at the beginning of the PUD process.

There was considerable discussion among the Planning Commissioners over sign allocation for this PUD.

Mr. Doherty suggested approval of the applicant's request for an additional sign on the easternmost tract, Tia's, formerly Luby's site, across the driveway, subject to the applicant providing documentation from the owner that it would be acceptable and reducing spacing to 100' between ground signs.

Mr. Moody requested that the application be continued for two weeks to allow him the opportunity to contact Tia's representatives.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Wilson "absent") to **CONTINUE** PUD 179-O-4 to October 19, 1994.

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Application No.: **CZ-213**

Applicant: Stephen L. Oakley

Location: Northwest corner of East 66th Street North & North Peoria Avenue.

Date of Hearing: September 28, 1994

Presentation to TMAPC: Stephen Oakley

Present Zoning: RS

Proposed Zoning: CG

Relationship to the Comprehensive Plan:

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Special District 1 (Mixed Commercial Uses).

According to the Zoning Matrix the requested **CG** District **may be found** in accordance with the Plan Map. All zoning districts are considered **may be found** in accordance with Special Districts guidelines.

Staff Comments:

**Site Analysis:** The subject tract is approximately 2.3 acres in size and is located on the northwest corner of 66th Street North and North Peoria Avenue. It is partially wooded, gently sloping, and there is a bookbinding business located on it.

**Surrounding Area Analysis:** The subject tract is abutted on the north by a single-family dwelling and a non-conforming wrecker service company, zoned RS; to the east by a vacant lot and a non-conforming convenience store, zoned RS; to the south by commercial uses, zoned CH and to the west by railroad right-of-way and then single-family dwellings, zoned RS.

**Zoning and BOA Historical Summary:** The history of zoning actions in this area indicate that several zoning cases have been approved to allow IL zoning north of the subject tract on the west side of Peoria.

**Conclusions:** This area contains a mixture of commercial uses. The Comprehensive Plan and existing conditions support the request for Commercial, [general (CG) zoning]. Therefore staff recommends **APPROVAL** of the requested CG zoning for CZ-213.

Applicant's Comments

Mr. Oakley questioned when the subdivision plat waiver would be addressed.

Mr. Doherty explained that the subdivision plat waiver would come before the Planning Commission after the County Commission approves this application.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions" Ballard, Harris, Parmele, Wilson "absent") to recommend **APPROVAL** of CZ-213 for CG zoning as recommended by Staff.

**LEGAL DESCRIPTION CZ-213**

Beginning at a point 528' West and 30' North of the Southeast corner of Section 36, T-21-N, R-12-E, situated in Tulsa County, State of Oklahoma, thence West a distance of 16.5' to a point, thence South a distance of 5' to a point, thence West a distance of 299' to a point, thence Northeasterly a distance of 197' to a point, thence East a distance of 268' to a point, thence South a distance of 190' to the place of beginning, situated in SE/4, SE/4 Section 36, T-21-N, R-12-E, according to the government survey thereof: and a tract of land described as follows, to-wit: Beginning at a point 330' west of the Southeast corner of the SE/4, SE/4, SE/4, of Section 36, T-21-N, R-12-E, thence West 198', thence North 220', thence East 198', thence south 220' to the point of beginning, containing 1 acre more or less and beginning at a point 330' West and 102' North of the Southeast corner of the SE/4, SE/4, SE/4, of Section 36, T-21-N, R-12-E, thence Northeast 39', thence Northwest 10', thence Northeast 94.6', thence West 64.5', thence South 118' to the point of beginning, and located on the northwest corner of E. 66th Street and North Peoria Avenue, Tulsa, Oklahoma.

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Application No.: **CZ-215**

Applicant: William K. Miller

Location: West of South 168th West Avenue & south of West 58th Place South.

Date of Hearing: September 28, 1994

Presentation to TMAPC:

Present Zoning: AG

Proposed Zoning: RS

**Relationship to the Comprehensive Plan:**

The Sand Springs Comprehensive Plan designates the property as Rural Residential.

