

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1984

Wednesday, July 27 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

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

Members Absent

Broussard
Harris
Pace
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 Monday, July 25, 1994 at 8:23 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 1:35 p.m.

Minutes:

Approval of the minutes of July 13, 1994, Meeting No. 1982:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** the minutes of the meeting of July 13, 1994 Meeting No. 1982.

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SUBDIVISIONS:

PLAT WAIVER: SECTION 213:

BOA-16752 (Unplatted)(494)

(PD-17)(CD-6)

Southeast corner of I-244 Expressway and East Admiral.

The subject tract was approved by the Board of Adjustment to permit a communication tower (Use Unit 4) in an *RS-3* zoned district. In addition, there is a pending rezoning application before the TMAPC to permit *IL* zoning.

Staff has processed this waiver administratively (no review by TAC) based on the proposed use and conditions of approval by the Board of Adjustment. A full plat waiver or subdivision plat will be reviewed by the TAC and TMAPC once the *IL* rezoning is completed which will also trigger the platting requirement.

Staff recommends **APPROVAL** of the **PLAT WAIVER** for **BOA-16752** subject to the submitted site plan.

In response to a question from Mr. Doherty, Mr. Jones confirmed that use is for a broadcast tower only and limited to this small parcel.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** the **PLAT WAIVER** for **BOA-16752** subject to the submitted site plan as recommended by Staff.

Z-6443 (Anderson Addition)(3693)

(PD-18)(CD-7)

5620 South Mingo Road.

Jones presented the request with Roy Johnsen in attendance at the TAC meeting.

Dixon stated that only one access point would be permitted and the location must be approved by Traffic Engineering.

Johnsen explained the need for two access points.

This 0.46-acre tract was approved for *IL* zoning by the TMAPC on May 11, 1994 with the City Council hearing pending. The applicant proposes to construct a 3,000 square foot office building with 18 parking spaces. It should be noted that the TMAPC has approved plat waivers in the immediate area (5656 South Mingo Road and 5646 South Mingo Road).

Based on the tract size, existing plat and other plat waivers in the immediate area, Staff would recommend **APPROVAL** of the **PLAT WAIVER** for **Z-6443**, subject to the following conditions:

1. Grading and/or drainage plan approval by the Department of Public Works in the permit process.
2. Access control agreement, if required by the Department of Public Works (Traffic Engineering).
3. Utility extensions and/or easements if needed.

NOTE: This Plat Waiver will not be transmitted to the TMAPC until the rezoning ordinance is published.

On the **MOTION** of **DIXON**, the Technical Advisory Committee voted unanimously to recommend **APPROVAL** of the **SUBDIVISION PLAT WAIVER** for **Z-6443**, subject to all conditions listed above, including one access point.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** the **PLAT WAIVER** of **Z-6443** for one access point and subject to limits of access to Mingo as recommended by Staff.

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CHANGE OF ACCESS ON RECORDED PLAT:

Alway Addition (3294)
12315 East 61st Street South.

(PD-18)(CD-5)

Staff Comments

Mr. Jones informed that the middle access drive has been used as an access drive for a number of years. He disclosed that the westernmost access is being vacated and a new limits of access is being assigned approximately 40' west of the existing access. Mr. Jones advised that Traffic Engineering has reviewed this change of access and expressed agreement. Therefore, Staff recommends approval subject to the submitted plan.

TMAPC Action; 7 members present:

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

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ZONING PUBLIC HEARING:

Application No.: **Z-6310-SP-2**

Applicant: Dan Tanner

Location: West of the NW/c of East 51st Street South and South Pittsburg Avenue.

Date of Hearing: July 27, 1994

Presentation to TMAPC:

Corridor Site Plan for Development Area 2B of
PUD-467 - Lot 2, Block 1 of Dickens Commons.

The applicant requests approval of a Corridor Site Plan which represents restaurant use (Lone Star Steak House) on a lot with the above-mentioned PUD.

Staff has reviewed the Site Plan and finds it in substantial conformance with amended PUD-467.

Staff therefore recommends **APPROVAL** of the request subject to the following:

1. Approval of a change of access on the existing plat of this area,
2. Submittal of a Landscape Plan which complies with the landscape chapter, and
3. Clarification of the technique used to screen the trash area.

Staff would note that this approval does not constitute landscaping or signage approval. Staff would further note that the open space area as shown exceeds the required 12%.

Interested Parties

Rita Icenogle

5140 South Marion 74135

Ms. Icenogle resides directly across the street from the subject property. She informed that the Neighborhood Association has been interested in development of the subject property because of the excessive amount of traffic in the area. Ms. Icenogle expressed their concern over access points and signage. She presented a petition expressing the residents' concern that nothing high-traffic, such as a drive-through restaurant, be allowed and that they oppose any additional signage, particularly a pole sign. They requested that if construction leaves space for additional shopping on the property that all signs be on one monument sign of limited size and that the sign not be lighted after 10:00 p.m.

