

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

Minutes of Meeting No. 2055

Wednesday, February 14, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

**Members Present**

Boyle  
Dick  
Doherty, 1st Vice  
Chairman  
Edwards  
Gray, Secretary  
Homer  
Ledford  
Midget, Mayor's  
Designee  
Pace

**Members Absent**

Ballard  
Carnes,  
Chairman

**Staff Present**

Almy  
Jones  
Stump

**Others Present**

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, January 9, 1996 at 4:43 p.m., in the office of the County Clerk at 4:35 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, 1st Vice-Chairman Doherty called the meeting to order at 1:35 p.m.

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**REPORTS:**

**Chairman's Report:**

Mr. Carnes was unable to attend the meeting, and, therefore, Jim Doherty chaired the meeting.

Mr. Doherty introduced the TMAPC newest member, Mr. Eugene Edwards. Mr. Edwards' committee assignment will be the Public Participation Committee.

## Committee Reports:

### Public Participation Committee

Ms. Gray apprised the Commission that the Public Participation Committee met today prior to the Commission meeting. The Committee discussed the goals and objectives of the committee. The Committee will meet on a monthly basis. The Committee discussed changing the name to Community Participation Committee and that this request be placed on the February 21, 1996 Planning Commission agenda for consideration.

### Rules and Regulations Committee

Mr. Doherty informed the Commission that it was pointed out that guidelines relating to private streets have not been developed. The Committee has been requested to develop these guidelines. The Committee will draft the guideline, circulate them for input, and then consider acting on them. The Committee met with the City Council Committee in reference to zoning multi-family densities. The City Council Committee is evaluating the need for a moratorium on apartment construction and an ordinance regulating housing financed by the Oklahoma Housing Finance Agency (OHFA). The Rules and Regulations Committee will not be ready in time to meet the Council Committee's March 1 deadline. However, Staff has presented some information and prepared an inventory of projects currently under construction or about to begin construction. There are approximately 1,400 units to be built in the Highway 169/Creek Turnpike corridor. The consensus is that nothing can be done about the densities of current projects. For future development, the Committee will need guidelines to avoid clustering of densities. At this point, this is a Comprehensive Plan issue; however, Rules and Regulations Committee will be involved in any moratorium.

### Director's Report:

Mr. Stump informed the Commission that there are no Planning Commission items on the February 15 City Council agenda.

## **SUBDIVISIONS:**

### **CHANGE OF ACCESS ON RECORDED PLAT:**

**Woodland Hills Plaza (1283)**

**(PD-6) (CD-7)**

East of the southeast corner of East 71st Street South & South Memorial

### Staff Comments

Mr. Jones informed the Commission that Ted Sack is present in regards to this item in Block 1 Woodland Hills Plaza. The proposal is to shift the westernmost 40-foot access point 3.25 feet to the east. Public Works, Traffic Engineering, has signed off on the proposal. Staff has reviewed the proposal and would recommend the approval of the change of access subject to Exhibit A in agenda packet.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Doherty, Edwards, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes, Dick "absent ") to **APPROVE** of the CHANGE OF ACCESS ON RECORDED PLAT as recommended by Staff.

\* \* \* \* \*

**APPROVAL OF DECLARATION OF COVENANTS & RESTRICTIONS:**

**PUD 514 (Yorkshire Estates) (2293)**  
3259 South Yale Avenue

**(PD-6) (CD-7)**

**Staff Comments**

Mr. Jones informed the Commission that this is Saied Music. The Planning Commission approved the PUD, which made it subject to platting requirement. The Plat Waiver was approved subjected to the filing of the PUD Conditions of Record by separate instrument. The City Legal Department has signed off on the instrument. Staff has reviewed the instrument and would recommend approval of this instrument so it may be filed of record.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Doherty, Edwards, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes, Dick "absent ") to **APPROVE** the DECLARATION OF COVENANTS & RESTRICTIONS as recommended by Staff.

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**PUD 432-D (Ridgedale Terrace Addition, etal.)(793)**  
Between Utica and Xanthus and 11th and 13th Streets

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

**Staff Comments**

Mr. Jones informed the Commission that Charles Norman is present on this item concerning Hillcrest Hospital. The Planning Commission approved PUD 432, which made it subject to platting requirement. The Plat Waiver was approved subjected to filing of the PUD

Conditions of Record by separate instrument. Staff has reviewed the instrument. The City Legal Department has signed off on the instrument. Staff recommends approval of this instrument so it may be filed of record.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Doherty, Edwards, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes Dick "absent ") to **APPROVE** the **DECLARATION OF COVENANTS & RESTRICTIONS** as recommended by Staff.