According to the Zoning Matrix the requested RS zoning is in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject tract is approximately 11.03 acres in size and is located west of 168th West Avenue and north and south of West 58th Street South. It is wooded, gently sloping, and vacant.

**Surrounding Area Analysis:** The tract is abutted on the north, west and south by vacant property, zoned AG and to the east by vacant property, zoned RS.

**Zoning and BOA Historical Summary:** The history of zoning actions in this area indicate that RS zoning was approved on the adjoining tract and is presently being platted and developed.

**Conclusions:** RS zoning for this tract is compatible with the surrounding area. Therefore staff recommends **APPROVAL** of RS zoning for CZ-215.

Interested Parties

**Ralph Klumpp**

5803 South 168th West Avenue 74063

Mr. Klumpp read a letter from Mark and Cindy Susmilch, 5641 South 168th West Avenue, Sand Springs, expressing concerns over the impact this request could have on quality of life in the neighborhood, development jeopardizing adequate water supply in the area, increased traffic would endanger the lives of neighborhood children and the sense of community and individuality will be lost with increased construction.

Mr. Klumpp then presented a petition from resident of Pleasant Oaks Subdivision expressing their objections to the proposed zoning for the following reasons: 1) there is only one road providing access to the development which will create traffic congestion; 2) the road surface is in disrepair and increased traffic will contribute to further wear and tear; 3) increased demands on the water supply will adversely affect water pressure, which is presently being experienced, and residents fear will be inadequate for fire protection; 4) limited telephone access; and 5) development will threaten the peaceful environment residents now enjoy.

It was suggested that if the zoning change is approved, permanent alternate access be provided from Coyote Trail to the proposed Hidden Oaks West, the water line tied into a water main there and construction traffic be diverted to another access route.

Mr. Doherty advised that the issue of the water tap and pressure is the responsibility of Sand Springs Public Works Department, and encouraged Mr. Klumpp to contact that department with the concerns he noted. He informed that if the property to the south of 61st Street is presented to the Planning Commission for development, during the platting stage the Planning Commission will encourage an alternate access to prevent development of a labyrinth. Mr. Doherty assured Mr. Klumpp that as this area develops, the Planning Commission will pay close attention to the street pattern to ensure there are alternate points of access.

**Karen Beckman**

16655 West 56th Place

Ms. Beckman expressed concern over ensuring additional points of access.

TMAPC Comments

Mr. Doherty announced that the Sand Springs Regional Planning Commission heard the application, and after review they voted to recommend approval of the request as submitted.

**TMAPC Action; 8 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Wilson "absent") to recommend **APPROVAL** of CZ-215 for RS zoning as recommended by Staff.

**LEGAL DESCRIPTION CZ-215**

A tract of land located in the NE/4, SW/4, Section 31, T-19-N, R-11-E, Tulsa County, Southwest of Sand Springs, Oklahoma commencing at the center of said Section thence S 00°03'28" E (a southeast direction), 334.65', thence N 89°58'40" W, 700' to the point of beginning, thence S 00°03'28" E 325' to a point, thence S 89°58'40" E 40' to a point; thence S 00°03'28" E, 425' to a point ; thence N 89°58'40" W, 657.39' to a point; thence N 00°06'03" W, 750' to a point; thence S 89°58'40" E, 617.96' to the Point of Beginning, containing approximately 11.03 acres and located west of 168th West Avenue and south of West 58th Place South.

\*\*\*\*\*

Application No.: CZ-216

Present Zoning: AG

Applicant: Charles Burris

Proposed Zoning: RS

Location: Northwest corner of East 116th Street North & North Garnett Road.

Date of Hearing: September 28, 1994

Presentation to TMAPC:

**Relationship to the Comprehensive Plan:**

The Owasso Comprehensive Plan designates the property as Rural-Residential Intensity. Zoning in these areas designated as Rural-Residential Intensity include AG and RE categories.

Areas designated rural-residential intensity may be transitional and may be redeveloped to higher intensity uses upon the availability of public services.

