

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1965

Wednesday, February 23, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

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

Members Absent

Broussard
Harris
Parmele
Wilson

Staff Present

Gardner
Hester
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, February 22, 1994 at 11:35 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice Chairman Neely called the meeting to order at 1:36 p.m.

Minutes:

Approval of the minutes of February 9, 1994, Meeting No. 1963:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Ballard, Broussard, Harris, Parmele, Wilson "absent") to **APPROVE** the minutes of the meeting of February 9, 1994 Meeting No. 1963.

REPORTS:

Chairman's Report

Mr. Jones reported that over the past six months the Technical Advisory Committee (TAC) has been working in conjunction with the Department of Public Works and the Utilities to require that addresses be shown on the both the preliminary and final plat of all subdivision plats processed and filed of record. He requested that this item be scheduled for the Rules and Regulations Committee meeting for March 9.

Committee Reports:

Budget and Work Program Committee

In Ms. Wilson's absence, Mr. Neely announced receipt of a request from Jack Baker, District 16 Planning Chair, to consider updating the Comprehensive Plan for District 16.

Comprehensive Plan Committee:

Mr. Neely announced that the Comprehensive Plan Committee met today and received a status report of the University of Tulsa Master Plan scheduled for public hearing March 2. Mr. Neely instructed Staff to advertise for public hearing amending the the Brookside Study on April 13, 1994.

Rules and Regulations Committee:

Mr. Doherty announced that the Rules and Regulations Committee will meet March 9.

Director's Report:

Mr. Gardner announced neighborhood meetings scheduled in the Lincoln-Extension-Dunbar area regarding blanket zoning.

SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Garnett-61 Storage (684)

(PD-18)(CD-8)

West of the SW/c of East 61st Street South and South Garnett Road.

Mr. Jones announced that this application is lacking one release letter and requested that it be continued for one week.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **CONTINUE** the Final Plat and Release of Garnett-61 Storage to March 1, 1994 as recommended by Staff.

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CHANGE OF ACCESS ON RECORDED PLAT:

Morland Addition (283)

(PD-18)(CD-7)

3601 East 51st Street South

Mr. Jones disclosed that at the time of platting the subject property only one point of access was assigned and after construction, twenty to twenty-five years ago, it was discovered that two access points had been constructed. He explained that through the platting process and title examination, it was discovered that the additional access point needs to be added. Mr. Jones affirmed that Traffic Engineering has signed off on the additional access and Staff recommends **APPROVAL** subject to the drawing as submitted.

A representative was present and expressed agreement.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **APPROVE** the **CHANGE OF ACCESS ON RECORDED PLAT** for Morland Addition.

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CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6434
Applicant: Warren Taube
Location: 18015 East Admiral Place
Date of Hearing: February 23, 1994
Presentation to TMAPC: Norma Bivins & Warren Taube

Present Zoning: RS-1
Proposed Zoning: IL

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Special District - Industrial Area.

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

Staff Comments:

Site Analysis: The subject property is approximately 5.3 acres in size. It is partially nonwooded, is sloping and has two single-family dwellings and accessory buildings located on the tract.

Surrounding Area Analysis: The subject tract is abutted on the north by Skelly Drive, zoned RS-3; to the west by single-family dwellings, zoned RS-1; to east by a single-family dwelling zoned IL; and to the south across Admiral Place by a single-family dwelling, zoned RS-1 and vacant land zoned PUD-290 and AG.

Zoning and BOA Historical Summary: The history of zoning actions in this area indicate that industrial zoning has been approved to the west and east of the subject tract and on the north side of Admiral Place showing a transition to IL. Staff can support the requested IL zoning based on the Comprehensive Plan, existing land use, and past zoning patterns.

Therefore staff recommends **APPROVAL** for IL zoning for Case No. Z-6434.

Applicant's Comment's

Warren Taube
Norma Bivins

18015 East Admiral Place 74015
18101 East Admiral Place 74015

Ms. Bivins and Mr. Taube both expressed agreement with Staff recommendation.

In response to a question from Mr. Doherty, Mr. Taube disclosed that the intended use of the property is for outdoor storage of boats and recreational vehicles.

