

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2020

Wednesday, May 10, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes,
Chairman
Doherty, 1st Vice
Chairman
Horner
Ledford
Midget, Mayor's
Designee
Pace
Taylor

Members Absent

Boyle
Gray
Selph

Staff Present

Gardner
Hester
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, May 8, 1995 at 12:42 p.m., and at 12:37 p.m. in the Office of the County Clerk as well as in the Reception Area of the INCOG offices.

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

Minutes:

Approval of the minutes of April 26, 1995, Meeting No. 2018:

On **MOTION** of **TAYLOR**, the TMAPC voted **6-0-0** (Ballard, Carnes Doherty, Ledford, Pace, Taylor "aye"; no "nays"; "abstaining"; Boyle, Gray, Horner, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of April 26, 1995 Meeting No. 2018.

REPORTS:

Committee Reports:

Rules and Regulations Committee

Mr. Gardner reported that the regular monthly committee meetings will be held at the conclusion of the May 17 TMAPC meeting.

SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Riverbridge West (PUD-261-A)(683) (PD-18)(CD-2)
West of the northeast corner of East 71st Street South & South Peoria Avenue.

Staff Comments

Mr. Stump informed that all release letters have been received and Staff recommends approval, subject to final approval by the Legal Department of the language of the Restrictive Covenants.

TMAPC Action; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Ledford, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Horner, Midget, Selph "absent") to **APPROVE** the FINAL PLAT of Riverbridge West and **RELEASE** same as having met all conditions of approval as recommended by Staff subject to final approval by the Legal Department.

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CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-6480**

Present Zoning: RS-3/RM-1

Applicant: Kathryn & Robert Oliver

Proposed Zoning: CS

Location: Southeast corner of East 7th Street South & South 123rd East Avenue.

Date of Hearing: May 10, 1995

Staff Comments

Mr. Stump informed that this item was continued to this date to allow the applicant to file a PUD; however, the PUD has not yet been filed.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Selph "absent") to **CONTINUE** Z-6480 to June 14, 1995.

ZONING PUBLIC HEARING:

Application No.: **Z-6487**

Applicant: Anita C. Miller

Location: Southeast corner of East 47th Place South & South Mingo Road.

Date of Hearing: May 10, 1995

Present Zoning: RS-3

Proposed Zoning: IL

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District 1, Industrial Area.

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

Staff Comments:

Site Analysis: The subject property contains approximately one acre. The property is flat, non-wooded, vacant and is zoned RS-3.

Surrounding Area Analysis: The property across E. 47th Place S. and to the north of the subject tract, is a lumber yard, zoned IL; the property to the west, across Mingo Road, is a service station, zoned CS; and to the south and east, abutting the property are commercial businesses, zoned IL.

Zoning and BOA Historical Summary: There have not be any recent rezoning cases within the immediate area. The zoning history in this area indicates that the subject tract has been zoned RS-3 and been surrounded by IL zoning since 1970.

Conclusion: Industrial development within this area is encouraged and commercial uses are considered not appropriate. Based on the Comprehensive Plan and the developing zoning patterns and uses for this area, Staff, can support IL zoning on the subject tract and recommends **APPROVAL** of IL zoning as requested.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **TAYLOR**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Selph "absent") to recommend **APPROVAL** of Z-6487 for IL zoning as recommended by Staff.

LEGAL DESCRIPTION

Lots 9, 10, and 11, Block 25, Alsuma Addition, and located at the southeast corner of 47th Place South and South Mingo Road, Tulsa, Oklahoma.

* * * * *

Application No.: **Z-6488**

Present Zoning: IL/RS-3

Applicant: Darin Frantz

Proposed Zoning: CS

Location: Northeast corner of East 61st Street South & South Mingo Road.

Date of Hearing: May 10, 1995

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District 1 - Industrial Area.

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

Staff Comments:

Site Analysis: The subject property contains approximately an acre. The property is flat, partially wooded, contains a retail business and is zoned IL and RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by a retail business, zoned IL and vacant property, zoned RS-3; to the east by a single-family dwelling, zoned RS-3; to the south and southwest by a shopping center and convenience store, zoned CS; and to the northwest by vacant land, zoned RS-3.

Zoning and BOA Historical Summary: A portion of the subject property was rezoned in November, 1979, from CS to IL and the remainder of the IL portion of the property was approved for IL zoning in June, 1983.