**Staff Comments:**

**Site Analysis:** The subject tract is approximately 109.17 acres in size and is located north and west of the northwest corner of 116th Street North and North Garnett Road. It is non-wooded, gently sloping, vacant and is zoned AG.

**Surrounding Area Analysis:** The subject tract is abutted on the north and northwest by vacant property, zoned AG; to the east by scattered single-family dwellings, zoned AG; to the west by single-family homes, zoned AG; and to the south by a church, zoned AG, commercial establishments, zoned CG, and vacant property zoned AG and CS.

**Zoning and BOA Historical Summary:** There has not been any recent rezoning actions within this area since 1985 which rezoned a 2.5 acre tract located east of the subject property to CG.

**Conclusions:** Based on the Owasso Comprehensive Plan which designates Rural-Residential Intensity development for the subject area, the requested RS zoning would create a higher use than the available public services may be able to serve. The Plan also indicates that rural-residential intensity may be more compatible with existing uses and availability of public services. Therefore staff recommends **DENIAL** of RS zoning for CZ-216 and recommends **APPROVAL** for RE zoning for CZ-216.



**Applicant's Comments**

**Charles Burris**

**12005 East 87th Place North, Owasso 74055**

Mr. Burris distributed copies of a letter to the Planning Commission from the City of Owasso advising that the City has the capacity to provide wastewater service to the subject tract and added that all other utilities are also available. Mr. Burris requested approval of RS zoning for the subject tract.

**Interested Parties**

**Mike Henley**

**12116 North 113th East Avenue, Collinsville 74021**

Mr. Henley, adjoining property owner, presented petitions to the Planning Commission informing that area residents do not object to rezoning of the subject property to RS, provided that the property owner applies for and receives incorporation into the City of Owasso and is subject to the City of Owasso's Planning Commission requirements before any construction or development of the subject property begins.

**Jim Self**

**Route 3, Box 60 AB, Wagoner 74467**

Mr. Self, adjoining property owner, expressed concern that development may block his access.

Mr. Carnes asked the applicant if he would be able to buffer some of the existing neighborhoods with RE zoning.

Mr. Burris informed that he intends to develop the land and sell lots. He anticipates the dwelling size requirements will be between 900 and 1,000 SF minimum with a minimum two-car garage.

Ms. Pace inquired as to access of the landlocked property west of the railroad.

Mr. Burris informed that the portion Ms. Pace is referring to will not be shown on the preliminary plat, since there is no access.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Wilson "absent") to recommend **APPROVAL** of RS zoning for the area south of 120th Place North and RE zoning for the area north of 120th Place North.

**LEGAL DESCRIPTION CZ-216**

The following tracts shall be zoned RS except those portions of the tracts contained within the north 3,100' of Section 6, T-21-N, R-14-E, which shall be zoned RE:

A parcel of land situated in the NE/4, SE/4, SW/4, of Section 6, T-21-N, R-14-E, Tulsa County, Oklahoma, being more particularly described as follows: Starting at a Standard Oklahoma concrete monument with brass plate marking the S/4 corner of aforementioned Section 6, thence N 00°03'27" E a distance of 1,296.12' to the most easterly SE corner of a parcel of land known as Tract C and marked with a 5/8" iron

