

**CITY BOARD OF ADJUSTMENT**  
**MINUTES of Meeting No. 486**  
**Thursday, March 19, 1987, 1:00 p.m.**  
**City Commission Room, Plaza Level**  
**Tulsa Civic Center**

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Bradley Chappelle, Chairman Quarles White Smith Inspections		Gardner Jones Moore	Jackere, Legal Department Hubbard, Protective Inspections Parnell, Protective

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 17, 1987, at 3:35 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Chappelle called the meeting to order at 1:00 p.m.

**MINUTES:**

On **MOTION** of **WHITE**, the Board voted 3-0-2 (Bradley, Smith, White, "aye"; no "nays"; Chappelle, Quarles, "abstaining"; none "absent") to **APPROVE** the Minutes of March 5, 1987.

**UNFINISHED BUSINESS**

**Case No. 14402**

**Action Requested:**

Variance - Section 280 - Structure Setback from Abutting Streets - Use Unit 1221 - Request a variance from the centerline of 31st Street from 50' to 34' to allow for the placement of a business sign, located at 3223 East 31st Street.

**Presentation:**

The applicant, Ron Van Tuyl, was represented by Jack Franden, C and R Signs. He stated that he was before the Board at the previous meeting and the application was continued to allow someone from Traffic Engineering to check the height of the sign in question.

**Comments and Questions:**

Ms. Bradley asked the applicant if the sign was checked, and Mr. Franden replied that he does not know if the sign was checked.

Ken Bode, Sign Inspector, stated that it is the applicant's responsibility to contact the Traffic Engineer.

Case No. 14402 (continued)

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 14002 to April 2, 1987, in order that the applicant will have sufficient time to contact the City Traffic Engineer and request a review of the sign in question.

**MINOR VARIANCES AND EXCEPTIONS**

**Case No. 14412**

**Action Requested:**

Variance - Section 430 - Bulk and Area Requirements in a Residential District - Use Unit 1206 - Request a minor variance of the lot width from 100' to 80' in order to permit a lot split, located west of NW/c of 44th Place and Florence Avenue.

**Comments and Questions:**

Mr. Jones informed that Staff has received a letter (Exhibit A-1) from the applicant requesting that Case No. 14412 be withdrawn.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **WITHDRAW** Case No. 14412, as requested by the applicant.

**Case No. 14420**

**Action Requested:**

Variance - Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206 - Request a minor variance of setback from the centerline of Florence Avenue from 50' to 42' to allow for an existing garage, located at 8903 South College Place.

**Presentation:**

The applicant, Jim Kelley, 1917 West Honolulu, Broken Arrow, Oklahoma, submitted a plat (Exhibit B-1) and explained that his company has constructed the corner of a residence located at 8903 South College Place, 7.7' over the building line. He informed that the mistake was not discovered until application was made for a loan.

**Comments and Questions:**

Ms. Bradley asked when the house in question was built, and Mr. Kelley replied that the house was completed in January of 1987. He submitted letters of support (Exhibit B-2) from abutting property owners.

**Protestants:** None.

Case No. 14420 (continued)

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 430 - Bulk and Area Requirements in Residential Districts - Use Unit 1206) of setback from the centerline of Florence Avenue from 50' to 42' to allow for an existing garage; per plat of survey submitted; finding a hardship imposed on the applicant by the irregular shape of the lot and major building setbacks from three street frontages; on the following described property:

Lot 10, Block 1, Cedarcrest Addition, City of Tulsa, Tulsa County, Oklahoma.

**NEW APPLICATIONS**

**Case No. 14409**

**Action Requested:**

Variance - Section 1221.3(f) - General Use Conditions for Business Signs - Use Unit 1221 - Request a variance of setback from the centerline of 33rd West Avenue from 50' to 35' to allow for the replacement of a business sign, located SW/c 51st Street and 33rd West Avenue.

**Presentation:**

The applicant, Ted Williamson, 5507 West Skelly Drive, Tulsa, Oklahoma, submitted a plot plan (Exhibit C-1) and photographs (Exhibit C-2), and explained that he is proposing to replace an old Phillip's sign with a new sign. Mr. Williamson informed that the old sign is 35' from the centerline of 33rd West Avenue instead of the 50' now required by the ordinance. He noted that the new sign will be installed on the existing pole.

