

TULSA METROPOLITAN AREA PLANNING COMMISSION  
 MINUTES of Meeting No. 1470  
 Wednesday, August 24, 1983, 1:30 p.m.  
 Langenheim Auditorium, City Hall  
 Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Beckstrom Hinkle, Secretary Kempe, Chairman Petty, 2nd Vice-Chairman Woodard C. Young, 1st Vice-Chairman T. Young	Draughon Flick Higgins Inhofe	Compton Jones Lasker Martin	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on August 23, 1983, at 11:10 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Kempe called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, T. Young, Inhofe, "absent") to approve the Minutes of August 3, 1983, (No. 1467) and August 10, 1983 (No. 1468).

REPORTS:

Chairman's Report:

Chairman Kempe reminded the Commission of the work session at 11:30 p.m. and Special Meeting at 1:30 p.m. on August 31, 1983.

CONTINUED ZONING PUBLIC HEARING:

Z-5855 Norman (St. Andrew's Presbyterian Church) South and East of 36th Street and South Yale Avenue RS-3 to RM-0

PUD #334 Norman (St. Andrew's Presbyterian Church) South and East of 36th Street and South Yale Avenue (RS-3)

Chairman Kempe advised a letter was submitted from the Homeowner's Association requesting that the zoning and PUD be continued for one month (Exhibit "A-1").

Charles Norman, attorney representing St. Andrew's Presbyterian Church, informed the Commission he had received a copy of the letter requesting a one month continuance and suggested that the matter be continued only for one or two weeks. Mr. Norman advised a one week continuance would be his desire, but was unsure if there would be a scheduled meeting on August 31.

Z-5855 and PUD #334 (continued)

Mr. C. Young suggested that the item be continued for two weeks because of the Special Meeting scheduled on August 31, 1983.

Instruments Submitted: Letter from 36th & Yale Homeowner's Association  
(Exhibit "A-1")  
Letter of Protest from Susan and Mike Little  
(Exhibit "A-2")

TMAPC Action: 6 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, T. Young, Inhofe, "absent") to continue consideration of Z-5855 and PUD #334 until September 7, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No. Z-5865 Present Zoning: OL  
Applicant: Dotson (Ark. Valley Dev. Corp.) Proposed Zoning: CS  
Location: East of the SE corner of 108th East Avenue and 31st Street

---

Date of Application: July 7, 1983  
Date of Hearing: August 24, 1983  
Size of Tract: 3.9 acres

Presentation to TMAPC by: Mildred Dotson  
Address: 7966 East 41st Street Phone: 742-1335

Relationship to the Comprehensive Plan: Z-5865

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use, Consideration Area 2, and Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning District", the requested CS District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 3.9 acres in size and located 1/4 mile west of the southwest corner of 31st Street and South Garnett Road. It is partially wooded, rolling, vacant and zoned OL.

Surrounding Area Analysis -- The tract is abutted on the north and east by commercial shopping centers zoned CS, and the south by multifamily residential zoned RM-1 and on the west by a bank zoned CS.

Zoning and BOA Historical Summary -- Past zoning actions have established CS Zoning on three sides of the tract.

Conclusion -- Based upon the Comprehensive Plan, surrounding land uses and existing zoning patterns, the Staff can support the CS zoning request. However, during the case review and field check process it was identified that a large drainage ditch exists on the west and south sides of this tract, indicating some portion to possibly be within a floodplain. Since we did not have the opportunity to advertise for the FD zoning district, the Staff cannot support an increase in the existing OL zoning that might be within a designated floodplain.

Therefore, the Staff recommends APPROVAL of CS zoning on the tract, less and except that area identified by the applicant and City Engineer as being in a floodplain.

Applicant's Comments:

The applicant was present but had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, T. Young, "aye"; no "nays";

Z-5865 (continued)

no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS, less and except that area identified by the applicant and City Engineer as being in a floodplain:

LEGAL PER NOTICE

Lot 2, Block 2, Valley Glen South Addition, Tulsa County, Okla.

LEGAL PER PLANNING COMMISSION ACTION:

Furnished by the applicant and City Engineering Department.