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**LOT-SPLIT FOR WAIVER**

**L-18234 Dan Danner (1183)**  
7140 S. 69th E. Ave.

**(PD-18) (CD-8)**  
CS

**Staff Recommendation:**

Tulsa Subdivision Regulations require that application for waiver must be heard by the Technical Advisory Committee (TAC) prior to presentation to the Tulsa Metropolitan Area Planning Commission. Applicant is requesting a waiver of this requirement.

Tract "A" and Tract "B" were originally created by Lot-split #18206. The north tract did not abut a public sewer line easement as required by Public Works. However, money was put into escrow to extend the mainline, which runs along the south boundary of Tract "A", to the north tract and satisfied Public Works requirements for approval. TMAPC approved Lot-split #18206 on March 1, 1995.

It is now proposed to split an approximate 23' x 138' strip from the western edge of Tract "A" and tie it to Tract "B" as depicted in the following diagram. Both lots will meet the building and area requirements for the CS district. However, applicant is now requesting waiver of the Subdivision Regulations (4.11.1.b) which states that all plans pertaining to the collection and treatment of public sewage be approved by the Oklahoma State Department of Health via the Tulsa City-County Health Department and the Tulsa Water and Sewer Department if in their jurisdiction.

Staff can not support waiving TAC review of this lot-split. The major issue related to this lot-split is how the lots will be provided sewer service. This is an engineering issue requiring input from the TAC. In addition, Staff would recommend input from the various utility companies to ensure all necessary easements are in place to serve the new configuration. Therefore Staff recommends **DENIAL** of the waiver of review by the TAC.

The second waiver request is for the TMAPC to ignore the City of Tulsa Public Works requirements for the provision of sewer service, and approve the lot-split without meeting those requirements. If the TMAPC did waive this requirement, the City of Tulsa would not

provide sewer service to the lots until they met City design standards. The TMAPC would be creating a lot with no sewer service and therefore an unbuildable lot.

The prime purpose of the Subdivision Regulations is to assure that all new lots have all the access and utilities needed to make them buildable lots. Therefore, Staff strongly recommends **DENIAL** of this waiver request.

#### Applicants Comments

Dan Danner, D.V.M., 7140 South 69th East Avenue, the previous owner of said lot, stated that at the time of sale, all the utilities were available except for the sewer service, which runs along the southern boundary. Dr. Danner stated that the original lot-split was approved and he began receiving bids for the installation of a 4 to 6-inch sewer line. The estimated cost to install said line was \$2,800 to serve this property. In contrast, after he talked with the Public Works Department, the requirements changed from a 4 or 6-inch line to an 8-inch line. An 8-inch line is the smallest public line the City of Tulsa will accept. The cost of installing this line, along with permit and review fees, has raised the cost of this line to \$10,000 plus. Dr. Danner is requesting a 4-6-inch private sewer line to service this lot. Dr. Danner also states that all the requirements have been met thus far, and due to the time delays already incurred, he is requesting approval to waive the review by the TAC.

Neil Brown, the purchaser of the lot, 7140 South 69th East Avenue, states he has been issued a building permit, and the slab has been poured. However, due to all the delays, he has lost valuable time and money.

#### Public Works Comments

Mr. Pat Hoggard stated that this is TMUA and Utility Board Requirement and Regulations. There is a procedure is the applicant feels aggrieved to request differences. It is Mr. Hoggard's understanding that the applicant was informed of this procedures months ago. Mr. Hoggard expressed that the purpose of the TAC is to meet with all the utilities and verify were the utilities are located and determine, on an individual case, if this is a viable method.

#### TMAPC Comments

Mr. Ledford questioned whether the construction of the building is delayed due to the requirements of review by the TAC. If the slab is poured and a stub prepared, the only delay would be the actual connection to the sewer main. In turn, the construction of the building is not being delayed awaiting the review by the TAC. Mr. Boyle addressed the type of protection offered by the TAC's review, that is to ensure that the lots will be provided sewer service.

Mr. Boyle, Ms. Pace and Mr. Midget expressed concern about the delay in processing the appropriate paperwork in regards to placing this item on the TAC.