Conclusion: According to the Comprehensive Plan, commercial uses have been determined to not be appropriate within the Special District 1 - Industrial area. The three adjacent corners of the intersection, however, are zoned CS and the request is within the area that would be included in a standard Type I node. Therefore, Staff can recommend **APPROVAL** of CS zoning for Z-6488.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Selph "absent") to recommend **APPROVAL** of Z-6488 for CS zoning as recommended by Staff.

LEGAL DESCRIPTION

A tract of land described as a parcel of land lying in the Southwest corner of Section 31, T-19-N, R-14-E, Tulsa County, Oklahoma, said parcel being the West 302' of the South 431' of Lot 4, less and except the North 72' of the South 431' of the West 202', and located at the northeast corner of E. 61st Street and South Mingo Road, Tulsa, Oklahoma.

Application No.: **PUD-534/Z-6489**

Applicant: Jerry Ledford

Location: South of the southwest corner of East 55th Street South and South Lewis Avenue.

Date of Hearing: May 10, 1995

Presentation to TMAPC:

Present Zoning: RS-3

Proposed Zoning: OL/PUD

Z-6489

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - Linear Development.

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

Staff Comments:

Site Analysis: The subject property contains approximately 1.5 acres. The property is flat, wooded, contains a single-story office building and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by an office complex, zoned OL & PUD-278; to the south by offices, zoned OL and apartments, zoned RM-1; to the east, across Lewis Avenue, are offices, zoned OM; and to the west by vacant property, zoned RS-3, which is part of the PUD-534 request.

Zoning and BOA Historical Summary: The subject tract was zoned RS-3 in June, 1970 and has not been considered for rezoning since that time.

Conclusion: OL zoning may be found to be in accordance with the Plan which will be based on the standards and requirements established by the accompanying PUD. Therefore, Staff recommends **APPROVAL** of Z-6489 upon approval of PUD-534.

PUD 534

The applicant is proposing a mixed use office and attached single-family residential development on 2.3 acres. There is an accompanying rezoning request (Z-6489) which proposes to rezone the east 396' of the PUD from RS-3 to OL. The PUD also proposes an alternate development scheme in which the office use is eliminated.

The first development concept proposes a development area on Lewis Avenue containing up to 5,400 SF of office buildings and another development area to the west containing up to 14 attached single-family dwellings. The second development concept has only one development area which could contain up to 16 attached single-family dwellings.

The PUD is adjacent to offices and vacant land on the north, by single-family dwellings to the west across Zunis Place, offices and condominiums to the south and offices across Lewis Avenue to the east.

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-534 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-534 subject to the following conditions:

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

2. **Development Standards:**

Development Concept 1
Development Area A (east 120' of PUD)

Land Area (Net):	0.45 acres
Permitted Uses:	Use Units 10 and 11
Maximum Number of Buildings:	2
Maximum Total Building Floor Area:	5,400 SF
Maximum Building Height:	1 story
Minimum Building Setbacks	
From centerline of Lewis Avenue:	100'
From south boundary of PUD:	12'
From north boundary of PUD:	12'
From west boundary of Development Area:	0'
Minimum Landscaped Open Space:	20% of lot area
Maximum Permitted Signage:	One ground sign not exceeding 6' in height nor 32 SF in display surface area for the office development and one wall sign at the entrance to the residential area not to exceed 32 SF in size

Development Area B (west 490' of PUD)

Land Area (Net):	1.86 acres
Permitted Uses:	Attached or detached single-family dwellings and customary accessory uses
Maximum Number of Dwelling Units:	14
Minimum Lot Area (not including private road):	4,500 SF
Minimum Lot Width:	65'
Minimum Building Setback from Lot Lines	
Front:	10'
Side:	0'
Rear:	16'
From centerline of Zunis Place:	*35'
Minimum Livability Space Per Lot:	1,200 SF
Maximum Building Height:	1 story

*Change made the Planning Commission.

Development Concept 2

Land Area (Net):	2.31 acres
Permitted Uses:	Attached or detached single-family dwellings and customary accessory uses
Maximum Number of Dwelling Units:	16

All other development standards are the same as in Development Area B of Development Concept 1.

3. 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.
4. 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.

5. 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.
6. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.
7. 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.
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.
9. 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.
10. All private roadways shall be a minimum of 23' in width measured face-to-face of curb or edge-to-edge of paving if center drained streets are used. 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%. All residential lots shall have at least 60' of frontage on a private or public street.
11. No Building Permit shall be issued until the requirements of Section 1107E of the Zoning Code have 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 and making the City beneficiary to said covenants.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

Jerry Ledford abstained from this item and left the platform while this item was discussed.

Applicant's Comments

Jerry Ledford, Jr.