In response to questions from Mr. Doherty, Ms. Icenogle disclosed that opposition to signage would be on the 51st Street frontage, not the expressway frontage unless it is obtrusive. She added that when the PUD was designed, there was understanding among the Planning Commission that there would be no drive-through facility at the subject location; however, she has since been informed that this was not part of the record.

There was discussion among the Planning Commission with regard to imposing a condition prohibiting a drive-through facility at this location, which they recall being discussed at the time of the original PUD application.

Mr. Gardner informed that fast-food franchise restaurants would not be permitted at this location.

Chairman Parmele informed that these items of concern will be addressed at the detail site plan review stage.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to recommend **APPROVAL** of Z-6310-SP-2 CORRIDOR SITE PLAN as recommended by Staff.

LEGAL DESCRIPTION

The West 209.16' of the East 306.62' of Lot 2, Block 1, Dickens Commons and located west of the northwest corner of E. 51st Street South and S. Pittsburgh Avenue.

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Application No.: **PUD-495-A**

Applicant: Ted Sack

Location: Northwest corner of East 81st Street South and South Lewis Avenue.

Date of Hearing: July 27, 1994

MAJOR AMENDMENT

The applicant is requesting to add Use Unit 18, Drive-in Restaurant, to the uses permitted in the south 200' of the east 250' of the PUD. Staff finds the location to be compatible with Use Unit 18 uses and therefore recommends **APPROVAL** subject to the following conditions:

1. All the standards and requirements of PUD-495 shall continue to apply except as modified below.
2. Maximum Building Floor Area

East 200' of south 170':	1,500 SF
Remainder of Lot 1, Block 1, Square 81:	253,500 SF
3. Maximum Signage

Ground Signs:	One on each arterial street frontage with a maximum display surface area of 280 SF and a maximum height of 25'. In addition, one in the east 200' of the south 200' and one internal ground sign are permitted with a maximum display surface area of 150 SF each and a maximum height of 25'.
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There were no interested parties in attendance.

Mr. Sack expressed agreement with the Staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to recommend **APPROVAL** of PUD 495 MAJOR AMENDMENT as recommended by Staff.

LEGAL DESCRIPTION

Lot 1, Block 1, Square 81 an addition to the City of Tulsa, Tulsa County, Oklahoma and located on the northwest corner of East 81st Street South and South Lewis Avenue.

Application No.: **Z-6451/PUD 516**
Applicant: Roy Johnsen

Present Zoning: AG
Proposed Zoning: RM-2, RM-O or
OM, RM-O and PUD

Location: SE/c of East 101st Street South & South Yale Avenue.
Date of Hearing: July 27, 1994

Chairman Parmele announced that Doug Vincent, District 26 Planning District Chair, made a timely request for continuance of six weeks. He informed that meetings are being scheduled with Homeowners' Association (HOA) presidents to review the development plan for the corner of 101st and Yale Avenue. Chairman Parmele advised that Mr. Johnsen has agreed to a continuance to August 24, 1994.

Interested Parties
Doug Vincent

10530 South Urbana

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **CONTINUE** Z-6451 and PUD 516 to August 24, 1994.

Application No. **Z-6452**:

Applicant: Jack Cox

Location: NW/c of East 121st Street South & South Yale Avenue.

Date of Hearing: July 27, 1994

Present Zoning: RS-1
Proposed Zoning: CS, RM-O

Chairman Parmele announced receipt of a request for continuance on this item to September 7, 1994.

Interested Parties

Doug Vincent

10530 South Urbana

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **CONTINUE** Z-6452 to September 7, 1994.

Application No.: **Z-6453**

Applicant: Jack Cox

Location: NE/c of East 121st Street South & South Yale Avenue.

Date of Hearing: July 27, 1994

Present Zoning: RS-1
Proposed Zoning: CS, RM-O

Chairman Parmele announced a request for continuance on this item to September 7, 1994.

Interested Parties

Doug Vincent

10530 South Urbana

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **CONTINUE** Z-6453 to September 7, 1994.

Application No: **Z-6454**

Applicant: Jack Cox

Location: SW/c of East 121st Street South & South Yale Avenue.

Date of Hearing: July 27, 1994

Present Zoning: AG

Proposed Zoning: RS-3, RM-O, CS

Chairman Parmele announced a request for continuance on this item to September 7, 1994.