Ms. Pace moved to deny the request due to the lack of technical expertise. Motion failed for lack of second.

Again, Mr. Boyle and Mr. Midget expressed concern about the delay and stated that the applicant should be assisted in expediting this request.

**TMAPC Action; 8 members present:**

On **MOTION** of **PACE**, the TMAPC voted **7-1-0** (Boyle, Dick, Doherty, Edwards, Gray, Ledford, Midget, Pace "aye"; Horner "nays"; none "abstaining"; Ballard, Carnes "absent ") to **DENY** the request for waiver of review by TAC.

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**ZONING PUBLIC HEARING:**

Application No.: **Z-6523**  
Applicant: David T. Schrum  
Location: Southwest corner of East 91st Street South  
Date of Hearing: February 14, 1996  
Presented to TMAPC: David T. Schrum

Present Zoning: AG  
Proposed Zoning: CO

**Staff Recommendation**

**Relationship to the Comprehensive Plan:**

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - Corridor.

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

**Staff Comments:**

**Site Analysis:** The subject property is approximately .87 acres in size and is located east of the southeast corner of East 91st Street and South Mingo Road. It is sloping, non-wooded, vacant, and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted on the north by vacant land, zoned CO; to the east by the Mingo Valley Expressway right-of-way, zoned AG and RS-3; to the south and west by vacant land, zoned CO.

**Zoning and BOA Historical Summary:** CO zoning has been approved on the surrounding property.

**Conclusion:** The subject tract is within the area that is designated Corridor by the Comprehensive Plan. The property to the north, south and west is zoned CO. Based on the surrounding zoning and the new development in the area, Staff can support the request and recommends **APPROVAL** of CO zoning for Z-6523.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Dick, Doherty, Edwards, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes, Midget "absent ") to recommend **APPROVAL** of CO zoning for Z-6523.

**LEGAL DESCRIPTION FOR**

The East Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter, less the North 100' thereof, Section 19, T-18-N, R-14-E and located east of the southeast corner of East 91st Street South and South Mingo Road, Tulsa, Oklahoma

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Application No.: **Z-6524**  
Applicant: Ray Curl  
Location: 2905 North Lewis  
Date of Hearing: February 14, 1996  
Presented to TMAPC: Ray Curl

Present Zoning: RS-3  
Proposed Zoning: OL

**Staff Recommendation**

**Relationship to the Comprehensive Plan:**

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - No Specific Land Use.

According to the Zoning Matrix the requested OL **may be found in** accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is 135' x 129.7' in size and is located at the northeast corner of N. Lewis Avenue and East 29th Street North. It is flat, non-wooded, contains a single-family dwelling, and is zoned RS-3.

**Surrounding Area Analysis:** The tract is abutted on the north and east by single-family dwellings, zoned RS-3; to the south across E. 29th Street N. by a medical office, zoned OL; and to the west across N. Lewis Avenue by a single-family dwelling, zoned RS-3.

**Zoning and BOA Historical Summary:** The most recent rezoning in this area was on a tract located on the northwest corner of E. Apache Street and North Lewis Avenue. CS zoning was approved on the south 510' and OL zoning on the north 150' of the tract.

**Conclusion:** The subject property is identified as being designated as Low Intensity - No Specific Land Use. The Plan recommends that development be designed and maintained so as to be compatible with surrounding land uses and existing development. Based on the existing development and zoning in the area, Staff recommends **APPROVAL** of OL zoning for Z-6524.

Applicants Comments

Clarence Ray Curl, 2905 North Lewis Avenue, stated that he has cleaned up and improved the property and intends to follow the requirements as outlined by the zoning code.

TMAPC Comments

Mr. Midget expressed concern that proper landscaping and shielding of light fixtures be provided.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **9-0-0** (Boyle, Dick, Doherty, Horner, Edwards, Gray, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes "absent ") to recommend **APPROVAL** of OL zoning for Z-6524.

LEGAL DESCRIPTION FOR

Lots 12 and 13, Block 7, Amos T. Hall Addition and located on the northeast corner of North Lewis Avenue and East 29th Street North, Tulsa, Oklahoma

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**Z-6525 and PUD 543 were heard simultaneously**

Application No.: **Z-6525 and PUD 543**

Applicant: John Moody

Location: West side of Sheridan at 105th Street South

Date of Hearing: February 14, 1996

Presented to TMAPC: John Moody

Present Zoning: AG

Proposed Zoning: RS-2

**Staff Recommendation for Z-6525**

**Relationship to the Comprehensive Plan:**

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Low Intensity - Residential.