**Comments and Questions:**

Mr. Chappelle inquired if the new sign will be the same size as the old one, and he answered in the affirmative.

**Protestants:** None.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 1221.3(f) - General Use Conditions for Business Signs - Use Unit 1221) of the setback from the centerline of 33rd West Avenue from 50' to 35' to allow for the replacement of a business sign; subject to the execution of a removal contract; finding that the sign has been at the present location for a long period of time and that the new sign will be the same size as the previous sign and mounted on the existing pole; on the following described property:

Case No. 14409 (continued)

All Lots 1, 2, and 3 less tract beginning 22.40' south of the NW/c of Lot 2, thence east 15', south 15', west 15', north 15' to the point of beginning, and less beginning 3.10' south of the NE/c of Lot 3, thence west 45', south 22.74', northeast 47.01', north 9' to point of beginning, and less beginning 12' south of the NE/c of Lot 3, thence south 41', west 34.54', northeast to point of beginning, Block 1, Richmond Acres, City of Tulsa, Tulsa County, Oklahoma.

Case No. 14410

Action Requested:

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1220 - Request a special exception to allow for a golf driving range, miniature golf course, golf school/learning center, baseball batting cages and related sales and service facilities, located west side of Memorial at 108th Street.

Presentation:

The applicant, William B. Jones, 3800 First National Tower, Tulsa, Oklahoma, presented the application on behalf of Ed Schermerhorn and Lindsay Perkins. He submitted a packet (Exhibit D-1) containing information concerning drainage, grade changes, lighting and a description of the proposed operation. Mr. Jones informed that the tract of land will be developed and used as a golf recreational facility. He explained that the streets have not been marked in the AG zoned district, but the 22.53-acre tract is located at about 108th Street on South Memorial Drive and has approximately 655' of frontage on Memorial, extending westward about 1,215'. Mr. Jones informed that the land slopes and drains in a southwesterly direction and the bulk of the surface water is contained by ponds located on the lower portion of the property. He stated that the water in the ponds will then be used for irrigation purposes. He noted that the property to the east of the tract is in Bixby city limits, with commercial zoning along Memorial, and a small rental house is located to the north of the subject tract. Mr. Jones stated that to the south of the proposed facility is vacant agricultural land and a tract containing 36 acres, owned by Mr. and Mrs. Allen Carlton, is located to the west. He informed that the existing house will be renovated and used to distribute the golfing equipment and as a gathering place for people taking golf lessons. He explained that no new construction is planned for the tract and that the proposed use will be primarily an interim use for the property. The applicant stated that there will be a grass tee for 30 golfers, an Astroturf tee for 30 golfers, an 18-hole miniature golf facility in the northeast corner (18,000 sq. ft.), and six batting cages (15,000 sq. ft.). He informed that the facility will have 109 parking spaces, which will exceed the Code requirement. Mr. Jones

Case No. 14410 (continued)

informed that 3 target greens are proposed for the open area. The applicant stated that lighting will be provided by 12 pole lights (25' high) and a storage shed for storing equipment and mowing machines will be located on the tract. Mr. Jones informed that there will be 1 sign installed on Memorial and 2 driveways for ingress and egress. He stated that a 6' screening fence will be erected on the north boundary, which will be raised to 8' along the portion abutting the rental property and poplar trees will be planted to screen the glare from the lighting. The installed lights will be shielded to prevent some of the glare and will be turned on 30 minutes before dusk and will remain on 30 minutes after closing. The facility will be in operation every day that weather permits until 11:00 p.m. Design standards (Exhibit D-2) were submitted.

Tim Miles, 725 Hastings Lane, Buffalo Grove, Illinois, stated that he is affiliated with John Jacobs Golf Management and that the total intent of the developer is to build a first class facility. He informed that excellent instruction will be provided and that they presently have 10 similar facilities in operation.

**Comments and Questions:**

Ms. Bradley asked Mr. Miles to explain the related sales that are asked for in the application, and he replied that the owner of the business manufactures custom clubs in Buffalo Grove, Illinois, which will be sold at the new location. He stated that custom clothing will also be sold on the premises.

