

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1950  
Wednesday, December 8, 1993, 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>
Ballard	Dick	Gardner	Linker, Legal
Broussard		Hester	Counsel
Carnes, 2nd Vice Chairman		Jones	
Doherty, Chairman		Matthews	
Horner		Stump	
Midget, Mayor's Designee			
Neely Secretary			
Pace			
Parmeale, 1st Vice Chairman			
Wilson			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, December 7, 1993 at 1:00 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:34 p.m.

**REPORTS:**

Rules and Regulations Committee

Mr. Parmele made reference to a letter from Jim Norton in regards to obtaining names for notification of blanket rezoning.

Chairman Doherty explained that there has been confusion over this matter which is being resolved.

Director's Report

Mr. Gardner reported on information received regarding approval of the Cherokee Nation smoke shop on North Lewis Place. He informed of conditions placed on the shop.

Chairman Doherty deemed that the Planning Commission's best course of action is to relay their action and correspondence to the newspaper.

**SUBDIVISIONS:**

**FINAL APPROVAL AND RELEASE:**

Hunter's Bend (PUD-447) Cox

Northeast corner of East 111th Street South and South Yale Avenue.

Staff Comments

Mr. Jones advised that all releases have been received and Staff was recommending approval subject to approval by Public Works and the City Legal Departments of the restrictive covenants and deed of dedications. He advised that the applicant was aware of the conditions and has expressed agreement.

The applicant was not in attendance.

**TMAPC Action; 10 members present:**

On MOTION of PARMELE, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to APPROVE the Final Plat of Hunter's Bend and RELEASE same as having met all conditions of approval as recommended by Staff and subject to approval of Public Works and Legal Departments.

\* \* \* \* \*

Tam-Bao Buddhist Temple (1194) Sack

(PD-17) (CD-6)

East of the NE/c of E. 21st Street South & South 161st East Avenue.

Staff Comments

Mr. Jones advised that all releases have been received and noted that there are minor details the engineer has agreed to regarding restrictive covenants, and Staff was recommending approval subject to Legal Department final approval of the plat.

Ted Sack, representative for the applicant, was in attendance.

**TMAPC Action; 10 members present:**

On MOTION of PARMELE, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to APPROVE the Final Plat of Tam-Bao Buddhist Temple and RELEASE same as having met all conditions of approval as recommended by Staff subject to approval by the Legal Department and appropriate changes to the restrictive covenants.

\* \* \* \* \*

Tracy Park II (1493) Lewis  
South Memorial Drive at East 27th Street South.

(PD-5) (CD-5)

Staff Comments

Mr. Jones advised that all releases have been received and are in the final stages of minor wording changes regarding the restrictive covenants. He advised that Bill Lewis, engineer, has been advised and expressed agreement with the changes, and Staff was recommending approval subject to approval by the Legal Department.

Interested Parties

**Terry Wilson**

**7728 East 30th Street 74129**

**Chairman, District 5 Planning Team**

Mr. Wilson expressed appreciation to the Planning Commission for having the foresight to approve a park at the rear of the subject tract. He declared support of the subject property for the proposed development.

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to **APPROVE** the Final Plat of Tracy Park II and **RELEASE** same as having met all conditions of approval as recommended by Staff and subject to approval by the Legal Department.

\* \* \* \* \*

**CHANGE OF ACCESS ON RECORDED PLAT:**

Triad Center (283)

(PD-18) (CD-7)

SE/c of East 61st Street South & South 76th East Avenue

Staff Comments

Mr. Jones explained that the applicant is adding a 40' access east of South 76th East Avenue. He advised that Traffic Engineering has approved the change and Staff is recommending approval.

Ted Sack was present representing the applicant.

**TMAPC Action; 10 members present:**

On **MOTION** of **NEELY**, the TMAPC voted **10-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to **APPROVE** the change of access on recorded plat for Triad Center as recommended by Staff.

\* \* \* \* \*

**REINSTATEMENT OF FINAL PLAT:**

Trinity Addition Amended (2683) (PUD 370) Hammond  
South of SW/c E. 101st & South Memorial Drive.

(PD-26) (CD-8)

**Staff Comments**

Mr. Jones reported that this item was previously approved December of 1992 by the Planning Commission and City Council. However, the applicant had problems obtaining money to pay the fees-in-lieu-of and the plat was never filed of record. Upon releasing this item to the engineer, Mr. Jones discovered that it had expired and the Planning Commission must again approve the plat, and it must be signed off by the City Council.