rod and Point of Beginning: thence S 65°57'25" W a distance of 526.37' to a 5/8" iron rod; thence S 15°31'11" W a distance of 56.69' to a 5/8" iron rod; thence N 74°28'49" W a distance of 175.00' to a 5/8" iron rod set on the easterly R-O-W of the AT & SF Railway Company; thence N 15°31'11" E along said R-O-W line a distance of 148.43' to a 1-1/2" iron pipe marking the point of curve on said R-O-W line; thence on a 1° curve to the right and a chord bearing and distance of N 16°04'21" E, 109.62' to a 1" square head bolt; thence S 89°45'30" E a distance of 594.46' to a 5/8" iron rod; thence S 00°03'27" W a distance of 23.60' to the Point of Beginning, and a parcel of land situated in the SE/4, SW/4 of Section 6, T-21-N, R-14-E, Tulsa County, Oklahoma, lying East of the West Port (Amended Addition), more particularly described as follows: Beginning at a Standard Oklahoma concrete monument with brass plate in the center of 116th Street N. and marking the S/4 corner of aforementioned Section 6, thence N 89°50'54" W, along the Section line and the centerline of 116th Street N. a distance of 59.58' to a PK nail in the center of said street: thence N 00°09'06" E, crossing 5/8" iron rods at 33' and 50' marking the R-O-W of said 116th Street N., a distance of 275.0' to a 5/8" iron rod; thence N 89°50'54" W a distance of 100.00' to a 5/8" iron rod; thence N 00°09'06" E a distance of 130.52' to a 5/8" iron rod; thence N 15°31'11" E a distance of 596.03' to a 5/8" iron rod; thence S 00°03'27" W a distance of 980.24' to the Point of Beginning, and certain tracts of parcels of lands lying within Section 6, T-21-N, R-14-E, Tulsa County, Oklahoma, and more particularly described as follows: Beginning at a Standard concrete monument with brass plate as set by the State of Oklahoma marking the S/4 corner of said Section 6, said monument being located in the center of 116th Street N. thence N 00°03'27" E along the North-South Section line of said Section 6, a distance of 1,276.95' to a 5/8" steel rod marking the most westerly Northwest corner of the herein described tract and being in the center of an undefined R-O-W of Texaco-Cities Service Pipeline Company; thence along the center of said R-O-W N 65°57'25" E 327.36' and N 46°42'49" E 544.48' to a 5/8" steel rod; thence continuing along said centerline of the above mentioned R-O-W N 46°42'49" E 881.59', and N 38°00'25" E 1,045.09', and N 37°55'40" E 12.28' to a 5/8" steel rod on said centerline of Texaco-Cities Service Pipeline R-O-W and on the East boundary of the SW/4, SE/4, NE/4 of said Section 6, said rod being located S 00°05'31" W 65.04' from the NE corner of said SW/4, SE/4, NE/4; thence S 00°05'31" W 857.97' to a 5/8" steel rod on the West boundary of the NE/4, NE/4, SE/4 of said Section 6; thence S 89°41'11" E 661.90' (Passing over a 5/8" steel rod on the West boundary of U. S. Hwy 169, N. Garnett Rd., at 611.90') to a concrete nail in the centerline of said Hwy and on the East boundary of said Section 6, thence along the centerline of said Hwy and said East boundary S 00°06'26" W (Passing over concrete nails marking the most Easterly Northeast and Southeast corners of a 8.897 acre tract at 128.62' and 228.62' respectively, 1,884.68' to a concrete nail in said centerline and said East boundary and being the NE corner of a 4.15 acre tract deeded to the West Port Mennonite Brethren Church; thence along the North boundary of said Church tract N 89°49'33" W (Passing over a 5/8" steel rod at 50.00' on the West boundary of said Hwy) 852.60' to a 5/8" steel rod at the NW corner of said Church tract; thence along the West boundary of said tract S 00°06'26" W (Passing over a 5/8" steel rod at 449.23' on the present North R-O-W of the aforesaid 116th Street N.) 482.23' to a PK nail marking the SW corner of the aforesaid 4.15 acre tract and on the south boundary of said Section 6, and in the centerline of said 116th Street N.; thence N 89°50'54" W 992.27' to a PK nail (marking the SE corner of a 4.89 acre tract of land deeded to Dorothy A. North by Sheriff's Deed dated January 3, 1974, recorded in Book 4101, Pages 1979-