Application No. Z-5866  
Applicant: Bebout (Ramirez)  
Location: 8822 South Yale Avenue

Present Zoning: RS-3  
Proposed Zoning: OM

---

Date of Application: July 8, 1983  
Date of Hearing: August 24, 1983  
Size of Tract: 1.37 acres

Presentation to TMAPC by: B. R. Bebout  
Address: 6055 East 67th Place

Phone: 665-8181

Relationship to the Comprehensive Plan: Z-5866

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning District", the requested OM District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.37 acres in size and located 1/4 mile north of the northwest corner of 91st Street and South Yale Avenue. It is partially wooded, gently sloping, and contains one single-family dwelling and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by single-family dwelling zoned RS-3 and AG, on the east by vacant land zoned RS-3/OL/PUD and approved for one 5-story office, on the south by a single-family dwelling and some vacant land zoned RS-3 and OL and on the west by single-family neighborhood zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have established an OL buffer for the subdistrict south of the subject tract. A PUD was approved east of the tract with extreme setback conditions to maintain the established node buffer.

Conclusion -- The subject tract is located within a subdistrict and is designated for RS-1, RS-2 or RS-3 low intensity zoning. Directly across Yale Avenue to the east of the tract is a PUD with an approved use for a five-story office building to house the Society of Exploration Geophysicists Headquarters. However, several PUD conditions were placed on this development before the building was allowed to encroach over the underlying OL zoning line to insure compatibility. Two of these conditions were to require that the building be placed in a minimum of 425 feet from the centerline of Yale and 250 feet from the north property line. With these facts, plus, the fact that the subject tract fronts onto Yale, the Staff would recognize that typical single-family might not be appropriate. Given the existing RD zoning farther west of this tract and the RM-T zoning east of the geophysicist's tract, the Staff could support a new application for RD or RM-T.

Therefore, based upon the Comprehensive Plan, the existing land uses and the surrounding zoning patterns, the Staff recommends DENIAL of either OM or OL zoning.

Z-5866 (continued)

Applicant's Comments:

Mr. B. R. Bebout represented the owner of the subject property and advised OM zoning is being requested as the surrounding area is rapidly growing into an office and commercial shopping area. Many of the immediate property owners have expressed their support of the zoning application. Mr. Bebout submitted a legal notice published January 18, 1983, concerning an ordinance changing the zoning from RS-3 to OM (Exhibit "B-1").

It was advised there is no OM zoning in the immediate area, but there is OL zoning south of the subject tract. Mr. Compton explained the tract zoned OL was before the Commission previously and recommended for OL. The City approved OL and a typographical error had been made in the ordinance. A correction ordinance has been processed to change the approval to OL.

Mr. C. Young expressed that by granting OL or OM farther north would be the beginning of stripping the whole area which he opposed.

Instruments Submitted: Legal Notice (Exhibit "B-1")

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to DENY the request for OM zoning on the following described property:

The South 200' of the North 300' of the E/2 of the E/2 of the SE/4 of the SE/4 of Section 16, Township 18 North, Range 13 East, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof.

Application No. Z-5867 Present Zoning: RS-2  
Applicant: Huddleston (Jackson) Proposed Zoning: RM-0  
Location: South of the SW corner of 23rd Street and 133rd East Avenue

---

Date of Application: July 11, 1983  
Date of Hearing: August 24, 1983  
Size of Tract: 3.5 acres

Presentation to TMAPC by: Lawana Huddleston  
Address: 13408 South 127th East Avenue, Broken Arrow - 74102 Phone: 451-0106

Relationship to the Comprehensive Plan: Z-5867

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RM-0 District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 3.5 acres in size and located just south of the southwest corner of 23rd Street and 133rd East Avenue. It is partially wooded, rolling, vacant and zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family neighborhood zoned RS-3, on the east by vacant land zoned RS-3, on the south by single-family dwellings zoned a combination of RS-2 and RS-3 and on the west by large lot single-family zoned RS-2.

Zoning and BOA Historical Summary -- Past zoning actions have established an OL/RM-1 buffer along the south side of 21st Street and the west side of Eastgate Shopping Center. Inside the OL/RM-1 buffer a transitional layer of RD/RM-0 has been established with the remainder of the interior subdistrict being RS-2 or RS-3.

Conclusion -- The subject tract is located within the interior of a subdistrict and served by only residential type streets and as designated by the Development Guidelines is clearly not appropriate for zoning any greater than RS-3.

Based upon the established zoning patterns and the Development Guidelines, the Staff recommends DENIAL of RM-1 and APPROVAL of RS-3.

Applicant's Comments:

Ms. Lawana Huddleston represented the purchaser of the subject tract, Alfred and Patricia Minter. The Minters propose to place nine four-plex structures making a total of 36 units on the property and they desire that the land have low density multifamily zoning.

