

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2077

Wednesday, August 7, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

### Members Present

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

### Members Absent

Boyle  
Dick  
Edwards  
Ledford

### Staff Present

Almy  
Gardner  
Stump

### Others Present

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, August 5, 1996 at 3:30 p.m., in the office of the County Clerk at 2:34 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:32 p.m.

### Minutes:

#### **Approval of the minutes of July 17, 1996, Meeting No. 2074:**

On **MOTION** of **HORNER**, the TMAPC voted **5-0-1** (Ballard, Carnes, Doherty, Gray, Horner "aye"; no "nays"; Pace "abstaining"; Boyle, Dick, Edwards, Ledford, Midget "absent") to **APPROVE** the minutes of the meeting of July 17, 1996 Meeting No. 2074.

#### **Approval of the minutes of July 24, 1996, Meeting No. 2075:**

On **MOTION** of **HORNER**, the TMAPC voted **4-0-2** (Ballard, Doherty, Gray, Horner "aye"; no "nays"; Carnes, Pace "abstaining"; Boyle, Dick, Edwards, Ledford, Midget "absent") to **APPROVE** the minutes of the meeting of July 24, 1996 Meeting No. 2075.

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## **REPORTS:**

### **Committee Reports:**

#### **Rules and Regulations Committee**

Mr. Doherty reported that the Rules and Regulations Committee met today to discuss the Urban Forester's list of tree species which will be addressed later on the agenda. Also, the Committee discussed possible amendments to various aspects regulating multifamily and other zoning districts. Mr. Doherty stated the Committee feels this item is ready to set for public hearing. Mr. Doherty asked the Commission to direct staff to set a public hearing for September 18, 1996. Chairman Carnes directed staff to set the public hearing.

#### **Director's Report:**

Mr. Gardner reported the American Planning Association's National Conference will be held April 5 - 9, 1997 in San Diego, California and the funds have been set aside in this year's budget.

Ms. Gray informed the Commission that there is an upcoming APA conference in this region and asked staff to obtain more information on the conference. Mr. Gardner replied the information will be included in the next agenda packets.

Mr. Gardner informed the Commission that there are items on the August 8, 1996 City Council agenda and Jay Stump will be in attendance. After discussing the items to be heard by the City Council, Mr. Doherty stated he will also be attending.

## **SUBDIVISIONS:**

### **Final Plat Approval:**

#### **21st and Broken Arrow Addition (1793)**

(PD-6)(CD-9)

Southwest corner of East 21st Street & Broken Arrow Expressway

#### **Staff Comments:**

Mr. Stump stated that all release letters have been received. Therefore, staff recommends approval.

#### **TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford, Midget "absent ") to **APPROVE** the Final Plat for 21st and Broken Arrow Addition.

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**Lot-Split for Ratification of Prior Approval:**

**L-18313 National Loan Investors (3104)** (PD-16)(County)  
1200 Blk. N. Garnett

**L-18323 31st & Memorial LLC (2393)** (PD-5)(CD-5)  
3400 South 79th E. Ave.

**L-18326 Alva & Christine Shanks (663)** (PD-21)(County)  
18301 South Peoria

**L-18327 Dev-Man Inc. (3194)** (PD-18)(CD-5)  
5550 E. 55th Place South

**L-18329 Masonic Foundation (3204)** (PD-16)(CD-6)  
11660 E. I-244

**L-18330 Sharon Kercheval (3091)** (PD-23)(County)  
S. 165th E. Ave. & Coyote Trail

**Staff Comments:**

Mr. Stump informed the Commission these lot-splits for ratification of prior approval are in order and meet Subdivision Regulations.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford, Midget "absent ") to **APPROVE** the Lot-splits for Ratification of Prior Approval, finding them in accordance with Subdivision Regulations.

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**Lot Split for Discussion:**

**L-18331 William K. Warren, Jr. Trust (1793)** (PD-6)(CD-9)  
Northwest Corner East 29th Street & S. Atlanta Place

**Staff Recommendation:**

The subject lot-split is to divide two existing lots into three lots. There is a residence and garage on one existing lot and the proposed new lot line will bisect the residence, which the owner intends to remove.