1981 of the records of Tulsa County, Oklahoma); thence N 0°09'06" E along the East line of said North tract (passing over a 5/8" steel rod at 33' on the present North R-O-W line of said street) 660.00' to a 5/8" steel rod marking the NE corner of said North tract; thence N 89°50'54" W 330.0' to a point; thence S 00°09'06" W 660' to a PK nail in the centerline of 116th Street N. and on the South boundary of said Section 6; thence along said centerline of 116th Street N. and Section line N 89°50'54" W 470.42' to a Point of Beginning, and a parcel of land situated in the SW/4, NE/4 of Section 6, T-21-N, R-14-E, Tulsa County, Oklahoma, and lying West of the AT&SF Railway Company R-O-W, being more particularly described as follows: Beginning at a 1-1/2" iron rod marking the NW corner of the SW/4, NE/4 of said Section 6; thence S 89°34'42" E a distance of 676.07' to a 5/8" iron rod set on the Westerly R-O-W line of the AT&SF Railway Company; thence S 31°31'32" W along said R-O-W line, a distance of 1,295.07' to a 5/8" iron rod; thence N 00°03'27" E, a distance of 1,108.90' to the Point of Beginning, less and except the following tract of land which as heretofore been conveyed: a tract of land located in Section 6, T-21-N, R-14-E of the IB&M, Tulsa County, State of Oklahoma according to the U.S. Government survey thereof, tract being more particularly described as follows: Starting at the SE corner of said Section 6, said corner being marked by a Standard Oklahoma concrete monument with brass plate and being located in the approximate centerline intersections of E. 116th Street N. and U.S. Hwy 169; thence N 89°50'54" W along the South line of said Section 6, for a distance of 1,182.72' to a Point of Beginning, said Point being the SW corner of the tract and is located in the approximate centerline of E. 116th Street N.; thence N 00°06'26" E for a distance of 660' to a point, said point being the NW corner of said tract; thence S 89°50'54" E for a distance of 330' to a point, said point being the West corner of said tract; thence S 00°06'26" W for a distance of 660' to a point, said point being located in the approximate centerline of E. 116th Street N. and on the South line of said Section 6, said Point being the SE corner of said tract; thence N 89°50'54" W along said line of said Section 6 for a distance of 330' to the Point of Beginning, and less and except the W 1,220.00' of the East 1,550.00' of the South 660.00' and the East 330.00' of the South 1,150.00' of said Section 6, T-21-N, R-14-E, Tulsa County, Oklahoma, said property being in the City Limits of the City of Owasso, Oklahoma, tract contains 109.171 acres more or less, and is located on the northwest corner of 116th Street North and North Garnett Road.

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Application No.: **Z-5842-SP-6/PUD-411-D**

Applicant: Charles Norman

Location Northeast corner of East 98th Street South & South Memorial Drive.

Date of Hearing: September 28, 1994

Presentation to TMAPC: Charles Norman

The applicant is proposing to increase the maximum permitted floor area ratio from 0.12 to 0.225 and to treat Lots 2 and 3, Block 3 of 9700 Memorial as a single development area designated 3-A. Also, auto body repair would now be allowed in a separate building from the automobile sales building. Staff can support these amendments since the original building floor area maximums for the PUD did not consider the Creek Turnpike since right-

of-way had not been acquired. Now with the existence of the turnpike, corridor intensities could be considered. Since the proposed intensities are below even CS zoning, Staff finds them appropriate.

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-411-D 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-411-D subject to the following conditions:

1. The development standards of PUD-411 and PUD-411-B shall apply unless modified below.
2. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
3. **Development Standards For Development Area 3-A:**

Permitted Uses: Those uses permitted as a matter of right in Use Unit 17 - Automobile and Allied Activities related to automobiles and light truck sales and service and uses customarily accessory thereto and outdoor advertising.