Protestants: Lester Hess Addresses: 2315 South 131st East Avenue  
Vern Wiggin 13122 East 23rd Street

Protestants' Comments:

Mr. Hess informed the Commission his property adjoins the subject property on the west and was concerned with the present drainage problem on

the Minters' property. A protest petition bearing 117 signatures of property owners in the surrounding area was submitted (Exhibit "C-1").

Chairman Kempe advised that the City Engineer requires a grading plan before construction begins to prevent additional water problems on the subject property. It was also stated that RS-3 zoning as recommended by the Staff would be a lower density use of the property, which might alleviate some of the drainage concern.

Mr. Vern Wiggin stated he was fearful that traffic would be increased if the fourplex structures were permitted unless an access road was made available to 21st Street, or another outlet. He was also concerned because most of the houses in the area are single-family residences.

Chairman Kempe inquired of the Staff if any road improvements were proposed for the subject area, and Mr. Compton stated he was aware of none in that area. Mr. C. Young suggested that a similar petition as was submitted in opposition to the application be submitted with respect to traffic needs to the Commissioner of Streets and Public Property.

Mr. C. Young was disappointed that the applicant was not present to present the case and no plans were available for the Commission's review. He felt the Commission could not fully understand the needs of the applicant. Mr. Young expressed his support of the Staff recommendation.

Commissioner T. Young stated he agreed with most of Mr. Young's comments, but was concerned with the RS-3 zoning recommendation. He was concerned with the street access of the RS-3 lots in the area. He felt in order to develop the RS-3 property into single-family a cul-de-sac street will be necessary in that area. He did not see any purpose in designating the area RS-3 and felt it would be inconsistent with the surrounding area.

Mr. Compton advised there is street stubs on the north and south end of the property and along the east side of the property which would provide access to the tract.

Mr. Beckstrom asked what the reason would be to rezone the property RS-3 if that was not the request of the applicant. Mr. Linker, Legal Department, advised the duty of zoning is to place the proper zoning on the property when brought before the Commission. The Commission would have the jurisdiction to place RS-3 zoning on the property if they so desire under the notice.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to DENY the request for RM-1 zoning or RS-3 zoning as recommended by the Staff, on the following described property.

Part of the S/2 of the NW/4 of Section 16, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, more particularly described as: Beginning at a point 980' East and 28' South of the Northwest Corner of the S/2 of the NW/4; thence East 315'; thence South 607'; thence West 150'; thence North 123'; thence West 165'; thence North 484' to the point of beginning, LESS a tract beginning 512' South and



Z-5867 (continued)

1,295' East of the Northwest Corner of the S/2 of the NW/4 of Section 16, Township 19 North, Range 14 East; thence South 123'; thence 150' West; thence North 123'; thence East 150' to the point of beginning, according to the U. S. Government Survey thereof.

Application No. Z-5868 Present Zoning: CS  
Applicant: Norman (Landmark Land Co., Inc.) Proposed Zoning: OMH  
Location: West of South Memorial Drive at the Intersection of I-44 and  
Broken Arrow Expressway

---

Date of Application: July 13, 1983  
Date of Hearing: August 24, 1983  
Size of Tract: 3.79 acres

Presentation to TMAPC by: Charles Norman  
Address: 909 Kennedy Building - 74103 Phone: 583-7571

Relationship to the Comprehensive Plan: Z-5868

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use and a Potential Corridor Area.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested OMH District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 3.79 acres in size and located at the west corner of the intersection of I-44 and the Broken Arrow Expressway. It fronts onto South 79th East Avenue. It is non-wooded, flat, vacant and zoned CS.

Surrounding Area Analysis -- The tract is abutted on the north by the Landmark Building and vacant land zoned CS, on the east by the NCR Building and vacant land zoned CS, on the south by vacant land and then a multifamily complex zoned CS and on the west by I-44.

Zoning and BOA Historical Summary -- Past zoning actions have established the area of the subject tract to the medium intensity.

Conclusion -- In addition to the medium intensity designation the Comprehensive Plan points out that the area between the expressway and Memorial Drive has a potential for Corridor development. Also, this area has immediate access to two expressways and the Staff feels that the subject tract should be developed to the maximum intensity allowed by the Plan designation. For these reasons, the Staff can support and does recommend APPROVAL of the requested OMH zoning.

