

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1847  
Wednesday, August 7, 1991, 1:30 p.m.  
City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes	Ballard	Gardner	Linker, Legal
Carnes		Russell	Counsel
Doherty, 1st Vice Chairman		Stump	
Draughon,		Wilmoth	
Harris			
Horner			
Midget, Mayor's Designee			
Neely, 2nd Vice Chairman			
Parmeale, Chairman			
Wilson, Secretary			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, August 6, 1991 at 11:09 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 1:36 p.m.

**Minutes:**

Approval of the minutes of July 24, 1991, Meeting No. 1845:

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-1** (Carnes, Doherty, Draughon, Harris, Horner, Parmele, Woodard, "aye"; no "nays"; Wilson "abstaining"; Ballard, Midget, Neely, "absent") to **APPROVE** the minutes of the meeting of July 24, 1991 Meeting No. 1845.

**REPORTS:**

Chairman's Report:

Chairman Parmele stated that the Zoning Institute will be held in San Francisco on October 30-November 1, 1991. He advised that seven commissioners could attend and asked that those interested in attending to let him know. Staff advised that in order to meet registration deadlines, a list of those attending should be given to staff by September 3, 1991.

Chairman Parmele asked staff to schedule a meeting among Councilor Watts, Councilor Bartlett, Jim Doherty and Bob Gardner regarding the sequence of events evolving around the home occupation/garage sale study.

Committee Reports:

Mr. Doherty commented that the Rules and Regulations Committee will meet at 11:30 on August 14, 1991 to discuss the parking of recreational vehicles and antennae/satellite dish regulations.

Ms. Wilson advised that the Budget and Work Program would be meeting after the TMAPC meeting on August 14, 1991 to discuss the FY91 Fourth Quarter Report.

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CONTINUED PUBLIC HEARING

TO AMEND THE CITY OF TULSA ZONING CODE AS IT RELATES  
TO THE DEFINITION AND REGULATION OF DANCE HALLS

Mr. Doherty advised that the Rules and Regulations voted unanimously to recommend to the full commission the following action:

No recommendation will be made at this time, but include the regulation of dance halls within the adult entertainment study that is already in the work program for this year. Recommendations at the conclusion of that study will be given for dealing with the entire area, not just dance halls specifically.

Also, it should be expressed to the City Council the Commission's firm conviction that a noise ordinance, apart from the Zoning Code, is the only reasonable way to eliminate many of the abuses. It should be strongly recommended that the City Council develop and adopt such an ordinance.

Interested Parties:

**Eugene Colleoni**

Mr. Colleoni emphasized that the City did not need a complete anti-noise ordinance. He asked that the Commission relay to the City Council that what is needed is a point source noise ordinance and objective law enforcement.

There being no other interested parties, Chairman Parmele closed the public hearing.

TMAPC Review Session:

Mr. Doherty moved that TMAPC forward the Rules and Regulations Committee recommendation to the City Council.

TMAPC ACTION; 9 members present:

On MOTION of DOHERTY, the TMAPC voted 9-0-0 (Carnes, Doherty, Draughon, Harris, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Neely "absent") to RECOMMEND the following to the City Council:

1. No action be taken by the TMAPC at this time, but that regulation of the appropriate location of dance halls be included in the in FY92 Work Program study of adult entertainment establishments; and
2. That it be expressed to the Council the firm belief that an effective enforcible ordinance establishing measurable frequency weighted limits of permissible noise that is a most essential tool in minimizing the impact of subject establishments on the neighborhoods. TMAPC highly recommends the development and adoption of such an ordinance.

\* \* \* \* \*

**REQUEST FOR MODIFICATION OF SET-BACK FROM OIL WELL:**

Gilcrease Hills, Village II, Block 26 (2702)  
West Queen St. and N. Tacoma Ave.

RM-1

Comments & Discussion:

Mr. Wilmoth advised that the Mr. Johnsen, the applicant, has not submitted any information to staff. He has requested a two week continuance. Mr. Wilmoth suggested that since this was not a public hearing item perhaps the TMAPC should strike the item from the agenda and hear it when the appropriate information had been provided.

There being no objection from the Planning Commission, the Chairman declared the item stricken from the agenda.

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SUBDIVISIONS:

**FINAL APPROVAL AND RELEASE:**

Springer Clinic  
3906 East 51st Street

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Staff Recommendation:

Mr. Wilmoth advised that all release have been received and staff was recommending approval.

TMAPC ACTION; 9 members present:

On **MOTION** of **WILSON**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Harris, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Neely "absent") to **APPROVE** the Final Plat for Springer Clinic (3393) and **RELEASE** same as having met all conditions of approval as recommended by staff.

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**WAIVER REQUEST; Section 213:**

BOA 15783 Northridge Addition (703)  
4603 N. Rockford Ave.

RS-3

The Board of Adjustment has approved a day care center (children's nursery) on Lot 20, Block 17 of the above named subdivision. Numerous controls were placed on the use, including access, signs, hours, etc. by the Board of Adjustment approval on 7/23/91. Since the property is already platted, improvements are in place, and nothing would be gained by re-platting, and since controls have been placed on the use by the Board of Adjustment, it is recommended the request by **APPROVED** as submitted.