Land Area (Net):	10.67 acres
Maximum Building Floor Area:	104,500 SF
Existing Building Floor Area:	37,997 SF
Maximum Floor Area Ratio:	0.225
Maximum Lot Coverage By Buildings:	As prescribed in the Corridor Chapter of the Tulsa Zoning Code
Maximum Building Height:	35 feet
Off-Street Parking:	As required by the appropriate Use Units of the Tulsa Zoning Code
Maximum Number Of Vehicles To Be Displayed For Sale On Street Frontage:	1 vehicle per each 20 feet of arterial street lot frontage 1 vehicle per each 15 feet of interior street lot frontage
Minimum Building Setbacks	
from centerline of S. Memorial Dr.:	200 feet
from centerline of E. 98th St.:	90 feet
from east property boundary:	10 feet
from north boundary of Lot 1:	35 feet
Minimum Landscaped Open Space:	10% of the net area

Signs:

- 1) Ground signs other than outdoor advertising signs shall be limited to one ground sign per automobile dealership with a maximum of 160 SF of display surface area and 25 feet in height.
- 2) Wall signs shall not exceed 1.5 SF of display surface area per linear foot of building wall to which attached.
- 3) Monument signs shall be permitted at each arterial street entry with a maximum of 60 SF of display surface area and 6 feet in height. Monument signs shall be permitted at each non-arterial street entry with a maximum of 32 SF of display surface area and 4 feet in height.
- 4) One outdoor advertising sign is permitted subject to the requirements of PUD-411-B.

Lighting:

- 1) Light standards shall be limited to 30 feet in height with deflectors directing the light downward and away from adjacent lot boundaries.
- 2) Building mounted lights shall be hooded and directed downward to prevent spillover lighting.

General Restrictions And Design Controls For Automobile Sales And Service Areas:

- 1) Interior automobile service and work areas shall not be visible from any public street.
  - 2) The use of temporary signs, banners and streamers shall be prohibited.
  - 3) All building exteriors shall be concrete or masonry.
  - 4) Automotive body work shall be permitted only within a building.
  - 5) No trucks larger than one ton or equivalent shall be displayed or offered for sale.
4. 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.
  5. 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.
  6. 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.
  7. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.

8. 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.

**Z-5842-SP-6**

The PUD Detail Site, Landscape, and Sign Plans when approved by the TMAPC shall provide the detail site information normally provided with a Corridor Site Plan.

**Applicant's Comments**

Mr. Norman expressed agreement with Staff recommendation.

**TMAPC Action; 8 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **7-1-0** (Doherty, Gray, Horner, Midget, Neely, Pace, Parmele "aye"; Carnes "nay"; no "abstentions" Ballard, Harris, Wilson "absent") to recommend **APPROVAL** of **Z-5842-SP-6/PUD-411 MAJOR AMENDMENT** as recommended by Staff.

**LEGAL DESCRIPTION**

Lots 2 and 3, Block 1, 9700 Memorial Addition to the City of Tulsa, according to the recorded Plat thereof, and located on the northeast corner of East 98th Street and South Memorial Drive.

\*\*\*\*\*

Application No.: **Z-6462**

Applicant: David D. Dobsen

Location: 3205 North Garnett Road (south of the southeast corner of 36th Street North and North Garnett Road).

Date of Hearing: September 28, 1994

Presentation to TMAPC:

Present Zoning: AG

Proposed Zoning: IM

**Relationship to the Comprehensive Plan:**

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 2.

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

**Staff Comments:**

**Site Analysis:** The subject property is approximately .20 acres in size, it is non-wooded, flat, has a single-family dwelling and accessory building on it, and is zoned AG.

**Surrounding Area Analysis:** The subject tract is abutted on the north by storage buildings and a vacant mobile home and is zoned AG; to the south and east by vacant property, zoned IM and to the west by the Mingo Valley Expressway, zoned RS-3.

**Zoning and BOA Historical Summary:** There have been no zoning actions in this area.

**Conclusion:** This area is primarily planned for industrial uses due to the location in regard to transportation access, as well as the characteristics of soil, slope and existing land use trends. Staff can therefore recommends **APPROVAL** of IM zoning for Z-6462.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to recommend **APPROVAL** of Z-6462 for IM zoning as recommended by Staff.

**LEGAL DESCRIPTION Z-6462**

A tract of land Beginning 516' North of the Southwest corner of the Northwest Quarter of Section 20, T-20-N, R-14-E; thence North 444'; thence East 202'; thence South 444'; thence West 202' to the point of beginning, County of Tulsa, State of Oklahoma, according to the U. S. Government Survey thereof, and being located at 3205 North Garnett Road, Tulsa, Oklahoma.