Mr. Smith asked if there will only be 1 sign by the entrance, and Mr. Miles replied that there will be only 1 sign on the street, but some directional signs for customer use may be installed on the interior of the property.

Ms. Bradley inquired if there will be a snack bar at the location, and Mr. Miles informed that vending machines will probably be installed for food and drinks.

**Interested Parties:**

Tony Solo, 10400 South Memorial, Tulsa, Oklahoma, stated that he is a property owner to the north of the subject tract. He stated that he believes the proposed interim use is acceptable for the area, but is concerned with the screening and lighting for the facility. Mr. Solo suggested that the height of the trees that will be planted to screen the surrounding area should be addressed.

Allen Carlton, 10770 South 77th East Avenue, Tulsa, Oklahoma, stated that he is owner of the property that is offset to the west of the subject tract. He pointed out that the direction of the lighting will be toward his home. Mr. Carlton stated that during his discussion with the developers of the project, he found them willing to do whatever is reasonable to provide the right amount of separation for the surrounding property owners and recommended approval of the application.

Case No. 14410 (continued)

**Additional Comments:**

Ms. Bradley pointed out that there is not an interim special exception, but merely a special exception, which must be utilized within a 3 year period.

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** (Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1220) to allow for a golf driving range, miniature golf course, golf school/learning center, baseball batting cages and related sales and service facilities; per design standards submitted; subject to lighting being directed away from the residential area; subject to applicant returning to the Board with a detail landscape and screening plan; and subject to days and hours of operation being 7 days a week, 8 a.m. to 11 p.m.; on the following described property:

A tract of land located in the NE/4 of the SE/4 of Section 26, T-18-N, R-13-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows:

Commencing at the intersection of the center lines of Memorial Drive and 111th Street South, this also being the SE/c of said section; thence N 0°00'31" W 1655.09' along the existing centerline of Memorial Drive; thence S 88°47'01" W 115.00' to a point on the west right-of-way line of Memorial Drive (US Highway 64) being the point of beginning; thence S 88°47'01" W 650.15'; thence S 01°00'31" E 335.00'; thence S 88°47'01" W 554.71'; thence N 01°01'04" W 990.15'; thence N 88°47'15" E 1215.02' to a point on the west right of way line of Memorial Drive; thence S 01°00'31" E 307.73'; thence S 04°42'07" W 100.50'; thence S 01°00'31" E 247.38' to the Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14411**

**Action Requested:**

Variance - Section 930 - Bulk and Area Requirements in the Industrial District - Use Unit 1223 - Request a variance of setback from the east property line from 75' to 48'; from the west property line from 75' to 0' and from the north property line of Lot 20 from 75' to 20'.

Variance - Section 1223.3 - Use conditions - Use Unit 1223 - Request a variance of the screening requirement along the west, east and north property lines of Lot 20 and the south property line (except at access points).

Case No. 14411 (continued)

Variance - Section 1340.(d) - Design Standards for Off-Street Parking Areas - Use Unit 1223 - Request a variance of the required all weather surface to allow for gravel parking.

**Presentation:**

The applicant, Eastoak Industries, 3228 East Woodrow Place, Tulsa, Oklahoma, was represented by Ralph Butler, who submitted a plot plan (Exhibit E-1), and asked the Board to approve the construction of a 5,000 sq. ft. building at the above stated location. He explained that the building will be used to store products for an industrial radiator distributor and that no manufacturing will be done on the premises. Mr. Butler informed that the Department of Stormwater Management has approved the construction, and that there have been no protest from the surrounding property owners.

**Comments and Questions:**

Ms. Bradley inquired if the building is to be 1-story, and Mr. Butler answered in the affirmative.

Ms. Bradley asked how the radiators are transported to and from the warehouse, and Mr. Butler replied that they are hauled in a 1/2-ton pickup.