Staff has determined that the proposed new lots will meet Bulk and Area Requirements for the RS-1 districts' and therefore, can recommend approval of the lot-split, with the condition that the Deeds not be released until documentation is received that the residence has been removed.

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to **APPROVE** the Lot-split for L-18331 William K. Warren, Jr. Trust, subject to the condition that the Deeds not be released until documentation is received that the residence has been removed, as recommended by staff.

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**CONTINUED ZONING PUBLIC HEARING:**

**Application No.: Z-6054-SP-1**

(PD-18)(CD-8)

(Corridor Site Plan for single family subdivision)

**Applicant:** Jack Spradling

**Location:** South of southwest corner of 81st St. S. and Garnett Rd.

**Presented to TMAPC:** Jack Spradling

**Staff Recommendation:**

The proposed Corridor Site Plan is for a single-family subdivision with lots meeting RS-3 standards. No Bulk and Area Requirements are proposed. A tract northwest of the site is proposed for multifamily with its only access through the entire half-mile of this subdivision streets. In staff's opinion the site plan does not provide sufficient access to Garnett Road, especially the western lots. It also does not provide a Corridor collector street to serve the lots and one is needed. The only street proposed with a 60' right-of-way is a new street fronting the Mingo Valley Expressway which does not connect to any other street not in the Corridor Site Plan. There are also insufficient stub streets to the south side of the property, and the plan includes straight streets which are too long and will encourage high-speed traffic.

Finally, no subdivision plat has been filed for this tract and therefore no TAC review has been done for this subdivision. Staff recommends CONTINUING this Corridor Site Plan until the subdivision plat is ready for Final Plat approval.

**Staff Comments:**

Mr. Stump stated this item has been continued three times, awaiting a subdivision plat to be proposed on this subject tract. To date, nothing has been received.

**TMAPC Comments:**

Mr. Doherty stated this request has been continued three times and the applicant is not present.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to recommend **DENIAL** of the Corridor Site Plan for Z-6054-SP-1.

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**ZONING PUBLIC HEARING:**

**Application No.: PUD-481-9**

(PD-18)(CD-8)

(Minor Amendment to add building floor area to the PUD)

**Applicant:** Sack & Associates

**Location:** Northwest corner of E. 71st St. S. & Mingo Valley Expressway

**Presented to TMAPC:** Sack & Associates

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to allow the construction of a 7,000 sf "Baptist Book Store." The request would add 3,800 sf of approved floor area to the PUD as a whole with the area allocated to Development Area D2.

The proposed site was originally approved for 8,000 sf of floor area; however, a September 1994 Minor Amendment transferred 3,800 sf to another part of the PUD leaving a maximum of 4,200 sf on this site (Development Area D2).

Staff has reviewed the request and finds that the underlying zoning has more than sufficient floor area remaining to accommodate the request. Staff also is of the opinion that the request is in keeping with the spirit and intent of the PUD.

Staff recommends **APPROVAL** of the request to add 3,800 sf of allowable floor area to the PUD with the additional area to be allocated to Development Area D2.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to **APPROVE** the Minor Amendment to add 3,800 sf of allowable floor area to the PUD with the additional area to be allocated to Development Area D2 as recommended by staff.

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**Application No.: PUD-413-B-1** (PD-10)(CD-4)

(Minor Amendment to increase permitted building height)

**Applicant:** Dick Zoutewdyk

**Location:** East of the Northeast corner Gilcrease Museum Road and  
Keystone Expressway

**Presented to TMAPC:** Dick Zoutewdyk

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to allow an increase to the maximum height of structures within Development Area 4. The allowed height is three stories; the requested height is four stories.

Staff has reviewed the request and finds that the site is bounded on the north by Development Area 3 which is a site to be used for retirement housing having a five-story height limitation; on the east by a heavily-treed area of open space; on the south by the expressway; and on the west by Quik-Trip.

Staff has reviewed the history of the PUD and notes that height has not been a significant issue in previous discussions. Staff would also note that the applicant has indicated that he will attempt to place the additional story atop the existing three-story structure. Staff prefers to see the existing structure remain but believes that the economics of the situation may require that the applicant remove the existing structure and replace it with a new four-story construction.