**TMAPC Action; 10 members present:**

On MOTION of PARMELE, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to REINSTATE the Final Plat of Trinity Addition amended and RELEASE same as having met all conditions of approval as recommended by Staff.

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ZONING PUBLIC HEARING

Application No.: Z-6429  
Applicant: Larry Zankel  
Location: 3601 East 51st Street  
Date of Hearing: December 8, 1993  
Presentation to TMAPC: Steve Kennedy

Present Zoning: OM  
Proposed Zoning: CS or CO

**Relationship to the Comprehensive Plan:**

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Medium Intensity - No Specific Land Use and Corridor.

According to the Zoning Matrix the requested CS or CO District is in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject property is approximately .69 acres in size. It is nonwooded, flat, and has a one-story office building located on the property.

**Surrounding Area Analysis:** The tract is abutted on the north by I-44, zoned RS-2; to the east is a two-story office building, zoned OM; to the west and southwest by shopping centers, zoned CS; and to

the south by a commercial shopping strip and office uses, zoned PUD/OL.

**Zoning and BOA Historical Summary:** The history of zoning actions in this area indicate that commercial zoning has been approved to the west boundary of this tract. Any commercial activities east of this point have only been allowed on the north side of 51st Street and under a PUD or Corridor zoning. This was done to reduce the likelihood of areas on the south side of 51st Street, now zoned OL, being rezoned commercially. Such a transition to commercial on the south side of 51st Street would adversely affect the residences to the south.

Therefore staff recommends **DENIAL** of CS and **APPROVAL** of CO zoning for Z-6429.

Applicant's Comments

**Steve Kennedy**

**2722 East 45th Place**

Mr. Kennedy, representative of the applicant, distributed a notebook of supporting documentation. He interprets that the Comprehensive Plan indicates linear development, low-intensity for the area on the south side of 51st Street. No commercial development is allowed in low intensity, and an overlay of linear development would ensure that commercial will not be allowed. Mr. Kennedy gave a detailed description of development surrounding the subject tract. Mr. Kennedy declared that this property meets all requirements for CS zoning and advised that the applicant intends to use a major portion of the existing building on the property. Mr. Kennedy disclosed that CO zoning would cause this property to experience numerous nonconformities. He explained that the applicant does not need the higher intensity use of CO.

TMAPC Review

Mr. Parmele asked what would be gained by a site plan since the existing building is being used and the Planning Commission could limit uses under corridor zoning.

Mr. Gardner advised that if this is approved for CS zoning, there would be no rationale to keep CS zoning from continuing east of this property. He questioned the effect it will have on the south side of the subject tract should this zoning line be broken.

Chairman Doherty asked Legal Counsel if the Planning Commission approves the subject tract for CO zoning, would it be possible to ask the City Council to delegate to the Planning Commission the authority for final approval on the corridor site plan.

Mr. Linker advised that under statutes that would not be possible.

Mr. Parmele questioned whether the line on the map has any significance, since the use is correct.

There was discussion among the Planning Commissioners over the significance of moving zoning lines.

Mr. Carnes made the motion for approval of CO zoning with the understanding that the Planning Commission will do everything possible to expedite further site plan approval, since Mr. Kennedy advised that the contract may lapse before all procedures are complete.

There was discussion over not so much the precedent which would be set but that this is a narrow wedge, visibility, sign controls, etc. Chairman Doherty declared that more judicious application of future development should this building be demolished is in the city's interest.

**TMAPC Action; 10 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to recommend **DENIAL** of CS and **APPROVAL** of Z-6429 for CO zoning as recommended by Staff.

**LEGAL DESCRIPTION**

All of the West 159.33' of Lot 2, Moreland Addition, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

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**ZONING PUBLIC HEARING**

Application No.: **Z-6430** Present Zoning: RS-3  
Applicant: Stephen Schuller Proposed Zoning: OL  
Location: 1326 East 34th Street  
Date of Hearing: December 8, 1993  
Presentation to TMAPC: Stephen Schuller

**Relationship to the Comprehensive Plan:**

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as Low Intensity Residential and Special Consideration Area - Brookside Commercial Area.

According to the Zoning Matrix, the requested OL zoning is not in accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is 50' x 140' in size and is located on the south side of E. 34th Street, east of the southeast corner of E. 34th St. and S. Peoria Avenue. It is flat and is vacant.