**Protestants:** None.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 930 - Bulk and Area Requirements in the Industrial District - Use Unit 1223) of setback from the east property line from 75' to 48'; from the west property line from 75' to 0' and from the north property line of Lot 20 from 75' to 20'; to **APPROVE** a **Variance** (Section 1223.3 - Use Conditions - Use Unit 1223) of the screening requirement along the west, east, north and south property lines; and to **APPROVE** a **Variance** (Section 1340.(d) - Design Standards for Off-Street Parking Areas - Use Unit 1223) of the required all weather surface to allow for gravel parking; per plot plan submitted; finding a hardship imposed on the applicant by the narrow shape of the lots; and finding that the area is in transition from RM-2 to Industrial use and there are multiple zoning classifications along Second Street; on the following described property:

Lots 20 and 21, Block 14, Lynch-Forsythe Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14414**

**Action Requested:**

Special Exception - Section 710 - Principal Uses Permitted In Commercial Districts - Use Unit 1209 - Request a special exception to allow for a mobile home in a CH zoned district, located SE/c North Peoria Avenue and Jasper Street.

**Presentation:**

The applicant, Ira Kirby, 742 North Quincy, Tulsa, Oklahoma, requested that the Board allow him to locate a 14' by 70' mobile home on the lot at the above stated location. He explained that a car sales lot will be on the front portion of the property and the mobile home is to be located on the southeast corner. A plat of survey (Exhibit F-1) and photographs (Exhibit F-2) were submitted by the applicant.

**Comments and Questions:**

Ms. Bradley asked the purpose of the mobile home on the lot, and the applicant informed that it will be an office for the car lot and a residence for his daughter. Mr. Kirby stated that he has discussed his plans with the surrounding property owners and they are supportive of the application.

**Protestants:** None.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 4-0-1 (Bradley, Chappelle, Smith, White, "aye"; no "nays"; Quarles, "abstaining"; none "absent") to **APPROVE** a **Special Exception** (Section 710 - Principal Uses Permitted In Commercial Districts - Use Unit 1209) to allow for a mobile home in a CH zoned district; subject to Health Department approval; finding that the granting of the special exception request will not be detrimental to the area and will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

Lots 19 - 24, less the east 63' of Lots 21 - 24, Block 5, Capital Hill Addition to the City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14415**

**Action Requested:**

Special Exception - Section 410 - Principal Uses Permitted In Residential Districts - Use Unit 1209 - Request a special exception to allow for a mobile home in an RS-3 zoned district.

Variance - Section 440 - Special Exception Requirements In Residential Districts - Use Unit 1209 - Request a variance of the time regulation from 1 year to permanently, located west side of North Canton Avenue at North Woodrow Street.



Case No. 14415 (continued)

**Presentation:**

The applicant, John Porter, 5314 East Latimer Place, Tulsa, Oklahoma, informed that he has purchased property at the above stated location and asked the Board to allow him to place a mobile home on the lot. He informed that there are numerous mobiles in the area and a mobile home has been located on the subject tract in the past.

**Comments and Questions:**

Mr. Smith inquired if the mobile home will be placed on a foundation, and Mr. Porter replied that it will be placed on concrete blocks and skirting will be installed.

Ms. Bradley asked if the mobile home will be hooked up to a septic system, and the applicant replied that the property is served by the City sewer system, which was installed for the mobile home that was previously at this location.

**Protestants:** None.

**Board Action:**

On MOTION of BRADLEY, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1209) to allow for a mobile home in an RS-3 zoned district; and to **APPROVE** a **Variance** (Section 440 - Special Exception Requirements in Residential Districts - Use Unit 1209) of the time regulation from 1 year to permanently; subject to skirting being installed; finding that there are numerous mobile homes in the area and that a mobile home has been located on the subject tract in the past and has proved to be compatible with the neighborhood; on the following described property:

The east 430' of the S/2 of Lot 11, and the north 77.5' of the east 430' of Lot 12, Block 1, S. R. Lewis Addition to the Town of Dawson, Tulsa County, Oklahoma, according to the recorded plat thereof.

**Case No. 14416**

**Action Requested:**

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1218 - Request a variance of setback from the centerline of 21st Street from 93' to 83' and from the centerline of Harvard Avenue from 75' to 65', located SE/c 21st and Harvard Avenue.

