

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

Minutes of Meeting No. 2024

Wednesday, June 14, 1995, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

**Members Present**

Ballard  
Boyle, 2nd Vice  
Chairman  
Carnes,  
Chairman  
Doherty, 1st Vice  
Chairman  
Gray, Secretary  
Horner  
Ledford  
Midget, Mayor's  
Designee  
Taylor

**Members Absent**

Pace  
Selph

**Staff Present**

Hester  
Jones  
Matthews  
Stump

**Others Present**

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, June 12, 1995 at 11:47 a.m., in the office of the County Clerk at 11:44 as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:32 p.m.

**REPORTS:**

Director's Report:

Mr. Stump presented the report of TMAPC receipts for the month ending May 31, 1995 and informed of items scheduled for the City Council agenda of June 15, 1995.

**SUBDIVISIONS:**

**PLAT WAIVER, SECTION 213:**

**Z-3647 (Terrace Drive)(793)**

**(PD-4)(CD-4)**

2331 East 13th Place South.

Jones presented the application with no representative present at the TAC meeting.

French noted that East 13th Place was a one-way street to the west and an access control agreement with access to Lewis may be needed. A commercial-size driveway to Lewis may be required to prohibit nonresidential traffic from driving west into the neighborhood to exit the tract. In any event, all access is to be approved by Traffic Engineering.

This is a request to waive the platting requirement on one lot which was rezoned CS in 1970. The abutting portion of a lot, Lot 14, received a plat waiver in 1977 with no conditions. As the attached site plan will show, an automobile sales facility is planned for Lots 13 and 14. Lot 13 currently contains a single-family dwelling which is to be used as the office.

Based on the size of the lot, existing subdivision plat and intended use, Staff can support the plat waiver application.

Staff recommends **APPROVAL** of the **PLAT WAIVER** for **Z-6347**, subject to the following conditions:

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

On the **MOTION** of **HERBERT**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **PLAT WAIVER** for **Z-3647**, subject to all conditions listed above.

**Staff Comments**

Mr. Jones informed that at the June 13, 1995 Board of Adjustment meeting, an application was presented for a special exception to allow automobile sales on the subject property, which was denied. Mr. Jones informed that the plat waiver was reviewed based on the site plan for an automobile sales facility, and since it will not be used for that purpose a new site plan will be submitted. Staff recommends striking the plat waiver request until a site plan is presented reflecting the new use.

The applicant was not present.

Hearing no objection, Chairman Carnes determined to strike the item from the agenda.

\* \* \* \* \*

**FINAL APPROVAL AND RELEASE:**

River Creek Village (PUD 306) (2083)

**(PD-26)(CD-2)**

Northeast corner of East 101st Street and South Delaware Avenue.

**Staff Comments**

Mr. Jones presented a map of the plat and informed that this is a commercial tract at the northeast corner of South Delaware Avenue and 101st Street South. He advised that all release letters have been received and Staff finds it to be in accordance with Subdivision Regulations; therefore, Staff recommends **APPROVAL** subject to final review of the Restrictive Covenants and Deed of Dedication by the Legal Department.

**Applicant's Comments**

Mr. Sack was present representing the applicant. He asked that the minutes reflect that the applicant is asking for the right to appeal the decision of no access onto Delaware to the City Council or District Court.

Responding to inquiry from Mr. Doherty, Mr. Linker informed that he has advised the applicant of his opinion that a preliminary plat cannot be appealed. He advised that the Planning Commission should be careful not to agree to any reservation of any grounds for appeal because all that is before them is the final plat as presented. Mr. Linker explained that the City Council can only approve or reject the Planning Commission's determination regarding plats and cannot change what the Planning Commission has approved. He informed that the City Council can request that the Planning Commission make a change or reject the plat submitted.

**TMAPC Action; 8 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-1-0** (Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; Boyle "nay"; none "abstaining"; Ballard, Pace, Selph "absent") to **APPROVE** the FINAL PLAT of River Creek Village and **RELEASE** same as having met all conditions of approval as recommended by Staff and subject to final review by the Legal Department as to form.

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**CONTINUED ZONING PUBLIC HEARING:**

Application No.: Z-6480  
Applicant: Kathryn & Robert Oliver  
Location: SE/c 7th Street South & 123rd East Avenue.

Present Zoning: RS-3/RM-1  
Proposed Zoning: CS

**Staff Comments**

Mr. Stump informed that the applicant is in the process of filing a PUD and expressed agreement with the continuance.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; no "nays"; none "abstaining"; Ballard, Pace, Selph "absent") to **CONTINUE** Z-6480 to July 26, 1995.

\* \* \* \* \*

**ZONING PUBLIC HEARING:**

Application No.: Z-6490 TMAPC (Yorktown Neighborhood)  
Applicant: TMAPC  
Location: Generally between East 15th & 21st Street and between South Utica and South Lewis Avenue.