**Surrounding Area Analysis:** The tract is abutted on the north by single-family dwellings, zoned RS-3; to the east by a vacant lot, zoned RS-3; to the south by office use, zoned PUD/OL; and to the west by vacant property zoned RS-3.

**Zoning and BOA Historical Summary:** The history of zoning actions in this area indicate that non-residential uses have been permitted south and west of the subject tract.

**Conclusion:** The Comprehensive Plan designates the subject tract as residential but is included in the Special Consideration Area - Brookside Commercial Area. The special area can be zoned PK if it is adjacent to existing commercial zoning and/or existing parking lots. The lot to the west is approved for parking. Therefore, Staff recommends **DENIAL** of OL and **APPROVAL** of PK for Z-6430.

Interested Parties

**Stephen Schuller**

**525 South Main 74103**

Mr. Schuller, attorney for the owner, informed that the applicant will accept Staff recommendation for PK zoning, although he would prefer OL. He informed that the applicant intends to construct a parking lot on the subject property.

Interested Parties

**Nancy Apgar**

**3914 South Norfolk 74105**

Ms. Apgar, an officer of the Brookside Neighborhood Association, advised that at the monthly meeting, the board of directors did not approve the proposed change from RS-3 to OL due to encroachment into the residential neighborhood. However, she believes that all rezoning changes should be postponed until the new Brookside Comprehensive Plan is closer to being in place. Ms. Apgar disclosed that the neighborhood is in distress regarding parking and expansion of commercial properties. She expressed concern over whether notices mailed to residents within 300' of the subject property indicated that the property was being considered for PK rezoning. Should this tract be approved for PK, she asked about buffering and lighting considerations. Ms. Apgar declared that input is needed from area residents and disclosed that she believes PK would be good for the neighborhood.

Mr. Gardner informed that where the property abuts residential there would be a screening requirement, lighting standards would be so arranged as to be directed away from properties within an R district, and there would be front setback requirements for all parking areas.

**Pam Deatherage**

**1516 East 36th Street 74105**

**Planning District 6 Chair**

Ms. Deatherage informed of working with area merchants and land owners to find solutions to parking problems. She voiced support of PK zoning and advised that in the future when parking is not a problem, she might support changing to OL. Ms. Deatherage noted that adjacent commercial properties need parking.

Mr. Neely asked what solutions are being considered to alleviate parking problems in the area.

Ms. Deatherage advised that there has been discussion regarding a special assessment district, moving the line separating commercial from residential to encourage construction of parking lots, removing storage buildings from parking areas, restriping and resurfacing existing parking lots to gain more spaces, and allowing parking at some area businesses in the evening.

Chairman Doherty referred to a letter from Scott Sanditen expressing support of PK rezoning.

Applicant's Rebuttal

Mr. Schuller yielded his rebuttal time to his client, Jim Glass, 1325 East 35th Place. Mr. Glass assured Ms. Apgar that he contacted the adjacent property owner, Vince Corley, who resides east of the subject property, and provided him a preliminary concept plan. Mr. Glass advised that Mr. Corley expressed support. Mr. Glass informed that the property to the south has parking which abuts the subject tract.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to recommend **DENIAL** of OL and **APPROVAL** of Z-6430 for PK zoning as recommended by Staff.

LEGAL DESCRIPTION

The West 50' of Lot 6, Block 2, Oliver's Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

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**PUBLIC HEARING TO AMEND THE COMPREHENSIVE PLAN:**

Plan amendments to Planning Districts 2 & 3 regarding "An Economic Development Plan for the Springdale Neighborhood" (plan maps & texts) - Resolutions.

There were no interested parties in attendance.

**TMAPC Action; 10 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to **APPROVE** the Plan Amendments to Planning Districts 2 & 3 regarding "An Economic Development Plan for the Springdale Neighborhood" as recommended by Staff.

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**PUD-166-F:** Detail Site Plan - Development Area 2-3 - south of the southeast corner of 91st Street South and South Sheridan Road.

After review of the additional information submitted by the applicant, Staff finds the Site Plan to be in conformance with the PUD conditions and recommends **APPROVAL**.

There were no interested parties in attendance.

**TMAPC Action; 10 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **10-0-0** (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to **APPROVE** PUD 166-F Detail Site Plan for Development Area 2-3 as recommended by Staff.

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**PUD-481:** Detail Sign Plan - Development Area D1 - northwest corner of East 71st Street South and the Mingo Valley Expressway.