**Presentation:**

The applicant, TJM Contractors, PO Box 790845, Dallas, Texas, was represented by Tim Minnix, 12351 Farris Creek Lane, Dallas, Texas, who submitted a plot plan (Exhibit G-1). He stated that Burger

Case No. 14416 (continued)

Street, Inc. is proposing to construct a building on the corner of 21st Street and Harvard, and would like to move the new structure closer to the intersection to allow for traffic flow on the lot. He pointed out that there are businesses on both sides of the proposed structure that are closer to the street.

**Protestants:** None.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1218) of setback from the centerline of 21st Street from 93' to 83' and from the centerline of Harvard Avenue from 75' to 65'; per plot plan submitted; finding a hardship imposed on the applicant by the corner lot location and setbacks from 2 streets; and finding that the building in question will be farther from the centerline of both 21st Street and Harvard than the surrounding businesses; on the following described property:

Part of Block 4, Jefferson-Hills Addition, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat thereof, and more particularly described as follows:

Beginning at a point 75' east and 50' south of the NW/c of the NW/4, of the NW/4 of Section 16, T-19-N, R-13-E; thence east and parallel with the north line of the NW/4 of said Section, a distance of 100' to a point, said point being on the north line of Block 4 of Jefferson-Hills Addition; thence south and parallel with the west line of said section, a distance of 159' to a point; thence west and parallel with the north line of said Section, a distance of 125'; thence north and parallel with the west line of said Section, a distance of 134' to a point; thence around a curve to the right, whose radius is 25', to the point of beginning, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14417**

**Action Requested:**

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1210 - Request a special exception to allow for off-street parking in an RM-2 zoned district, located 1210 South Jackson Avenue.

**Presentation:**

The applicant, C. J. Mathias, 3609 East 56th Street, Tulsa, Oklahoma, submitted a plot plan (Exhibit H-2), and stated that he and his wife own an apartment complex which is in need of parking. He explained that parking was provided to the rear of the lot, but is no longer available and that parking has recently been prohibited across the street. He asked the Board to allow a paved lot for the 6-plex in front of the building.

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Case No. 14417 (continued)

**Comments and Questions:**

Ms. Bradley asked why the parking is no longer available on the back of the lot, and the applicant informed that the Broken Expressway was constructed in that area.

Mr. Smith informed that a letter (Exhibit H-1) submitted to the Board from Commissioner Metcalfe suggested that the applicant seek approval from the Board of Adjustment and if successful in obtaining approval, be heard by the City Commission for a reverse parking agreement, which he will support.

**Protestants:**

George Boyaci, 1216 South Jackson, Tulsa, Oklahoma, stated that the residences all have front yards and the lawn will be turned into a parking lot if this special exception is approved. He pointed out that a driveway could be built to the parking lot behind the building.

Mr. Mathias explained that there is not sufficient space to get into the parking area between the stairway and the retaining wall.

Mr. Gardner informed that the Building Inspector has pointed out that there is a structure setback of 50' from centerline and a parking lot is regarded as a structure. He noted that there is a provision that restricts parking in the manner requested and relief from the City is also required.

**Board Action:**

On **MOTION** of **BRADLEY**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 14417 until April 2, 1987, to allow a review of the relief needed by the applicant.

**Case No. 14418**

**Action Requested:**

Special Exception - Section 310 - Principal Uses Permitted in Agriculture Districts - Use Unit 1205 - Request a special exception to allow for a church and related uses in an AG zoned district, located 1/2 mile east of NE/c 101st and Harvard.

**Comments and Questions:**

Mr. Jones informed that Staff received a letter (Exhibit J-1) requesting that Case No. 14418 be continued to April 2, 1987, in order that the applicant can work out details with the surrounding property owners.

**Protestants:**

Beth Cruz, 10012 South Louisville, Tulsa, Oklahoma, stated that the homeowners in the area are obtaining legal council and requested that the case be continued for 4 weeks. She explained that many of the residents are away from the City during Spring Break and asked the Board to grant the continuance.