\*\*\*\*\*

Application No.: **Z-6463**

Applicant: Charles Norman

Location: Northwest corner of East Admiral Place & North Yale Avenue.

Date of Hearing: September 28, 1994

Presentation to TMAPC: Charles Norman

Present Zoning: RS-3

Proposed Zoning: OM

**Relationship to the Comprehensive Plan:**

The District 3 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity - No Specific Land Use.

According to the Zoning Matrix the requested OM is **not** in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject property is approximately 5.16 acres in size. It is non-wooded, gently sloping, contains a platted cemetery and is zoned RS-3.

**Surrounding Area Analysis:** The subject tract is abutted on the north and west by a cemetery, zoned RS-3 and to the south and east by commercial uses, zoned CH.

**Zoning and BOA Historical Summary:** The subject property was granted a special exception to allow a cemetery and a future mausoleum in 1980, and the most recent rezoning action in this area granted CG zoning to the south half of an entire block that is located to the southwest of the subject tract.

**Conclusion:** Based on the Comprehensive Plan and the compatibility of the existing development with the proposed use, Staff recommends **APPROVAL** of OM zoning for Z-6463.

Applicant's Comments

Mr. Norman explained that a new building will be constructed in front of the existing mausoleum. He advised that in order to avoid creating a spot of OM zoning away from the corner, he applied for zoning from the corner to the proposed location of the new facility.

Interested Parties

**Bill Maid**

**4161 East Admiral Place**

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to recommend **APPROVAL** of Z-6463 for OM as recommended by Staff.

LEGAL DESCRIPTION

The South 250' of the East 900' of Government Lot 1, Section 4, T-19-N, R-13-E, in the City of Tulsa County, Oklahoma (a part of Rose Hill Cemetery) and located on the northwest corner of East Admiral Place and North Yale Avenue, Tulsa, Oklahoma.

\* \* \* \* \*



Application No.: **PUD-432-B-4**  
Applicant: Charles Norman  
Location: Block 2, Perryman Heights 2nd - northeast corner of East 12th Street South and South Utica Avenue  
Date of Hearing: September 28, 1994  
Presentation to TMAPC: Charles Norman

Minor Amendment

The applicant, Hillcrest Medical Center, requests approval to increase the maximum size of a wall sign within the PUD which defers to the standards for wall signs called out in the PUD chapter of the Zoning Code. The request was heard by the Board of Adjustment on September 13 with the result that the Board approved a variance to allow such a sign. The proposed logo will be located on the south wall of the Physicians Office Building and will be of the same size and design as the existing logos on the west wall of the hospital and the north wall of the Office Building.

Staff concurs with the Board's determination that the proposed logo near the top of the twelve story building "will not have a negative impact on the area or violate the spirit and intent of the Code."

Therefore, Staff recommends **APPROVAL**.

Applicant's Comments

Mr. Norman informed that this represents a sign in excess of display surface area permitted under the PUD Code. He informed of applying to the Board of Adjustment for variance of the number of square feet.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD 432-B-4 **MINOR AMENDMENT** as recommended by Staff.

Mr. Doherty suggested amending policy to give Staff the option to route requests as they think best, rather than automatically going to the BOA.

\* \* \* \* \*

**OTHER BUSINESS:**

**PUD-179-C:** Detail Sign Plan - Lot 3, Block 1, Centre 71 Shopping Center - 8222 East 71st Street South

The applicant requests approval for one wall sign for "California Nails."

The sign complies with the approved PUD standards; therefore, Staff recommends **APPROVAL.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD-179-C **DETAIL SIGN PLAN** for "*California Nails*" as recommended by Staff.

\*\*\*\*\*

**PUD-179-C:** Detail Sign Plan - Lot 3, Block 1, Centre 71 Shopping Center - 8268 South Memorial Drive

The applicant requests approval for one wall sign for "Angel's Bridal."