Applicant's Comments:

Mr. Charles Norman was present and concurred with the Staff recommendation. He advised the purpose of the request is to permit further application to a BOA approval for hotel/motel use to be constructed on this site. Approximately three years ago the Planning Commission amended the OMH zoning district to permit that use as an exception rather than as a matter of right. The proposed structure will be 6 to 8 stories in height and Mr. Norman felt it would be appropriate in this area.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OMH:

All that part of Lot 3, Interchange Center, an Addition to the City of Tulsa, Tulsa County, Oklahoma, as recorded by Plat No. 2336, filed October 28, 1960, with the County Clerk of Tulsa County, Oklahoma, more particularly described as follows, to wit:

Beginning at the South, Southwest corner of Said Lot 3; thence North  $00^{\circ}-02'-27''$  West along the West Boundary of Said Lot 3 a measured distance of 54.10' (48.02 feet Deed) to a point in the Southeasterly Right-of-Way of Interstate Highway #44 (the North, Southwest corner of Said Lot 3); thence North  $48^{\circ}-55'-30''$  East along the Highway Right-of-Way and Lot 3 Boundary a distance of 151.73'; thence South  $41^{\circ}-04'-30''$  East a distance of 204.16' to a point in the South Boundary of Said Lot 3, (North Boundary of Interchange Place, an Addition to the City of Tulsa) 1,592.85' from the Southeast corner thereof; thence North  $89^{\circ}-58'-30''$  West along the Common Boundary of Said Lot 3 and Interchange place a distance of 248.48' to the point of beginning, containing 22,210.63 square feet or 0.50987 acres, more or less; AND, All that part of Lot 3, Block 1, Interchange Place, an Addition to the City of Tulsa, Tulsa County, Oklahoma, as recorded by Plat No. 3974 filed November 14, 1979, with the County Clerk of Tulsa County, Oklahoma, more particularly described as follows, to wit:

Beginning at the Northwest Corner of Said Lot 3, Block 1; thence South  $89^{\circ}-58'-08''$  East along the North Boundary of Said Lot 3 (South Boundary of Interchange Center, an Addition to the City of Tulsa) a distance of 307.23'; thence South  $41^{\circ}-04'-30''$  East a distance of 87.77' to a point in the East Boundary of Said Lot 3, Block 1; thence South  $35^{\circ}-44'-02''$  West a distance of 0.00'; thence along the East Boundary of Said Lot 3 on a curve to the left having a radius of 380.00' a distance of 237.22'; thence South  $00^{\circ}-02'-08''$  East along the East Boundary of Said Lot 3 a distance of 75.40'; thence South  $89^{\circ}-57'-52''$  West a distance of 243.00'; thence North  $62^{\circ}-52'-35''$  West a distance of 228.12' to a point in the West Boundary of Said Lot 3 (Easterly Right-of-Way of Interstate Highway #44); thence along the West Boundary of Said Lot 3 as follows: North  $27^{\circ}-07'-25''$  East a distance of 69.35'; thence North  $29^{\circ}-38'-06''$  East a distance of 211.90'; thence North  $48^{\circ}-55'-30''$  East a distance of 21.52' to the point of beginning, containing 141,170.38 square feet or 3.24082 acres more or less; AND, All that part of the E/2, NW/4, NE/4 of Section 23, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the Official U. S. Government Survey thereof; more particularly described as follows: to wit: Beginning at a point in the South Boundary of Said E/2, NW/4, NE/4 99.00' from the Southwest corner thereof (The South, Southwest corner of Lot 3, Interchange Center, an Addition to the City of Tulsa); thence North  $00^{\circ}-02'-27''$  West along the West Boundary of Lot 3, Interchange Center a measured distance of 54.10' (48.02 feet Deed) to a point in the Southeasterly Right-of-Way of Interstate Highway #44 (The North, Southwest corner of Lot 3, Interchange Center); thence South  $48^{\circ}-55'-30''$  West along Interstate

Z-5868 (continued)

Highway #44 Right-of-Way a measured distance of 82.30' (73.24 feet Deed) to a point in the South Boundary of Said E/2, NW/4, NE/4, 36.92' from the Southwest corner thereof; thence South  $89^{\circ}-58'-30''$  East along the South Boundary of Said E/2, NW/4, NE/4 a distance of 62.08' to the point of beginning, containing 1,679.46 square feet or 0.03856 acres, more or less; containing in all three parcels 165,060.48 square feet or 3.78927 acres, more or less.