Case No. 14418 (continued)

**Presentation:**

The applicant, John Moody, 4100 Bank of Oklahoma Tower, Tulsa, Oklahoma, stated that he is representing the American Lutheran Church and has met with Ms. Cruz, along with other residents, and it was determined at that time that the application would be continued for 2 weeks. He pointed out that the church is in temporary quarters and an additional delay may create problems. Mr. Moody stated that he was not contacted concerning the continuance and therefore, was not able to converse with his client concerning the matter. He asked the Board to hear the case on April 2.

Ms. Cruz stated that an attorney has just been retained and time is needed to meet with the other property owners. She informed that they are not necessarily protesting the application, but need more time to have a meeting with the attorney.

Mr. Smith suggested that a 2 week continuance be approved and if the parties cannot reach an agreement and more time is needed, the matter can be considered at the next meeting.

**Board Action:**

On **MOTION** of **QUARLES**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **CONTINUE** Case No. 14418 to April 2, 1987.

**Case No. 14419**

**Action Requested:**

Variance - Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1213 - Request a variance of setback from abutting R District from 10' to 5' to allow for construction of a new building, located 1515 South Harvard Avenue.

**Presentation:**

The applicant, Bruce Bolzie, 5550 South Lewis, Tulsa, Oklahoma, submitted a plot plan (Exhibit K-1), and asked the Board to allow construction of a 2,400 sq. ft. retail center within 5' of a residential district to the rear of the property. He pointed out that the lot is narrow and the variance is needed in order that adequate parking can be provided for the center. Mr. Bolzie noted that the proposed building will align with the convenience store located to the north of the subject property.

**Comments and Questions:**

Ms. Bradley asked the applicant if the existing buildings will be removed from the lot, and he answered in the affirmative.

**Protestants:** None.

Case No. 14419 (continued)

**Board Action:**

On **MOTION** of **WHITE**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Variance** (Section 730 - Bulk and Area Requirements in Commercial Districts - Use Unit 1213) of setback from abutting R District from 10' to 5' to allow for construction of a new building; per plot plan submitted; finding a hardship demonstrated by the narrow shape of the lot and mixed zoning classifications; and finding that the proposed building will align with the structure to the north; on the following described property:

Lot 3, Block 1, Sunrise Terrace Addition, City of Tulsa, Tulsa County, Oklahoma.

**Case No. 14434**

**Action Requested:**

Special Exception - Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1204 - Request a special exception to allow for a police station in an RM-2 zoned district, located 75th Place and Riverside Drive.

**Presentation:**

The applicant, City of Tulsa, was represented by Alan Jackere, 200 Civic Center, Tulsa, Oklahoma, who submitted a packet (Exhibit L-1) containing a description of a proposed police station at the above stated location. Mr. Jackere informed that the triangular piece of property is abutted on the west by the Riverside Parkway Extension, with single-family homes being located to the east, north and south. He stated that the tract contains approximately 4 acres and is zoned RM-2, which would allow the construction of a 3-story apartment complex with as many as 135 units. The Comprehensive Plan for the area shows it to be low intensity, with no specific land use, and the proposed police substation fits into this classification. Mr. Jackere informed that there are no specific plans for the building design or the layout at this time, but the building will contain approximately 7,500 sq. ft. and will be located in the center of the property in the north/south direction and toward Riverside Extension. He explained that the bulk of the parking will be located to the north and east of the property.

**Comments and Questions:**

Mr. Chappelle asked Mr. Jackere if the proposed police substation will be similar in function to the station on 36th Street North, and he answered in the affirmative. He pointed out that there will be approximately 150 officers coming to and from the property in 3 shifts of 40, with 300 parking spaces available. He noted that one shift will be from 8 a.m. to 4 p.m., one from 4 p.m. to 12 a.m., and one from 12 a.m. to 8 a.m., with an additional 30 officers from

Case No. 14434 (continued)

2 p.m. to 10 p.m. to provide coverage during the peak hours. Mr. Jackere informed that there will be a Staff of 10 people which will remain at the building from 8 a.m. until 5 p.m. He advised that the Harbor Pointe development is to be constructed across Riverside to the west of the subject property and will contain office and retail space, as well as apartment units. Mr. Jackere noted that 75th Place will be terminated at the northeast boundary of the property in question and a cul-de-sac will be constructed, thus avoiding added traffic being channeled into the residential area. He informed that Stormwater Management does not require onsite detention and no drainage problems are anticipated. Mr. Jackere stated that screening is required on the east and north property lines between the police station and the single family residences. He noted that the property owner to the north may not want solid screening. He stated that lighting will be shielded to prevent glare in the residential areas.