Interested Parties

Margaret Frommel
Virginia Maddux

17929 East Admiral Place, Catoosa 74015
18005 East Admiral Place 74015

The above-listed individuals expressed opposition to the proposed zoning for the following reasons.

There was concern over property devaluation and unsightliness of such a business.

It was noted that area homeowners' yards are well maintained and there was concern that the proposed business will not be aesthetically pleasing. It was noted that presently the existing fence is in disrepair.

Opposition was expressed toward allowing a business to locate abutting residential property.

Residents indicated that the subject property is not maintained and fear that further deterioration will occur if the zoning is approved.

Residents expressed concern over additional noise which will occur from the proposed operation.

In response to a question from Mr. Neely, Mr. Gardner informed that the screening requirements for IL next to RS zoned property are for a minimum 6' screening fence and that buildings require a minimum 75' setback from the west property line. If any manufacturing or repair work is performed it must be within a building.

Bobbie Gray 2465 South 141st East Avenue 74134
District 17 Planning Team Chair

Ms. Gray presented photographs of residences to the east of the subject property. She suggested a PUD be placed on the property if it is zoned IL to ensure regulation during the period of transition to IL. Ms. Gray wanted to ensure the property is maintained in a manner similar to surrounding properties.

TMAPC Review

Mr. Horner informed the applicant of how the PUD process is regulated and suggested the applicant may want to consider that avenue.

Ms. Bivins explained that there are no plans to change the front of the property and the house will remain on the property. She was not opposed to considering a PUD.

Ms. Pace declared that from the pictures presented and since the area is in transition that IL zoning is a big step up from residential.

There was discussion among the Planning Commission voicing concerns over a Recreational Vehicle being parked against a 6' fence only 20' from a residence and over other uses allowed under IL zoning. The consensus of the Planning Commission was that with proper safeguards and controls, by limiting some of the more objectionable uses, IL zoning would be appropriate until the area completes transition.

Mr. Doherty made a motion to continue this item and encouraged the applicant to pursue the PUD application. Ms. Pace seconded the motion.

Mr. Horner encouraged the applicant to meet with area residents to devise a plan with which all can concur.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **CONTINUE Z-6434** to April 6, 1994.

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ZONING PUBLIC HEARING:

Application No.: **CZ-209**

Applicant: Randy C. Swartwood

Location: South of the Southwest corner of 76th Street North and 117th East Avenue

Date of Hearing: February 23, 1994

Presentation to TMAPC:

Present Zoning: RS

Proposed Zoning: IL

Relationship to the Comprehensive Plan:

The Owasso Comprehensive Plan designates the this area as Rural Residential on the west side of 117th East Avenue; High Intensity Industrial fronting onto U. S. Highway 169, and a Medium Intensity buffer separating the two uses.

According to the Zoning Matrix the requested IL District is not in accordance with the Plan Map for Rural Residential and is in accordance with the Industrially planned area.

Staff Comments:

Site Analysis: The subject tract is approximately 2.8 acres in size and is located south of the southwest corner of 76th Street North and 117th East Avenue. It is nonwooded, gently rolling, contains vacant industrial buildings, and is zoned RE.

Surrounding Area Analysis: The tract is abutted on the north by industry and vacant land zoned IL; on the east by single-family dwellings, zoned RE; on the south by a single-family dwelling and vacant land zoned RE; and to the west by industrial uses zoned IL.

Zoning and BOA Historical Summary: TMAPC denied a request to rezone the subject tract in 1992.

Conclusions: The IL zoning for most of this tract appears to be appropriate based on the industrial development in the area. The applicant is trying to obtain right-of-way from the frontage road and provide access to the subject tract from the west rather than from 117th East Avenue. Therefore, staff recommends **APPROVAL** of IL zoning for CZ-209, except the north 40' of the SE/4 of the SE/4 of the NW/4 of 32-21-14, if access to the frontage road can be obtained.

Applicant's Comments

Randy Swartwood

12702 78 Circle, Owasso

Mr. Swartwood disclosed that he recently purchased the property and now can prove access to the frontage road to the Mingo Valley Expressway and that access to 117th Street is no longer required. Mr. Swartwood expressed agreement with Staff recommendation.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to recommend **APPROVAL** of CZ-209 for IL zoning as recommended by Staff.