According to the Zoning Matrix the requested RS-2 is in accordance with the Plan Map.

**Staff Comments:**

**Site Analysis:** The subject property is approximately 14.67 acres in size and is located south of the southwest corner of East 101st Street South on the west side of South Sheridan Road. It is sloping, wooded, is vacant and is zoned AG.

**Surrounding Area Analysis:** The tract is abutted in all directions by single-family dwellings.

**Zoning and BOA Historical Summary:** Past zoning actions in this area have established RS-1 and RS-2 zoning in this area.

**Conclusion:** The Comprehensive Plan supports low intensity residential in this area and based on the surrounding development, Staff recommends **APPROVAL** of RS-2 zoning for Z-6525.

**Staff Recommendation for PUD 543**

The proposed Planned Unit Development would contain 22 large, estate-size lots with average lot widths of 120' and over 19,000 sf in area. These lots are to be accessed from a private, gated cul-de-sac which begins at the stub street (105th Street South) on the west end of the tract. Only emergency access to Sheridan Road would be provided. Due to the size and the density of the development and existing lot and street patterns, Staff can support a private cul-de-sac to serve these lots. The amount of traffic generated by this development as it travels over existing residential streets will not be sufficient to cause any overloads.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 543 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends APPROVAL of PUD 543 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. **Development Standards:**

Land Area (Gross):	14.67
(Net):	14.06
Permitted Uses:	Use Unit 6, Single - Family Dwelling and Customary Accessory Uses
Maximum Number of Dwelling Units:	22
Minimum Lot Size:	19,000 sf
Minimum Lot Width:	100'
Minimum Required Yards:*	
Front Yard	55'**
Side Yard	7.5'
Rear Yard (except abutting Sheridan Rd.)	25'
From center line of Sheridan	85'
Maximum Building Height:	45', but for every foot above 35' the required rear and side yards are increased by one foot
Other Bulk and Area Requirements:	As provided within the RS-2 District

\*Detached accessory buildings shall comply with the minimum yard requirements for principal structures.

\*\*Measured from the centerline of the abutting street.

3. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all common areas, including any stormwater detention areas within the PUD.
4. All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb or edge-to-edge of paving if center drained streets are used. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10 percent.

5. No Building Permit shall be issued until the requirements of Section 1107F of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants.
6. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
7. A second point of access for emergency vehicles shall be provided as required by the Tulsa Fire Department.

Jones presented the review with Ted Sack, John Moody, and Tom Wenrick present.

Herbert noted that a PFPI would be required.

Jones added that right-of-way for South Sheridan would be required with the subdivision plat and a waiver to permit a cul-de-sac over 500' in length.

French recommended limits of no access be shown on the plat along Sheridan and that his office be involved in the entrance and gate design.

McGill requested that his office approve any island design to ensure proper fire truck access.

#### Applicants Comments

Mr. John Moody, 5555 East 71st Street, Suite 6230, is representing Mr. Tom Wenrick on this application request. This is a tract of approximately 14 acres. This is high-value property. It has a high density of trees. Mr. Wenrick wishes to save and preserve the trees. Due to the number of trees, Mr. Wenrick believes the best way to develop this property would be to lower the density and allow only 22 lots at an average size of over 20,000 square feet per lot. Mr. Holder, the previous owner, wrote to Mr. Wenrick regarding perhaps a dangerous situation in relation to a possible intersection on Sheridan. This information was considered in developing the plan. The Subdivision Regulations discourage multi-residential streets being located on an arterial street for the purpose of reducing the number of cars entering and exiting an arterial to ensure a higher speed limit and a smoother flow of traffic. Therefore, the entrance for this development is proposed to be off Kingston. The development also proposes a private street in lieu of public. The proposed cul-de-sac is designed to preserve trees, and provide good openings and driveways for each lot. In reference to Staff's recommendation of a 55-foot front yard requirement, a request for waiver of this requirement to a 45 foot requirement on lots adjacent to the entrance or the turn-around area with this reduction to be considered on an individual basis with a detail site plan being submitted on any such lots. The applicant is proposing a gated, private entrance. This proposal was reviewed by the TAC and one of TAC's condition is to be able to review the design of the