TMAPC ACTION; 9 members present:

On **MOTION** of **WOODARD**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Harris, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Neely "absent") to **APPROVE** the Waiver of Plat for BOA 15783 Northridge Addition as recommended by staff.

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BOA 15781 Abilene Place Addition  
2101 North Peoria Avenue

RM-1, RS-3

Staff Recommendation:

This is a request to waive plat on Lots 3, 4, and 5, Block 1 of the above captioned subdivision. The property contains an existing church and related parking. The application to the Board of Adjustment was to permit an addition to the existing building. The Board approved the exception on 8/7/91, per plot plan. Since the controls have been set by the Board of Adjustment, the church was already existing and the property is already platted, Staff recommends **APPROVAL** as requested noting that the provisions of Section 213 have been met by previous plat.

TMAPC ACTION; 9 members present:

On **MOTION** of **WOODARD**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Harris, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Neely "absent") to **APPROVE** the Waiver of Plat for BOA 15781 Abilene Place Addition as recommended by staff.

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**LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

L-17437 (3203) Lilly Trust	2731-2741 E. Latimer
L-17438 ( 282) Miller/Leibert	838 W. 68th St.
L-17439 (1183) Swab-Fox/Parrish	S. 78th E. Ave. west of Memorial

Staff Recommendation:

Mr. Wilmoth advised that all items were in order. Staff recommended approval.

TMAPC ACTION; 9 members present:

On **MOTION** of **WILSON**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Harris, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Neely "absent") to **APPROVE** the above listed lot splits having received prior approval as recommended by staff.

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**OTHER BUSINESS:**

**PUD 463-1 -- Minor Amendment to realign boundaries of and change uses in Development Area B -- west of the southwest corner of S. Utica Avenue and Swan Drive.**

The applicant is requesting to amend PUD 463 by changing the uses allowed in Development Area B from off-street parking in connection with the medical office in Development Area C to single-family detached dwellings and customary accessory uses. They would also like to enlarge Development Area A to include all of Development Area B with an increase in the number of allowed dwelling units from 2 to 3. The resultant PUD would have 3 single-family lots fronting on Swan Drive in Development Area A and the existing medical office and parking in Development Area C. The residential density in the PUD would increase slightly (3%) with the addition of the land area in Development Area B and the increase of one dwelling unit. The applicant's resultant development density would be DU/11,838 SF and all three lots would comply with present development standards for Area A.

If the TMAPC finds these amendments to be minor in nature, staff recommends **APPROVAL** of the following amendment to the conditions for PUD 463:

2) Development Standards:

	<u>Development Area A</u>	
Land Area (net)		35,515 SF
Maximum No. of DU's		3

Development Area B

Delete this development area and its standards and include its Land Area in Development Area A.

**NOTE:** The TMAPC prior to processing of PUD 463 had approved a lot split for 3 lots fronting on Swan Drive and encompassing the same area proposed to be included in new Development Area A.

Comments & Discussion:

Mr. Stump advised this was a request to modify what has been previously approved. The original PUD was imposed over an area that was primarily zoned RS-3 containing one office lot fronting Utica Avenue zoned OM. A lot was to be provided in the rear of the office lot for additional parking. The remaining area, fronting on Swan Drive, would be used for two dwellings. The applicant would like to go back to the underlying zoning and have the area in RS-3 used for three single family homes and the OM zoned area used for the existing medical office. This would eliminate Development Area B, the parking lot.

Mr. Linker, legal counsel, advised this was clearly an abandonment of the PUD which requires council approval and notice as required by statute.

In response to Ms. Wilson, Mr. Stump advised that Development Area B was critical to Development Area C for parking. Mr. Gardner advised that the applicant had, prior to the PUD application, received approval for three lots in the RS-3 area. The abutting doctor's office then contacted the applicant wishing to purchase a portion of the property for parking. Staff advised the applicant that it could not support a zoning change to allow parking, but could support parking through a PUD. The PUD was approved, but the doctor did not purchase the property. Now the applicant would like to go back to his original plan.

Applicant's Comments:

**Rick Brazelton**

**1933 South Boston**

Mr. Brazelton advised that he bought the property and split it into three lots. The doctor had not purchased property at the time, but based upon a contract of sale, he continued with the PUD to allow parking for the doctor's office. Now the doctor does not wish to purchase the property. Essentially he is trying to return the property to its original zoning.

After much discussion, it was the general consensus of the Planning Commission that this item should be considered as a major amendment to the PUD or the applicant could abandon the PUD. Mr. Doherty moved that the application be considered as a Major Amendment and that \$100 of the fees for the Minor Amendment would be applied to the new application.

TMAPC ACTION; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **9-0-0** (Carnes, Doherty, Draughon, Harris, Horner, Midget, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Neely "absent")  
to **Consider the application as a Major Amendment.**

There being no further business, the Chairman declared the meeting adjourned at 2:20 p.m.

Date Approved: 8-31-91

Paul J. King  
Chairman

ATTEST:

Marilyn A. Wilson  
Secretary