LEGAL DESCRIPTION

The Southwest Quarter of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 32, T-21-N, R-14-E, Tulsa County, Oklahoma.

Application No.: **CZ-210**

Present Zoning: RS & CG

Applicant: Roy Johnsen

Proposed Zoning: IL

Location: 5401 West Skelly Drive

The southwest corner of 54th St. & 43rd West Avenue.

Date of Hearing: February 23, 1994

Presentation to TMAPC: Roy Johnsen

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity - Industrial.

According to the Zoning Matrix the requested **IL** District is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject tract is approximately 2.23 acres in size and is located west of the southwest corner of 54th Street South and 43rd West Avenue. It is nonwooded, flat, contains a retail fireworks business and storage buildings, and is zoned RS and CG.

Surrounding Area Analysis: The tract is abutted on the north by a truck storage and parking lot, zoned IM; to the east by single-family dwellings, zoned RS; to the south by a truck/trailer storage lot, zoned IL and to the west by truck and trailer storage zoned CH.

Zoning and BOA Historical Summary: This area is in transition to industrial zoning and uses.

Conclusions: IL zoning for this tract appears to be appropriate. Therefore, staff recommends **APPROVAL** of IL zoning for CZ-210.

Applicant's Comments

Roy Johnsen, attorney for the applicant, distributed an aerial photograph of the subject area indicating the property owned by O.K. Fireworks. He expressed agreement with Staff recommendation.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to recommend **APPROVAL** of CZ-210 for IL zoning as recommended by Staff.

LEGAL DESCRIPTION

Lots 1 through 7, and Lots 18 through 24, Block 3, Opportunity Heights, and located at 5401 West Skelly Drive, Tulsa, Oklahoma.

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Application No.: **PUD 182-6**

Applicant: Jim Shofner

Location: North & west of the NW/c of East 75th Street & South Birmingham Avenue.

Date of Hearing: February 23, 1994

Presentation to TMAPC:

Minor Amendment to side yard to allow a lot-split - Lot 10, Block 1, South Oaks Acres.

The applicant is requesting a reduction of the required side yard from 5' to 0' to allow a lot-split of an existing duplex lot. Staff has no objection to this reduction, so long as it is only for the existing structure. Eight other lots in this subdivision have previously been allowed to split the lots along the common wall of the duplexes. Therefore, Staff recommends **APPROVAL** of PUD-182-6 for Lot 10, Block 1 of South Oaks Acres, subject to it only applying to the existing building.

The applicant was in attendance and expressed agreement with Staff recommendation.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **APPROVE** PUD 182-6 Minor Amendment as recommended by Staff.

LEGAL DESCRIPTION

Lot 10, Block 1, South Oaks Acres, and located north and west of the northwest corner of 75th Street South and South Birmingham Avenue.

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Application No.: **PUD-448-4**

Applicant: Richard Robertson/SQ Metal Signs

Location: 8955 South Memorial Drive

Date of Hearing: February 23, 1994

- Minor Amendment to ground sign requirements - northeast corner of East 91st Street South and South Memorial Drive.

The Piccadilly Cafeteria is requesting to move the ground sign from Lot 3 on Memorial Drive to 91st Street in Lot 2. It was originally envisioned that Lots 2 and 3 would have different owners and each lot was allocated one ground sign on Memorial Drive and none were allowed on 91st Street. Since Piccadilly is developing Lots 2 and 3 as one lot, they

would like one ground sign on Memorial Drive and another on 91st Street. Since there is no increase in the number of ground signs, Staff recommends APPROVAL of the following revised ground sign standards for Lots 2 and 3 of Square 91 Addition.

Lot 2: One ground sign is permitted on each street frontage. Each sign shall not exceed 25' in height nor 160 SF of display surface area.

Lot 3: No ground signs are permitted.

DETAIL SIGN PLAN

If Minor Amendment PUD-448-4 is approved, Staff recommends APPROVAL of the sign plan for a ground sign on 91st Street.

The applicant expressed agreement with Staff recommendation.

TMAPC Action; 7 members present:

On MOTION of CARNES, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to APPROVE PUD 448-4 MINOR AMENDMENT and DETAIL SIGN PLAN as recommended by Staff.