gated entry to ensure that there is adequate turnaround and stacking area. Additionally, the applicant is aware that there is concern about the traffic exiting and entering at this location and the impact it would have on the abutting properties. The applicant is willing to add, as an additional condition, that he would be required to submit as part of the platting process the actual detailed design of the gate location and entry to ensure that the gate and entryway would be setback an adequate distance from the adjacent neighbors. In addition, a turnaround area would also be provided. In regard to whether there would be a burden imposed upon the capacity of the residential streets in this area, it is understood that minor residential streets such as Kingston, East 105th and East 104th have the capacity of 1000 trips per day. The additional 22 lots will be within this capacity. The property has adequate sanitary sewer and utilities, so there is not a problem with that issue. An emergency access with crash gate has been provided for on South Sheridan Road between Lots 11 and 12. To the applicant's knowledge, there are not any detention or drainage problems. The site plan has been reviewed by the TAC and the Fire Marshall.

Mr. Thomas D. Wenrick, 2930 East 51st Street, has developed several projects in town, and is very sensitive to the neighborhoods. Mr. Wenrick lives in the neighborhood where this project is being proposed. Mr. Wenrick expressed being surprised about the concerns expressed about direction of the street. There will be only 22 lots spread out over 15 acres of land. All the standards will be provided, and in many cases the standards will be exceeded. There are currently five (5) commitments to buy lots, which reflects a lot of support.

#### Interested Parties

**Mike Copeland, 6125 East 106th Place**, is a member of the Board of Directors of the Homeowner's Association in Forest Park South, and is here in capacity of legal council for the homeowners association. The homeowner association is not objecting to the development of this property; however, the homeowners have an objection to the PUD as proposed in regards to traffic flow into the surround neighborhoods, especially on 104th Street. East 106th Street was designed as a collector street and is constructed to handle higher volume traffic. That in itself has become a problem. East 106th Street is being used as an expressway. Therefore, the homeowners requested a stop sign at the corner of 106th and Lakewood. As a result of the stop sign, 104th Street is now being used as a collector. This has resulted in higher volumes of traffic. Residents on East 104th Street have expressed concern in regard to the extra traffic from 106th Street in addition to the traffic from the proposed development. Mr. Copeland stated that there are two residents' driveways located on 105th Street, and that any stacking or overflow will affect these residents. The homeowners association is requesting the entrance to this development be from Sheridan Road.

Steve Schuller, 320 South Boston, has been engaged by homeowners who have signed petitions expressing their concern about the traffic situation and are opposed to the development as presented, with the traffic access only onto Kingston and 105th Street.

Tom Vining, 6048 East 104th Street; Charles O'Byrne, 6037 East 106th Street; Don Boyer, 6130 East 106th Street; Jerry Gerovac, 6024 East 104th Street; John Shearing, 10414 South Kingston; Doctor Bregman, 10503 South Kingston; and Nancy Graham, 6102 East 106th Street; have all expressed concern with the increased traffic flow onto 104th and 106th Street and safety issues due to the increased traffic flow. They are also requesting the entrance to the development be from Sheridan.

#### Applicant's Rebuttal

Mr. Moody voiced that the driveways on 105th will always be affected, regardless if 105th is a private or public street. If the entrance were relocated to Sheridan, an arterial street with higher speed limits would create a traffic problem there. The development is consistent with all the adopted subdivision regulations and standard. Developers rely upon the review and recommendations of the TAC, Traffic Engineering and Planning Commission Staff. The traffic concerns were not an issue during the review process. In fact a recommendation for approval has been submitted by Staff and TAC. The applicant believes that the requirements of the City have been met with the design, and request approval.

#### TMAPC Comments

The Commissioners expressed concerns over the proposed access producing excessive traffic on surrounding streets and questioned the appropriateness of not directly accessing Sheridan Road. There was consensus that the RS-2 zoning was appropriate and could be dealt with separately from the proposed PUD.

#### TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Dick, Doherty, Edwards, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes, Midget "absent ") to recommend **APPROVAL** of RS-2 zoning for Z-6525.

#### LEGAL DESCRIPTION FOR

A part of the SE/4, NE/4 of Section 27, T-18-N, R-13-E of 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 440' due North of the Southeast corner of the NE/4 of Section 27; thence due West 1,320'; thence due North 440'; thence due East 660'; thence due North 88'; thence due East 660'; thence South 528' and located south of the southwest corner of East 101st Street South, on the west side of South Sheridan Road, Tulsa, Oklahoma.