8209 East 63rd Place South

Mr. Ledford, the applicant, turned the presentation over to Steve Turner, architect for the project with Turner and Associates.

Mr. Turner distributed project information to the Planning Commission. He presented a history of the subject tract and surrounding properties. Mr. Turner presented the application and expressed agreement with Staff recommendation except for Development Area B minimum building setback from centerline of Zunis Place, where he requested that setback be modified to 25'. Mr. Turner declared that the integrity of the neighborhood will be maintained and commented that area residents have voiced support of the proposed project. He presented pictures of Bolewood Place, located at 48th & Lewis area, and Eight Acres, located at 28th & Birmingham, both walled communities. Mr. Turner pointed out that at

both these locations the wall is never more than 12' from the curb and in some instances less than 5' with walls ranging in height from 9' to 14' tall.

Interested Parties

Stanley Synar, Jr.

1156 East 61st Street 74136

Planning District 18-A Vice Chair

Mr. Synar, representing both District 18-A and the South Peoria Neighborhood Connection Foundation, informed that Mr. Turner presented this project to both groups and received no objections. Mr. Synar urged approval of the project.

Responding to inquiry regarding location of the wall, Mr. Synar responded that he does not believe the wall is too close to the street, as proposed by the applicant.

Applicant's Rebuttal

Mr. Turner made comparisons of the restrictions imposed by the PUD with what would be allowed if this project were constructed under RS-3 zoning. Mr. Turner informed that landscaping between the wall and the street and all common areas will be maintained by the Homeowners Association.

Responding to inquiries from the Planning Commission regarding landscaping, Mr. Turner informed that large trees, foundation plant materials and coach lighting will be installed.

TMAPC Review Session

Responding to questions from the Planning Commission, Mr. Stump informed that the applicant's proposal is to place the wall on the property line and the only landscaping between the wall and the fence would be on the street right-of-way. Staff did not deem this to be adequate. He advised that an 8' or 10' high wall on the property line would not be allowed in an RS-3 district by right. Mr. Stump pointed out that required landscaping in street right-of-way is contrary to the landscape ordinance. He suggested that utilities may require right-of-way to access this tract and other undeveloped tracts to the north.

It was the consensus of the Planning Commission that required landscaping on the City right-of-way was not appropriate. There was considerable discussion over right-of-way requirements for the plat and future utilities location.

Responding to questions from the Planning Commission, Mr. Ledford informed that the street is off-set to the east and the distance from the curblin to the street right-of-way to the east is 2'.

Mr. Doherty pointed out that trees planted in the right-of-way would be killed by any excavation and the wall will need trees to buffer it.

Ms. Pace was concerned over lack of knowledge of exact location for future utility locations.

Mr. Doherty conceded that Staff is correct; 50' of right-of-way will be needed and that 10' of planting would be sufficient to accommodate the trees, allowing a setback of 35'.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Selph "absent") to recommend **APPROVAL** of Staff recommendation with the modification that in Development Area B the setback from centerline of Zunis Place be 35'.

LEGAL DESCRIPTION Z-6489

A tract of land described as the East 396' of the N/2, S/2, SE/4, SE/4, NE/4, of Section 31, T-19-N, R-13-E of the IBM, County of Tulsa, State of Oklahoma, according to the U. S. Government survey thereof.

LEGAL DESCRIPTION PUD-534

A tract of land described as N/2, S/2, SE/4, SE/4, NE/4, Section 31, T-19-N, R-13-E of the IBM, County of Tulsa, State of Oklahoma, according to the U.S. Government survey thereof, all located at E. 55th Court, between S. Zunis Place and S. Lewis Avenue, Tulsa, Oklahoma.

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Application No.: **PUD-270-2**

Applicant: Roy D. Johnsen

Location: Lot 1, Block 1 of the MPSI Center, 8282 S. Memorial Drive.

Date of Hearing: May 15, 1995

The applicant is requesting approval of a Minor Amendment to allow an increase in permitted floor area from 80,000 SF to 83,000 SF and a decrease in required parking from 3.5 per thousand to 3.3.

Staff's understanding is that the purpose of the request is to resolve any potential floor area or parking issues to facilitate the sale of the building. It appears that there is some uncertainty regarding total floor area and that the parking as constructed does not conform to the approved site plan.

Staff has reviewed the request and finds that the original standards of the PUD allowed 80,000 SF of floor area and required 3.5 parking spaces per every 1,000 SF of floor area.

Regarding floor area - the net area of the site is 248,118 SF. The code grants a maximum of 0.4 SF/net SF or 99,247 SF.