LEGAL DESCRIPTION

Lots 2 and 3, Block 1, Square 91, Tulsa County, Oklahoma

OTHER BUSINESS

PUD-260-A: Revised Site Plan for Lot 2, Block 1, Hyde Park - northeast corner of East 71st Street South and South Yale Avenue.

The applicant, Bennigan's Restaurant, is requesting approval of a temporary tent (March 16 through March 20, 1994) for restaurant use. When the existing parking in the entire PUD is counted, there are sufficient parking spaces for the existing restaurant and the proposed tent. The tent also complies with the building setback requirements. Therefore, Staff recommends APPROVAL of the tent from March 16 through 20, 1994 only.

The applicant was in attendance and expressed agreement with Staff recommendation.

TMAPC Action; 7 members present:

On MOTION of MIDGET, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to APPROVE PUD 260-A DETAIL SITE PLAN as recommended by Staff.

PUD-489: Revision to Detail Sign Plan for Lot 2, Block 1, 71 Mingo Center - north and east of the northeast corner of East 71st Street South and South Mingo Road.

Builders Square is requesting approval of a 50' high flag pole which will be near the southeast corner of their store and will be for the United States flag and a 5' X 8' Builders Square flag. Staff recommends **APPROVAL**.

PUD 489: Detail Landscape Plan for Lot 1, Block 1, 71 Mingo Center - north of the northwest corner of South 101st East Avenue and East 71st Street South.

The Landscape Plan for Lot 1, Block 1 (Tulsa Ice Arena) complies with the Landscape Ordinance and the PUD conditions; therefore, Staff recommends **APPROVAL**.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

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

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PUD-166-F: Detail Sign Plan - Development Area 2-1 - north of the northeast corner of South Sheridan Road and East 93rd Street South.

The applicant is proposing a 24' high, 112 SF ground sign for Auto Pride Car Wash at the northwest corner of Development Area 2-1. This location will require that the ground sign allowed in Development Area 2-2 be setback approximately 70' from the right-of-way of Sheridan Road in order to maintain 100' spacing between ground signs. If the owner of Development Area 2-2 agrees to this restriction, Staff recommends **APPROVAL** of the ground sign as presented.

It was the consensus of the Planning Commission to condition approval upon receipt of a letter from the owner of Development Area 2-2 expressing agreement with the restriction.

The applicant expressed agreement with the condition.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **APPROVE** PUD-166-F **DETAIL SIGN PLAN** subject to receipt and filing of a letter from the owner of Development Area 2-2 agreeing with the restriction.

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PUD-481: Detail Site Plan- Lot 4, Block 1, Mingo Marketplace - west of the northwest corner of East 71st Street South and the Mingo Valley Expressway.

The applicant is requesting Site Plan approval for a 4814 SF Braum's restaurant on Lot 4, Block 1 (Development Area C). The plan complies with the PUD conditions; therefore, Staff recommends **APPROVAL**.

The applicant indicated agreement with Staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **APPROVE** the **DETAIL SITE PLAN** for PUD 481 as recommended by Staff

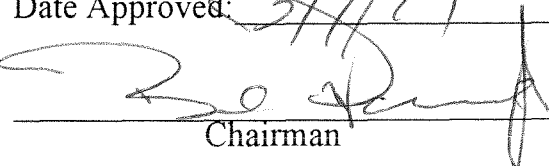
PUD-168: Detail Sign Plan - southeast corner of East 81st Street South and South Harvard Avenue.

Staff has received the additional information required and finds the wall sign for "Brainstorm" at 8181-A South Harvard to comply with the PUD conditions. Therefore, Staff recommends **APPROVAL**.

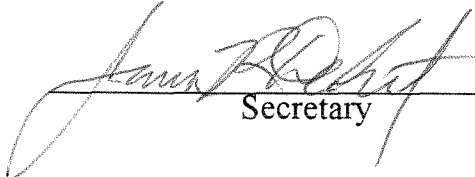
TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Pace "aye"; no "nays"; no "abstentions"; Broussard, Harris, Parmele, Wilson "absent") to **APPROVE** the **DETAIL SIGN PLAN** for PUD-168 as recommended by Staff.

There being no further business, the 1st Vice Chairman declared the meeting adjourned at 2:30 p.m.

Date Approved: 3/9/94

Chairman

ATTEST:


Secretary