Interested Parties

Doug Vincent

10530 South Urbana

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **CONTINUE** Z-6452 to September 7, 1994

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Application No.: **PUD-134-3**

Applicant: Barbara Keith

Location: Lot 3, Block 2, Woodcrest Two Addition - 7122 and 7124 South Canton Avenue.

Date of Hearing: July 27, 1994

Presentation to TMAPC:

Minor Amendment to permit a lot-split on an existing duplex lot in the Woodcrest Two Addition to the City of Tulsa.

The applicant proposes to split a duplex structure and lot into two (2) attached-wall single-family residences on two (2) separate single-family lots.

Based upon a previous approval of this nature in this neighborhood and substantial compliance with the spirit and intent of the original PUD, Staff recommends **APPROVAL** subject to the applicant's plot plan and the following conditions:

1. That an executed common wall maintenance agreement be filed at the courthouse with copies kept in the PUD and Lot-split files.
2. That the applicant obtain from the Building Inspector a letter of compliance stating that the common wall conforms to all applicable specifications, codes, regulations and fire rating.
3. That individual water and sewer service and utility connections be established for each dwelling, approved by the appropriate provider.
4. That all applicable conditions of the original PUD remain in effect.

David Graham

Mr. Graham, son-in-law of the applicant, informed that water meters are on separate sides of the dividing line and the only utilities on common ground are gas meters.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 134-3 MINOR AMENDMENT as recommended by Staff.

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OTHER BUSINESS:

PUD-514: Northeast corner of East 33rd Street South and South Yale Avenue.

Staff recommends that the two easternmost access points on the revised plan be allowed and the existing westernmost point be closed to 33rd Street.

TMAPC Comments

Chairman Parmele informed that this application was approved by the City Council and returned to the Planning Commission, instructing that two access points to 33rd Street should be incorporated, rather than only one access point as the Planning Commission initially recommended.

Staff Comments

Mr. Stump advised that Staff recommends that access to the small parking lot and service area, the second access east from Yale Avenue, and the third access, immediately to the east of the building addition be used as access points to 33rd Street. No access would be closer than the existing middle access point and the access closest to Yale would be eliminated.

Applicant's Comment

Murrel Wilmoth informed that Mr. Saied has been out of town and presented drawings depicting two options. Option #1 was Mr. Saied's preference with three access points to 33rd Street. Mr. Wilmoth informed that Mr. Saied has not reviewed Option #2 which indicates relocation of the existing western access 80' from the curb line and combines it with the existing eastern access to the small lot, as well as an access immediately east of the proposed building addition.

Interested Parties

Diane Gustafson

3364 South Allegheny 74135

Ms. Gustafson, representative of the Steering Committee of the Highland Park Homeowners' Association (HOA), expressed agreement with Option #2 as presented by Mr. Wilmoth. She displayed a drawing depicting the two options and concurred with the 80' between the first access off of 33rd & Yale which should accommodate residents' concerns over traffic safety. Ms. Gustafson expressed support of the easternmost proposed driveway, so long as it is

screened as proposed. She presented three conditions area residents would like to have incorporated in the conditions of this PUD.

Chairman Parmele explained that these conditions will be addressed at the Detail Site Plan review.

K.N. Deardeuff

3312 South Allegheny 74135

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** only the PUD 514 POINTS OF ACCESS to 33rd Street as depicted on Option #2 as presented.

PUD-405-C: Detail Site and Landscape Plans - southwest corner of East 92nd Street South and South Memorial Drive.

The applicant is proposing a parking lot for display of used automobiles for sale by South Point Chevrolet. The Site Plan complies with the PUD conditions and Staff recommends **APPROVAL**. The Landscape Plan needs to provide 25 trees in the street yard, only 19 are proposed. Staff would recommend **APPROVAL** conditioned on the following:

1. The number of trees in the street yard be increased to at least 25, and
2. Any trees which are under or near overhead power lines be of a variety which will maintain at least a 10' separation between the power lines and the tree limbs.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 405-C **DETAIL SITE** and **LANDSCAPE PLANS**.

PUD-468: Detail Site Plan - Development Area 2 - 6916 South Mingo Road (Chinese Chef Restaurant).

The request is for a revision to a previous Site Plan (June 22, 1994) which approved 2,850 square feet of restaurant space. The current request would increase the size of the restaurant from 2,600 to 2,850 square feet.

Staff recommends **APPROVAL** of this request and notes that all available commercial square footage within this PUD has been previously allocated.

TMAPC Action; 7 members present:

On **MOTION** of **NEELY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 468 AMENDED DETAIL SITE PLAN as recommended by Staff.

PUD-379: Detail Sign Plan for a wall sign for the "Cellular and More" establishment located in Lot 1 of the Sixty-Eight Hundred Memorial Planned Unit Development also known as the Village at Woodland Hills.