The applicant is proposing to remove all existing Western National Bank signs and to install four wall signs for Bank IV. Staff has reviewed the proposed new signs and finds them in compliance with the PUD conditions; therefore, Staff recommends **APPROVAL**.

**TMAPC Action; 10 members present:**

On MOTION of PARMELE, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to APPROVE PUD 481 Detail Sign Plan for Development Area D1 as recommended by Staff.

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**PUD-468:** Revised Site Plan - Development Area 4 - north of the northwest corner of East 71st Street South and South Mingo Road.

The applicant is proposing a 1730 SF Waffle House restaurant in Development Area 4. This would reduce the remaining commercial building area in the PUD to 6743 SF. Staff review of the proposal finds the plan complies with the PUD conditions. Therefore, Staff recommends APPROVAL.

**TMAPC Action; 10 members present:**

On MOTION of MIDGET, the TMAPC voted 10-0-0 (Ballard, Broussard, Carnes, Doherty, Horner, Midget, Neely, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Dick "absent") to APPROVE PUD 468 Detail Site Plan for Development Area 4 as recommended by Staff.

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Approval of TMAPC meeting schedule for 1994 as attached.

Mr. Midget suggested conducting once-a-month night meetings of TMAPC for the convenience of neighborhood groups to attend.

Chairman Doherty advised that the Planning Commission has conducted evening meetings on occasion for special items. However, it was the consensus of the Planning Commission to not incorporate night meetings at this time.

**TMAPC Action; 10 members present:**

On MOTION of PARMELE, the TMAPC voted 9-1-0 (Ballard, Broussard, Carnes, Doherty, Horner, Neely, Pace, Parmele, Wilson "aye"; Midget "nay"; no "abstentions"; Dick "absent") to APPROVE the TMAPC meeting schedule for 1994.

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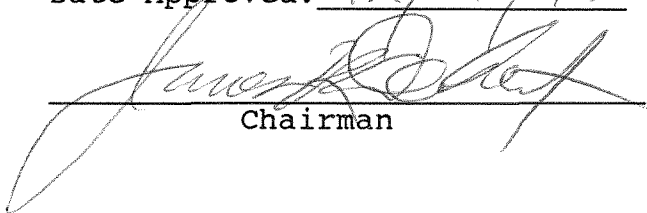
Chairman Doherty announced receipt of a letter from William B. Jones withdrawing zoning application Z-6420, 8900 East 71st Street. Mr. Jones asked that the Planning Commission consider refunding filing fees of \$894.67, or a portion thereof, which the Planning Commission believes to be equitable.

Mr. Stump advised that Roy Johnsen may be taking over the application and the item may not be withdrawn.

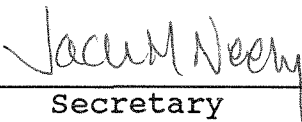
Chairman Doherty instructed that if the application has been withdrawn it should be placed on next week's agenda for consideration of refund of fees.

There being no further business, the Chairman declared the meeting adjourned at 2:35 p.m.

Date Approved: 12/23/93

  
Chairman

ATTEST:

  
Secretary



# 1994 SCHEDULE

## Tulsa Metropolitan Area Planning Commission (TMAPC)

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Regular meetings of the TMAPC are held on Wednesdays at 1:30 p.m. in the Francis F. Campbell City Council Room, Plaza Level, Tulsa Civic Center.

Regular work sessions of the TMAPC Comprehensive Plan Committee, Rules and Regulations Committee and/or Budget and Work Program Committee are held on the third Wednesday of each month following regular TMAPC business in Room 1102 of City Hall.

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### JANUARY

5th  
12th  
19th  
26th

### FEBRUARY

2nd  
9th  
16th  
23rd

### MARCH

2nd  
9th  
16th  
23rd  
30th (no meeting)

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### APRIL

6th  
13th  
20th  
27th

### MAY

4th  
11th  
18th  
25th

### JUNE

1st  
8th  
15th  
22nd  
29th (no meeting)

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### JULY

6th  
13th  
20th  
27th

### AUGUST

3rd  
10th  
17th  
24th  
31st (no meeting)

### SEPTEMBER

7th  
14th  
21st  
28th

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### OCTOBER

5th  
12th  
19th  
26th

### NOVEMBER

2nd  
9th  
16th  
23rd (no meeting)  
30th

### DECEMBER

7th  
14th  
21st  
28th (no meeting)