Chairman Carnes announced that a continuance has been requested by the President of the Yorktown Neighborhood Association to June 28, 1995 in order that he might be able to attend the public hearing.

**Interested Parties**

Nancy Davis was present representing the Yorktown Neighborhood Association. She echoed the request for continuance and pointed out that a continuance would allow the YWCA property to be heard simultaneously.

There were no other interested parties in attendance wishing to address the Planning Commission.

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; no "nays"; none "abstaining"; Ballard, Pace, Selph "absent") to **CONTINUE** Z-6490 to June 28, 1995.

\* \* \* \* \*

Application No.: Z-6491

Applicant: Stephen Schuller

Location: Northwest corner of East 33rd Street & South Memorial Drive.

Date of Hearing: June 14, 1995

Present Zoning: IL  
Proposed Zoning: CS

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Medium Intensity and Corridor.

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

Staff Comments:

**Site Analysis:** The subject property is 150' x 250' in size and is located south of the southwest corner of E. 31st Street and S. Memorial Drive. The tract is flat, non-wooded, contains a retail shopping center and is zoned IL.

**Surrounding Area Analysis:** The tract is bounded on the north by a restaurant, zoned IL; a clothing store, zoned CS; to the south by an automobile sales, zoned IL; to the west by vacant property, zoned IL; and to the east across Memorial Drive are single-family homes, zoned RS-3.

**Zoning and BOA Historical Summary:** Past zoning actions in this area have established a pattern for medium intensity land uses. The Board of Adjustment also approved a restaurant use on the adjoining lot to the north.

**Conclusion:** The Comprehensive Plan designates this triangle area bounded by Skelly Drive, Memorial Drive and the Broken Arrow Expressway as meeting the development requirements for medium intensity uses. Based on the surrounding land uses and existing zoning pattern of CS zoning to the north, Staff recommends **APPROVAL** of CS zoning for Z-6491.

Mr. Schuller expressed agreement with Staff recommendation.

There were no interested parties in attendance.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; no "nays"; none "abstaining"; Ballard, Pace, Selph "absent") to recommend **APPROVAL** of Z-6491 for CS zoning as recommended by Staff.

**LEGAL DESCRIPTION**

Two tracts of land in the Southeast Quarter of the Northeast Quarter of Section 23, T-19-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows, to-wit: Beginning at a point 150' South and 50' West of the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section; thence South and parallel with the East line of said Section 150' to a point; thence West 250' to a point; thence North 150.22' to a point; thence South 89°57'00" East 250' to the Point of Beginning and a non exclusive easement as follows to-wit: Beginning at a point 300' South and 50' West of the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 23; thence South and parallel with the East line of said Section, 50' to a point; thence West 250' to a point; thence North 50' to a point; thence East 250' to the Point of Beginning, and located on the northwest corner of East 33rd Street South and South Memorial Drive, Tulsa County, Oklahoma.

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Application No.: **Z-6492**  
Applicant: Mark Hine  
Location: SW/c East Latimer & North Quincy.  
Date of Hearing: June 14, 1995

Present Zoning: OL  
Proposed Zoning: CH

Staff has requested a continuance to June 28 in order to provide adequate notice of applicant's revised legal description.

**TMAPC Action; 8 members present:**

On **MOTION** of **TAYLOR**, the TMAPC voted **8-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; no "nays"; none "abstaining"; Ballard, Pace, Selph "absent") to **CONTINUE** Z-6492 to June 28, 1995 as recommended by Staff.

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Application No.: **PUD-464-3 Minor Amendment**

Applicant: Robert Coretz

Location: Lot 27, Block 1 of Wellington South - 3154 East 88th Street South.

Date of Hearing: June 14, 1995

Presentation to TMAPC: Robert Coretz

The applicant is requesting reduction of a portion of the rear yard setback for a single-family residence. The purpose of the request is to allow the construction of an addition to the garage with a bedroom as a second story above.

Staff has reviewed the request and finds that the existing lot is approximately 170' deep and 155' wide. Staff also finds that the subject parcel is at the southern boundary of the addition, abutting a large lot residential addition to the south.

Based on the size of the lot, the impact of a two-story structure in the reduced setback and available options, Staff recommends **DENIAL** as not conforming with the spirit and intent of the PUD standards.

Applicant's Comments

Robert Coretz, 3154 East 88th Street, informed that the proposed site is the only location where an addition can attach to the existing structure. He presented a letter of approval from the Wellington South Homeowner's Association (HOA) based on approval by the TMAPC. Mr. Coretz advised that only two residences will be directly affected and informed that he has met with those neighbors, to the east and south sides of the existing structure. He informed that both residents have expressed support of the proposed addition. Mr. Coretz disclosed that no letters of opposition were received from notification of this public hearing. He pointed out that as a matter of right he could construct a stand-alone structure within 15' of the rear yard lot line.