Mr. Boyle made a motion to **DENY** PUD 543. Upon further discussion, Mr. Boyle withdrew his motion to allow the interested parties to meet and work out a solution.

**TMAPC Action; 8 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **8-0-0** (Boyle, Dick, Doherty, Edwards, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes, Midget "absent" ") to **CONTINUE** PUD 543 to the February 28, 1996 meeting.

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Application No.: **PUD 521-A**

(PD-18) (CD-8)

Applicant: Charles Norman

Location: Southwest corner of East 71st Street South & Mingo Valley Expressway

Date of Hearing: February 14, 1996

Presented to TMAPC: Charles Norman

**Staff Recommendation**

The applicant is requesting the addition of Use Unit 4 uses (Public Protection and Utilities Facilities) to the permitted uses within Development Area C of PUD 521. This would include antenna towers. Staff can support the request so long as the TMAPC has the ability to determine if the location, height and design of such facilities is compatible with the surrounding existing and planned uses.

Therefore, Staff recommends **APPROVAL** of the following addition to the uses permitted in Development Area C of PUD 521. All other requirements and standard of PUD 521 would continue in force.

Development Area C

Permitted Uses

Use Unit 4\*, 11, 12, 13, 14, 16  
and existing carpet installation  
business and customary  
accessory uses

\*The size, location and design requirements for all Use Unit 4 uses shall be determined by the TMAPC during the review of the Detail Site Plan.

**Applicants Comments**

Mr. Norman ask that the Commission approve the Staff recommendation.

Applicants Comments

Mr. Norman ask that the Commission approve the Staff recommendation.

TMAPC Action; 9 members present:

On MOTION of BOYLE, the TMAPC voted 9-0-0 (Boyle, Dick, Doherty, Edwards, Gray, Horner, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Carnes "absent ") to recommend APPROVAL of PUD 521-A to add to the uses permitted in Development Area C of PUD 521 as recommended by Staff.

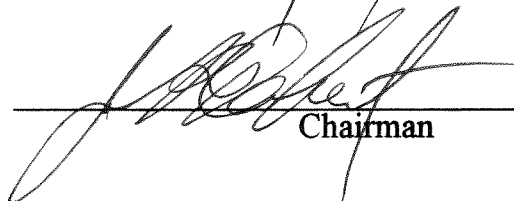
LEGAL DESCRIPTION FOR

A tract of land that is part of Lot 1, Block 1, Chancellor Acres, an Addition in the City of Tulsa, Tulsa County, Oklahoma, said tract of land being more particularly described as follows, to-wit: Beginning at a point that is the Southeast corner of Lot 1, Block 1, Union Building, an Addition in the City of Tulsa, Tulsa County, Oklahoma; thence N 00 09'42" E along the Easterly line of said Block 1 of Union Building and along the Westerly line of Lot 1 of said Chancellor Acres for 221.73' to a point on the existing Southerly right-of-way line of East 71st Street South; thence S 75 37'04" E along said Southerly right-of-way line for 100.14' to a point on the Westerly right-of-way line of Mingo Valley Expressway; thence S 00 20'53" E along said Westerly right-of-way line for 197.26'; thence N 89 46'10" W for 98.83' to the Point of Beginning of said tract of land; and all of Lot 1, Block 1 of Union Building, an Addition to the City of Tulsa, Tulsa County, Oklahoma, being a resubdivision of part of Lot 2, Block 1, Chancellor Acres, an Addition to the City of Tulsa, Tulsa County, Oklahoma, less and except additional right-of-way for East 71st Street South; and All of Lot 1, Bloxk 1, Sooner Electrical Supply Addition, a resubdivision of the West 167', of the North 305' of Lot 2, Block 1, Chancellor Acres, an Addition to the City of Tulsa, Tulsa County, Oklahoma, less and except additional right-of-way for East 71st Street South, and located south and west of the southwest corner of East 71st Street South and located south and west of the southwest corner of East 71st Street South and South Mingo Valley Expressway, Tulsa, Oklahoma.

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There being no further business, the Chairman declared the meeting adjourned at 4:10 p.m.

Date Approved: 4/28/96

  
\_\_\_\_\_  
Chairman

ATTEST:

  
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Secretary