Regarding parking - the site currently parks 270 cars (per site visit 05/03/95). Based on the current code standards which call for 1 space per 300 SF of floor area for the first 30,000 SF in the building and 1 space per 350 SF of floor area thereafter, the requested 83,000 SF requires 252 spaces.

Based on current Zoning Code standards, existing development and the purpose of the request (compliance for existing development rather than any proposal for new development), Staff recommends **APPROVAL**, subject to the following:

1. The new parking requirement be that required by the Tulsa Zoning Code.
2. A maximum of 8,250 SF of medical/dental office space is allowed without the provision of additional parking.
3. Total Building Floor Area permitted is 83,000 SF.

There were no interested parties in attendance.

The applicant indicated approval of Staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **TAYLOR**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Ledford, Selph "absent") to **APPROVE** PUD 270-2 as recommended by Staff.

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OTHER BUSINESS:

PUD-529: Alternative Landscape Ordinance Compliance - north of the northwest corner of East 91st Street South and South Memorial Drive.

The applicant is requesting approval of alternative compliance for landscaping required at his proposed mini-storage facility. The request as proposed will substitute two trees in the street yard for the required two trees in the interior of the project adjacent to off-street parking.

Staff has reviewed the request and finds that the interior trees will not be visible from the project exterior and that the placement of the trees as required does not, in this case, best serve the intent of the Landscape Ordinance. The location of the two trees in the street yard, in Staff's opinion, better serves the intent if the ordinance.

Therefore, Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Selph "absent") to **APPROVE** ALTERNATIVE LANDSCAPE ORDINANCE COMPLIANCE for PUD 529 as recommended by Staff.

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PUD-166-G: Detail Site Plan Review - Development Area 2-2 of Lot 2, Block 1 of Sheridan Square - 9100 Block of South Sheridan Road

The applicant is requesting site plan approval for Kwik Kar Lube & Tune.

Staff has reviewed the request and finds that the plan as proposed conforms to the access, coverage, circulation, parking and area available for landscaping.

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

1. The ground sign for this lot shall be located no closer than 85' from the south property line. This standard ensures 100' sign separation - based on the applicant's representation of existing signage as being located 15' south of the southern property line of Development Area 2-2.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Ballard, Carnes, Doherty, Horner, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Selph "absent") to **APPROVE** PUD 166-G **DETAIL SITE PLAN** as recommended by Staff.

ADDENDUM:

Z-6460/PUD-519 Lenora Felix
653 East Apache Street.

(PD-2)(CD-1)

Staff Comments

Mr. Gardner gave background information on the application and informed that City Council voted to send this request back to TMAPC for further review prior to consideration of second reading. He advised that the current proposal is to add Tulsa Parents As Teachers, Inc. as the principal user of the building, with the Wellness Center as the secondary tenant using only a portion of the building. He informed that the structure will be used for office use only.

Mr. Midget informed of meeting with the neighborhood group in April to discuss Tulsa Parents As Teachers, Inc. as being the primary user of the property with the Wellness Center also operating in the building. He presented information from that meeting and explained the function of the Wellness Center.

Applicant's Comments

Ms. Felix informed that the Wellness Center will provide health assistance to individuals of the north Tulsa community free of charge. She explained that this structure will serve as office space, and Tulsa Parents As Teachers, Inc. will use the structure in like manner, being available 8:30 to 4:30 daily with their work being primarily off-site. Ms. Felix declared that the facility will not be used as a clinic or medical facility. She explained that the property was left to her after her mother passed away and she renovated it in order to provide this much-needed facility to the community. Ms. Felix disclosed that her purpose is to educate the community in the importance of wellness (preventive approach).

Walanda Brown

2407 West Pine Place 74127

Ms. Brown, Executive Director of Tulsa Parents As Teachers, Inc., distributed information regarding the agency. She explained that Tulsa Parents As Teachers, Inc. is primarily an early childhood development program. Ms. Brown informed that the organization currently has five employees, two based in the office with the other three being part-time, spending the majority of their time outside the office in the homes of the children or in the schools. She explained that office hours are 8:30 a.m. to 4:30 p.m., noting that occasionally she also works in the evenings and on weekends. Ms. Brown informed that in the five years she has worked with the organization, no client has had reason to visit their office. She explained that they are a site-based organization with services being provided in the home or school setting.