**Interested Parties:**

James Lewis, 7334 East 81st Place, Tulsa, Oklahoma, stated that he owns the property to the north of the proposed facility. He informed that he has viewed the stations on 11th Street and on Apache and is not impressed with these facilities. Mr. Lewis stated that he found both parking lots filled with police cars. He explained that he is not opposed to the police station on the subject property, but is very interested in the appearance of the facility. Mr. Lewis informed that he is interested in having trees or a hedge planted on the north boundary line next to his property. He pointed out that he and his daughter are planning to build homes on the lots to the north and asked that the exterior of the substation be in keeping with the surrounding neighborhood. Mr. Lewis voiced a concern that Quincy Avenue may be opened up to Riverside, and stated that he would be opposed to such action.

**Comments and Questions:**

Mr. Chappelle stated that there are multiple uses near the substation located on Apache and he has not noticed that the police cars have caused an increase in traffic. He noted that crime has decreased since the station has been located in the area.

Frank McCarthy, 1521 East 75th Court, Tulsa, Oklahoma, informed that he lives to the east of the proposed substation and voiced a concern that a plot plan is not available. He pointed out that commercial areas are available for such facilities and is opposed to the granting of the special exception at this time. Mr. McCarthy stated that he would like to view the plans and know more about the operation.

Case No. 14434 (continued)

**Additional Comments:**

Mr. Quarles pointed out that, if the special exception is approved today, the development will be under the ongoing supervision of the Board and many of the requirements are spelled out in the Code.

Ms. Bradley remarked that a 3-story apartment complex could be erected on the property by right.

Mr. McCarthy stated that he drove to the police station on 11th Street and, in his opinion, it is an embarrassment to the neighborhood. He noted that there are approximately 100 police cars on the premises and the screening fence is falling down.

Mr. Quarles asked Mr. McCarthy to suggest some guidelines for the construction of the police station, and he replied that he would recommend a brick or concrete wall that would reduce the noise. He informed that he is also concerned with lighting and the testing of sirens. Mr. McCarthy stated that the building should be placed toward the rear of the lot, with the parking lot in front and away from the residential neighborhood.

Joe Ann Driggers, 7504 South St. Louis, Tulsa, Oklahoma, informed that she lives next door to Mr. McCarthy and has many of the same concerns that he has. She pointed out that she has small children and would like a buffer erected between the residential area and the police station.

**Applicant's Rebuttal:**

Mr. Jackere stated that the City does not want to spend money to design the building if the use is not approved. He pointed out that the neighbors know the nature of the use and area residents will have input as the development progresses. Mr. Jackere informed that the building will be constructed to blend in with the surrounding environment. Mr. Jackere pointed out that during shift change, 40 officers will be coming to the facility and 40 will be leaving, with no plans for prisoners to be kept on the premises. He stated that he is not aware of plans to extend Quincy. Mr. Jackere explained that a drainage swale is located on the east portion of the property, which would prevent the moving of the building to the back property line.

Mr. Quarles asked Mr. Jackere to explain the progression of the development, and he replied that the next step will be to hire an architect to design the building and locate parking.

**Additional Comments:**

Commissioner Gardner informed that the City has not had the opportunity to build a precinct station before, but has refurbished existing buildings. He assured the surrounding property owners that they will have an opportunity to review the plans as they are drawn. Commissioner Gardner pointed out that the building will be compatible with the surrounding area.

Case No. 14434 (continued)

Ms. Bradley asked Commissioner Gardner how he intends to keep the neighborhood informed, and he replied that he would like for the neighborhood to appoint a representative, or in the event this is not done, his office will send out letters to keep the abutting property owners informed of the progress.

Mr. Smith asked Commissioner Gardner if the western portion of the parking lot could be designated for the late shift parking area, and he informed that the police department will make every effort to be a good neighbor. He informed that memorandums will be issued to the officers which will prohibit the use of sirens on the property.