The applicant has requested a wall sign on the second floor of the north-facing wall of the structure, facing the parking area. Based on compliance with the 1½ square foot per linear foot standard of the PUD, Staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 379 DETAIL SIGN PLAN as recommended by Staff.

PUD-431-A: Detail Landscape Plan for Development Area A, located at the northwest corner of East 101st Street South and South Sheridan Road.

The applicant has requested approval for a Landscape Plan for May's Drugstore situated in Development Area A of the PUD. Staff review has determined that the proposed plan substantially complies with the City's Landscape Ordinance. Therefore, Staff recommends **APPROVAL** subject to the following:

1. A minimum of two trees shall be included in the sodded area located along the southern boundary of the project in the central area of the site.
2. Irrigation plans as well as maintenance and planting plans shall be prepared according to Section 1003A of the Tulsa Zoning Code.
3. Planting materials located in the area of overhead electrical transmission lines shall either maintain a 10' clear zone beneath these lines or demonstrate growth characteristics compatible with their location.

TMAPC Action; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 431 LANDSCAPE PLAN as recommended by Staff.

PUD-495-A: Detail Site Plan - Lot 1, Block 1 of the Square Eighty-One Addition to the City of Tulsa, located at the northwest corner of East 81st Street South and South Lewis Avenue.

The applicant requests approval for the Site Plan of Sonic Drive-In Restaurant.

Staff review has shown the request to be in conformance with the standards of the approved PUD, the approved plat map and the City's Zoning Code.

Staff recommends **APPROVAL** subject to approval of the currently requested Major Amendment to the PUD.

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, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 495-A Detail Site Plan.

PUD-495-A: Detail Sign Plan - Lot 1, Block 1 of the Square Eighty-One Addition to the City of Tulsa, located at the northwest corner of East 81st Street South and South Lewis Avenue.

The applicant requests approval for one (1) ground sign located at the northwest corner of East 81st Street South and South Lewis Avenue and one (1) wall sign (Sonic Drive-In Restaurant).

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

1. Approval of the currently requested Major Amendment to the PUD.
2. Approval of the Site Plan specific to this site.
3. Conformance with the standards for ground signs as set forth in the amendment which includes a maximum display surface area of 150 square feet for an interior sign.

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, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 495 Detail Sign Plan as recommended by Staff.

PUD-495-A: Detail Landscape Plan - Lot 1, Block 1 of the Square Eighty-One Addition to the City of Tulsa, located at the northwest corner of East 81st Street South and South Lewis Avenue.

The applicant requests approval of the Landscape Plan for Sonic Drive-In Restaurant. Staff review indicates compliance with the Landscape Ordinance of the City of Tulsa (Chapter 10 of the Zoning Code).

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

1. The applicant shall document either the observance of the ten-foot clear zone located beneath existing electrical transmission lines or the appropriate growth characteristics of the selected vegetative material.
2. The approval by City Council of the Major Amendment to the PUD, which if approved will allow the proposed use in this location.
3. The approval of the Detail Site Plan.

4. Wheel stops will be installed in parking spaces adjacent to landscaped areas or plant material shall be set back a minimum of 2½ feet from the face of the curb to protect it from vehicular impact.

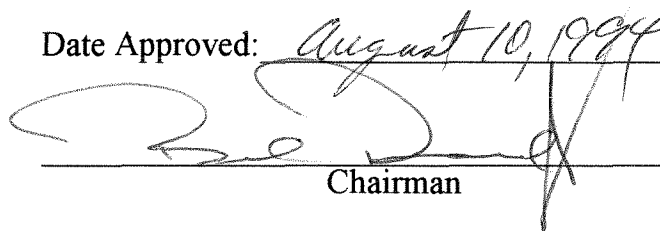
The applicant expressed agreement with Staff recommendation.

TMAPC Action; 7 members present:

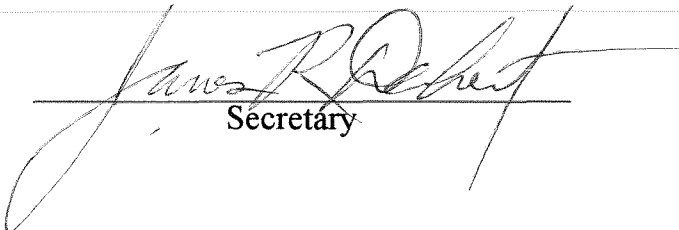
On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Horner, Midget, Neely, Parmele "aye"; no "nays"; no "abstentions"; Broussard, Harris, Pace, Wilson "absent") to **APPROVE** PUD 495 **DETAIL LANDSCAPE PLAN** as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:15 p.m.

Date Approved: August 10, 1994


Chairman

ATTEST:


Secretary