Lucille & Denise Jamerson
Clarence & Dorothy Gray
Evelyn King
Sheretta LeBlanc
Joyce Thomas
Elnora & Elaine Henderson
Myrtle Towns

640 East 26th Place North
636 East 26th Place North
625 East 26th Place North
607 East 26th Place North
629 East 26th Place North
635 East 26th Place North
633 East Apache

Mr. Doherty acknowledge receipt of letters presented in opposition to the application from the above-listed individuals.

Interested Parties

George Curl
Barbara Canady
Freddie Bolds
Scott McIntosh

645 East 26th Place North 74106
2649 North Hartford Avenue 74106
661 East 26th Place North 74106
708 Mohawk Boulevard 74106

The above-listed individuals expressed opposition to the application for the reasons listed below.

Residents expressed their surprise several months ago upon finding that a grand opening was advertised for a Wellness Center in their neighborhood with no opportunity for residents to express opposition.

Residents stated that the applicant renovated a structure which should have been torn down because of its state of disrepair. Residents acknowledged that the outside of the structure now has a much improved appearance.

Residents want the area to remain residential and do not want office use in their area, fearing that once nonresidential use is allowed, other nonresidential uses will further intrude into their neighborhood, as has been experienced by Fo-Mac, an industrially-zoned facility.

Residents stated that the Wellness Center will duplicate services available in the area. It was noted that within a four-mile radius there presently exist four clinics which serve their needs. Residents pointed out that there are other properties already zoned for this use.

Residents pointed out that both vehicular and pedestrian traffic will be increased in the area, adding to existing traffic and litter problems in the area.

Regarding Tulsa Parents As Teachers, Inc. organization, residents feel there are other programs available that duplicate services already existing in the community.

Since the Wellness Center offers a fee service, residents feel this free service will invite undesirable characters to the area.

One individual questioned whether proper notice was given, noting that only seven days' notice was given.

One individual declared that to approve this application would violate human rights.

Mr. Linker informed that this matter is ongoing, and that the notice that was required in this case was given prior to the first hearing, which was the legal notice.

Barbara Canady

2649 North Hartford Avenue 74106

Ms. Canady expressed having no reservations about the Wellness Center; her concern was with the requested zoning change. She perceives that if the zoning change is allowed any type of business will be allowed to locate on the subject tract. Ms. Canady was afraid that Fo-Mac would use such property for industrial use.

Mr. Midget asked Ms. Canady if she could support operation of the Wellness Center if the zoning were to remain unchanged. She replied in the affirmative.

Mr. Doherty explained that this application is not a standard zoning change and the only business that would be allowed to operate is what the City Council approves for operation at this location.

Minnie Howers

P.O. Box 701286 74170

Ms. Howers expressed wanting to see improvement in north Tulsa. She declared that a Wellness Center will be an asset to the area. Ms. Howers questioned why, when the structure was dilapidated, residents did not complain and now that it is renovated they are protesting.

TMAPC Review

Mr. Midget informed that he did not perceive the Wellness Center injurious to the neighborhood. He noted that this is the first PUD applied for in this area and it is one of the most restrictive PUDs put in place, since it has a very limited use which will revert to the original residential zoning should the Wellness Center and Tulsa Parents As Teachers, Inc. no longer use the structure. Mr. Midget noted that by right this facility could house up to six unrelated individuals with two on-site Staff in a care-giver situation as a matter of right. He deemed that there are some allowable uses under present zoning which would generate more activity than what is being proposed. Mr. Midget suggested removing the hours of operation restriction placed on the Wellness Center in order to be more effective in its operation.

There was discussion among the Planning Commission over extending the hours of operation for the Wellness Center since this use would be secondary to Tulsa Parents As Teachers, Inc.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Ledford, Midget, Pace, Taylor "aye"; no "nays"; none "abstaining"; Boyle, Gray, Horner, Selph "absent") to recommend **APPROVAL** of PUD 519 to allow offices for Tulsa Parents As Teachers, Inc. as the primary user and remove the restriction of hours of operation for the Wellness Center.

NOTE: The previous recommendation for OL zoning of Z-6460 was unchanged.

Ms. Peaches Curl, 645 East 26th Place North, informed of her work in tutoring children, and commented on the various programs currently available. She voiced support of the property remaining as residential use and not as an office. She also expressed concern over pollution in the area from vehicular traffic.

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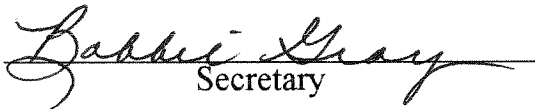
There being no further business, the Chairman declared the meeting adjourned at 3:25 p.m.

Date Approved: 5-24-95



Chairman

ATTEST:



Secretary