The sign complies with the approved PUD standards; therefore, Staff recommends **APPROVAL.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD 179-C **DETAIL SIGN PLAN** for "*Golden Touch Jewelry*" as recommended by Staff.

\*\*\*\*\*

**PUD-179-C:** Detail Sign Plan - Lot 3, Block 1, Centre 71 Shopping Center - 8268 South Memorial Drive

The applicant requests approval for one wall sign for "Angel's Bridal."

The sign complies with the approved PUD standards; therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD 179-C **DETAIL SIGN PLAN** for "Angel's Bridal" as recommended by Staff.

\* \* \* \* \*

**PUD 306** Detail Site Plan for Lot 2, Block 1, Woodside Village III, north and west of 95th Street South and South College Place - Development Area D, Phase II.

Mr. Stump informed that this item was inadvertently placed on this agenda; it is actually scheduled for October 5, 1994 and should be stricken from today's agenda.

Hearing no objection, Chairman Parmele declared the item stricken from the agenda.

\* \* \* \* \*

**PUD-507:** Detail Site Plan (Revised) - Lot 2, Block 1, Woodland Hills Plaza - 8722 East 71st Street South

The applicant is requesting approval for revisions to the size and configuration of various buildings.

Staff review indicates that the floor area, landscaped area, and parking remain within the PUD standards. Access and circulation remain unchanged.

Therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD 507 **REVISED DETAIL SITE PLAN** as recommended by Staff.

\* \* \* \* \*

**PUD-489:** Detail Site Plan (Revised) - Lot 6, Block 1, 71 Mingo Center

The applicant requests approval of a revision to the previously approved Golden Corral Site Plan. This revision would delete two (2) parking spaces in Lot 6. The new totals would be: Lot 4 - 65 spaces, Lot 6 - 41 spaces, remaining at the required 106 spaces.

The purpose of this change is to provide sufficient area for a ground sign in Lot 4.

Staff has reviewed the request, finds all effected parties to be in agreement, and recommends **APPROVAL**.

**PUD-489:** Detail Sign Plan - Lot 4, Block 1, 71 Mingo Center - 9711 East 71st Street South

The applicant requests approval for the installation of one ground sign.

Staff finds the sign to substantially conform to the applicable PUD standards and recommends **APPROVAL** subject to the following:

1. The sign, which is 29.5' in height shall be set back at least 4.5 feet from the Mingo right-of-way.
2. This approval is contingent upon revised site plan approval.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD 489 REVISED DETAIL SITE PLAN and DETAIL SIGN PLAN as recommended by Staff.

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**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD 489 REVISED DETAIL SITE PLAN and DETAIL SIGN PLAN as recommended by Staff.

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**PUD-468:** Detail Site Plan (Revision) - Lot 9, Sam's Center - 9311 East 71st Street South

The applicant requests approval for the relocation of a trash dumpster serving "Taco Cabana."

Staff review indicates that the request is in substantial conformance with the previously approved site plan. The proposal does not significantly impact the previously-approved landscape plan.

Staff recommends **APPROVAL** subject to the following:

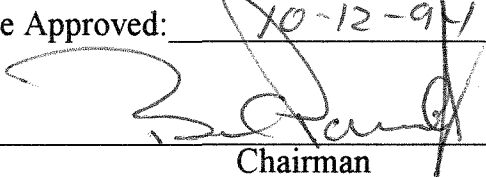
1. Screening requirements shall remain consistent with previous PUD and site plan approvals.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Carnes, Doherty, Gray, Midget, Neely, Pace, Parmele "aye"; no "nays"; no "abstentions" Ballard, Harris, Horner, Wilson "absent") to **APPROVE** PUD-468 DETAIL SITE PLAN as recommended by Staff.

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There being no further business, the Chairman declared the meeting adjourned at 3:50 p.m.

Date Approved: 10-12-94  
  
 \_\_\_\_\_  
 Chairman

ATTEST:

  
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 Secretary