Mr. Smith remarked that he is pleased to have the police station at the 11th Street location near his neighborhood and pointed out that the new facility will be an asset to the south neighborhood.

Ms. Bradley inquired if maintenance will be done at the proposed location, and Commissioner Gardner informed that all maintenance will be done at the City garage.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to **APPROVE** a **Special Exception** (Section 410 - Principal Uses Permitted in Residential Districts - Use Unit 1204) to allow for a police station in an RM-2 zoned district; subject to a police department representative returning to the Board with a detailed plot plan, building elevations, landscape and fencing plans; subject to parking for the late shift being restricted to the western portion of the property (not against east boundary); subject to a living fence being planted along the north boundary on 75th Place; finding that the granting of the special exception request will not be detrimental to the neighborhood and will be in harmony with the spirit and intent of the Code and the Comprehensive Plan; on the following described property:

A part of Lots 1, 2, 3, and 4, Block 3, River Grove Subdivision, a duly recorded subdivision located in Section 7, T-18-N, R-13-E of the Indian Base and Guide-Meridian, Tulsa County, Oklahoma, which is more particularly described as follows, to-wit:

Said tract containing 181,513.61 square feet or 4.1670 acres, more or less, City of Tulsa, Tulsa County, Oklahoma.

Commencing at the south east corner of Lot 1, Block 3, River Grove, as the Point of Beginning:



**Case No. 14434 (continued)**

Thence S 88°36'50" W a distance of 72.89' to a point on the easterly boundary of the proposed Riverside Parkway; thence N 37°46'15" W a distance of 545.06' to a point of curvature; thence along a 44,939.56 foot radius curve to the left, having an initial tangent bearing of N 37°46'15" W, a central angle of 0°16'10", for an arc distance of 211.34' to a point; thence N 88°17'18" E along the north boundary of Block 3, River Grove and the south right-of-way of east 75th Place South a distance of 521.54' to a point; thence S 1°25'42" E along the westerly boundary of Block 8, Kensington II Amended, a distance of 611.60' to the Point of Beginning, City of Tulsa, Tulsa County, Oklahoma.

**OTHER BUSINESS**

**Case No. 14436**

**Action Requested:**

Eastwood Baptist Church requested by letter that filing fees be refunded for Case No. 14436.

**Comments and Questions:**

Mr. Jones informed that the letter (Exhibit M-1) requesting withdrawal of the case was received prior to processing and suggested that the \$200.00 application fee be refunded.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **REFUND** of filing fees to the applicant in the amount \$200.00; finding that the application was withdrawn prior to processing.

**Case No. 14412**

**Action Requested:**

The applicant, Jon Vrooman, requested by letter (Exhibit A-2) that filing fees for Case No. 14412 be refunded.

**Board Action:**

On **MOTION** of **SMITH**, the Board voted 5-0-0 (Bradley, Chappelle, Quarles, Smith, White, "aye"; no "nays"; no "abstentions"; none "absent") to **\*APPROVE** a **REFUND** of filing fees in the amount of \$25.00; finding that the application has been fully processed except for the public hearing portion.

Due to an error, the entire application fee was returned to the applicant prior to the March 19, 1987 meeting.

**Case No. 14408**

**Action Requested:**

Detail landscape plan review.

**Presentation:**

Terry Malloy, 1924 South Utica, Tulsa, Oklahoma, submitted a detail landscape plan (Exhibit N-1) for Case No. 14408. He stated that sycamore, poplar and juniper trees are proposed for the site and the exit onto Birmingham has been redrawn to reflect 42 1/2' as requested by the Board.

**Comments and Questions:**

Ms. Bradley asked if a sign will be installed that will prevent left turns into the residential neighborhood, and Mr. Malloy answered in the affirmative.

**Board Action:**

On MOTION of QUARLES, the Board voted 4-0-0 (Bradley, Chappelle, Quarles, Smith, "aye"; no "nays"; no "abstentions"; White, "absent") to APPROVE a detail landscape plan as submitted for Case No. 14408.

There being no further business, the meeting was adjourned at 3:20 p.m.

Date Approved

4.2.87



Chairman