There were no interested parties in attendance.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **5-3-0** (Boyle, Carnes, Gray, Horner, Midget "aye"; Doherty, Ledford, Taylor "nays"; none "abstaining"; Ballard, Pace, Selph "absent") to **APPROVE** PUD-464-3 MINOR AMENDMENT as requested by the applicant to reduce the required rear yard to 19' for the proposed addition, as shown in the plot plan.

Chairman Carnes instructed the applicant to provide copies of letters of support to Staff from residents to the east and south sides of the existing structure.

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**OTHER BUSINESS**

Consider initiating a rezoning application for HP supplemental zoning on the south 90' of Lots 12 and 13, Block 1 Terrace Park Addition. (The lots being south of the southeast corner of Victor Avenue and 15th Street South.)

Staff Comments

Mr. Stump informed that Martin Steinmetz, President of the Yorktown Neighborhood Association, initiated this request to include the above-listed two lots in Terrace Park. He informed that these two lots were not included in the request transmitted from the Tulsa Preservation Commission (TPC) and were not advertised for HP zoning.

Interested Parties

Nancy Davis conveyed Mr. Steinmetz's opinion that if this item is not continued to June 28, it is tantamount to setting it apart from the area included in the requested HP zoning and that he would not pursue attempting to include the properties. Ms. Davis revealed that Mr. Steinmetz determined that to advertise these properties would be costly and residents do not desire to postpone the hearing on the remainder of the properties.

Mr. Doherty pointed out that the earliest this item could be considered is in August since it has not been advertised.

Interested Parties

Bruce Bolzle, 5550 South Lewis, 74105, representative for the property owners of the subject lots, revealed that it was his understanding that these properties would not be included in the HP zoning request. He reiterated that these properties were purchased for future office zoning and to add to their medical project. Mr. Bolzle informed that the property owners have conveyed to the Yorktown Neighborhood Association that they would actively support their request for HP zoning in the area if these two properties are omitted. He revealed that they have worked diligently with Yorktown and Gillette Historic District and he continues to request that these properties be omitted.

**TMAPC Action; 9 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; no "nays"; none "abstaining"; Pace, Selph "absent") to **NOT INITIATE** a zoning application for HP supplemental zoning on the south 90' of Lots 12 and 13, Block 1, Terrace Park Addition.

\* \* \* \* \*



Consider initiating a rezoning application for RE zoning for the Philbrook Area Neighborhood in accordance with the Infill Development Study. If a rezoning application is initiated, also consider adopting a policy that all lot-splits within the rezoning area be brought before the TMAPC while the rezoning application is being processed.

Staff Comments

Ms. Matthews described the area under consideration for the rezoning request. She presented a letter signed by three of the property owners who circulated petitions requesting that the Planning Commission set a date for a rezoning public hearing.

There were no interested parties in attendance.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Midget, Taylor "aye"; no "nays"; none "abstaining"; Pace, Selph "absent") to **INITIATE** a rezoning request for the Philbrook Area Neighborhood to RE in accordance with the Infill Development Study as recommended by Staff and set the public hearing for August 2, 1995.

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**PUD 411-C:**           Detail Site Plan - Development Area 6-A  
Northeast corner of South 85th East Avenue and 101st Street.

The applicant is requesting site plan approval for "Country Club Apartments".

Staff has reviewed the request and finds that the plan, as submitted, complies with the setback, open space, circulation and parking requirements of the PUD.

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

- platting of the project, and
- verification of maximum building height.

**Note:** Site plan approval does not constitute landscape or sign plan approval.

Mr. Stump added that the building height be limited to 35' and noted that the property is subject to plat.

The applicant expressed agreement with Staff recommendation.

There were no interested parties in attendance.

**TMAPC Action; 7 members present:**

On **MOTION** of **TAYLOR**, the TMAPC voted **7-0-0** (Boyle, Carnes, Doherty, Gray, Horner, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Ballard, Midget, Pace, Selph "absent") to **APPROVE** PUD 411-C DETAIL SITE PLAN as recommended by Staff.

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**PUD 469:** Detail Site Plan - Southwest corner of Garnett Road and 102nd Street North.

The applicant is requesting site plan approval for a multifamily complex which includes 256 units and clubhouse.

Staff has reviewed the request and finds that circulation, setbacks, and livability space are acceptable as proposed.

Staff recommends **APPROVAL** of the site plan as presented subject to the following:

- Revised plan showing additional stacking (minimum four spaces outside the right-of-way), or emergency entrance only, or exit only on the Garnett Road frontage.
- Revised plan showing main entry at right angles or radial to 102nd Street.
- Maximum building height of 35'.

**NOTE:** Site plan approval does not constitute landscape or sign plan approval.

The applicant was not in attendance.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Horner, Ledford, Taylor "aye"; no "nays"; none "abstaining"; Midget, Pace, Selph "absent") to **APPROVE** PUD 469 DETAIL SITE PLAN as recommended by Staff.

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There being no further business, the Chairman declared the meeting adjourned at 2:10 p.m.

Date Approved: 6-28-95

  
Chairman

ATTEST:

  
Secretary