The request is in keeping with the character and intent of the PUD. Staff recommends **APPROVAL** subject to the following:

The applicant shall submit elevations of the proposed structure which shall include proposed colors. The character, scale and detailing of the structure shall relate to the historical context of the area, particularly of the existing on-site structure.

The minimum building setback from the West Cameron Street right-of-way shall be 25' and the minimum setback from the common line between Development Areas 3 and 4 shall be 75'. Parking shall be set back a minimum of 10' from the common line between areas 3 and 4.

Maximum height of the structure shall be 60'.

The applicant shall show finished grade elevations and height at ridgeline of the roof.

**Interested Parties Comments:**

**D. W. Brazier**, 2517 West Brady, questioned what would be the intended use of the facility after being raised to four-stories. Mr. Stump replied that it is not a requirement of the application to indicate what is intended. However, he is under the impression that the intent is for a motel or hotel.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to **APPROVE** the Minor Amendment PUD-413B-1 to allow an increase to the maximum height of structures within Development Area 4 subject to the conditions as recommended by staff.

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**Application No.: PUD-411-C-4** (PD-26)(CD-8)

(Minor Amendment to reduce required rear yard)

**Applicant:** Roy Johnsen

**Location:** Southeast corner East 99th Street & South 87th East Avenue

**Presented to TMAPC:** Roy Johnsen

**Staff Recommendation:**

The applicant is requesting Minor Amendment approval to allow reduction of the required rear yard on a single-family residential lot from 20' to 10'.

Staff has reviewed the request and finds that the lot is irregularly-shaped, approaching pie-shape; the yard in question functions as a side yard rather than a rear yard because of the orientation of the unit; the yard in question abuts common open space to the west.

Staff notes the specific circumstances relating to this lot and recommends **APPROVAL**.

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford, Midget "absent ") to **APPROVE** Minor Amendment PUD-411C-4 to allow reduction of the required rear yard on Lot 12, Block 6 Ridge Pointe from 20' to 10' as recommended by staff.

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**OTHER BUSINESS:**

**PUD-481 Sack & Associates** (PD-18)(CD-8)

Northwest corner of East 71st Street South & Mingo Valley Expressway  
(Site Plan for a book store in Area D2)

**Staff Recommendation:**

The applicant is requesting detail site plan approval for 7000 sf of retail space for the "Baptist Book Store."

Staff has reviewed the request and finds that it conforms to the height, parking, setback and landscaped area requirements of the PUD, if PUD 481-9 is approved.

Based on the above, staff recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to **APPROVE** the Detail Site Plan for a book store in Area D2 of PUD-481 as recommended by staff.

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**PUD-261-C David Brown**

(PD-18)(CD-2)

1403 East 71st Street  
(Site Plan for a restaurant)

**Staff Recommendation:**

The applicant is requesting site plan approval for Wendy's Restaurant.

Staff has reviewed the request and finds that the plan as presented conforms to the setback, access, parking, floor area and landscaped area requirements of the PUD. Staff recommends **APPROVAL**.

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to **APPROVE** the Detail Site Plan for a restaurant for Lot 2 of PUD-261C as recommended by staff.

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**Urban Forester's proposed list of tree species which are appropriate for use in meeting the requirements of the Landscape Chapter of the City of Tulsa Zoning Code.**

**Staff Recommendation:**

Mr. Doherty stated that the Rules & Regulations Committee met today to consider this item. In addition to the list of trees, as presented in the agenda packet, the Committee asked that the Urban Forester designate those which are evergreen or which would supply year-round screening. Therefore, Committee recommends adoption by the TMAPC and preparation of the necessary resolution with that addition to the list.

**TMAPC Action; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Gray, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Dick, Edwards, Ledford "absent ") to **APPROVE** the Urban Forester's certified list of tree species which are appropriate for use in meeting the requirements of the Landscape Chapter of the City of Tulsa Zoning Code with the add designation as to which are evergreen and direct staff to prepare the necessary resolution.

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There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.

Date Approved: \_\_\_\_\_

  
\_\_\_\_\_  
Chairman \*

ATTEST:   
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Secretary