Application No. Z-5869  
Applicant: Reynolds (Venture Properties)  
Location: 1417 East 41st Street

Present Zoning: OM  
Proposed Zoning: CS

---

Date of Application: July 13, 1983  
Date of Hearing: August 24, 1983  
Size of Tract: 280' x 331', more or less

Presentation to TMAPC by: Don Reynolds  
Address: 6523 East 66th Street

Phone: 582-2502

Relationship to the Comprehensive Plan: Z-5869

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Office.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested CS District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.1 acres in size and located just east of the northeast corner of 41st Street and South Peoria Avenue. It is non-wooded, flat, contains an existing office building and parking lot and is zoned OM.

Surrounding Area Analysis -- The tract is abutted on the north by a multifamily complex zoned RM-2, on the east by four-plexes zoned RM-1, on the south by multifamily zoned RM-2 and on the west by commercial shopping center zoned CS.

Zoning and BOA Historical Summary -- Past zoning actions have established commercial zoning both north and south along Peoria Avenue with a small node at the intersection.

Conclusion -- Given the extensive commercial zoning in the area of the subject tract, the fact that the request is inconsistent with the Comprehensive Plan, and that the tract now serves to buffer the four-plexes and single-family area east of the tract from the commercial west of the tract, the Staff recommends DENIAL of the requested CS.

Applicant's Comments:

Mr. Don Reynolds, president of Venture Properties, stated he owns the Old Village Shopping Center located west of the subject tract. Located on the subject property is an office building containing 13 suites with each having an outside entrance and lavatory facility. There has been interest of various tenants who would not be permitted under the office classification. The request for the zoning is not to change the existing structure, but to expand the amount of tenants who would be permitted in the building. The only change would be some of the uses in the suites.

Mr. Petty inquired as to some of the proposed uses for the suites and Mr. Reynolds advised a veterinarian has expressed interest in occupying one of the suites. Owners of light retail use such as a beauty shop and a childrens clothing shop have also expressed interest in the use.

Z-5869 (continued)

Commissioner T. Young suggested that light commercial uses might be considered under a PUD so as not to change the zoning category. Mr. Compton advised that by changing the zoning classification to CS a greater number of parking spaces would be required.

Protestant: Dorothy Watson                      Address: 4108 South St. Louis Avenue

Protestant's Comments:

Mrs. Watson stated she did not want the zoning to be changed as it would decrease property values. She was confused with the zoning terms and the Staff advised her of the meaning of the zoning classifications. Mrs. Watson then suggested that the Commission deny the request and if denial was not chosen that a continuance be granted as many of the property owners in the area were not aware of the proposed zoning change.

The Staff advised that 19 property owners were notified of the zoning request and a sign was posted on the site, and the Staff felt the notice requirements had been met. Mr. Petty stated he would be opposed to a continuance.

Applicant's Comments:

Mr. Reynolds again reiterated the fact that the applicant did not wish to make any change in zoning but only in the use. He felt this zoning request was the best use for the property.

Commissioner T. Young felt that the uses being sought in this application are not unreasonable and did not feel it would present a traffic congested area. He stated he was not in support of changing the zoning classification to extend the CS any farther than currently exists. He felt that another remedy could be sought other than a zoning change, such as a PUD which would allow the Commission to fully review the parking requirements as the site is located within the Brookside area.

Mr. Petty stated that the subject site is one-half mile removed from the Brookside area which has numerous off-street parking problems. He advised there is a large area for parking in the immediate area. Mr. Petty felt that the CS zoning should be granted. He suggested that the applicant might be agreeable to zoning a strip on the east side to RS-3 or parking to establish a buffer to prevent opening the door to other objectionable uses.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 4-2-1 (Beckstrom, Hinkle, Kempe, T. Young, "aye"; Petty, Woodard, "nay"; C. Young, "abstaining"; Draughon, Flick, Higgins, Inhofe, "absent") to DENY the request for CS zoning on the following described property:

The East 280' of the following described tract: Beginning 385' East of the Southwest corner of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence East 700'; thence North 331.3'; thence West 408'; thence South 56.3'; thence West 291.75'; thence South 275' to the place of beginning, according to the U. S. Government Survey thereof.

Application Numbers Z-5870 & PUD #336 Present Zoning: AG  
Applicant: Johnsen (Reppe) Proposed Zoning: RM-1  
Location: South and East of the SE corner of 91st Street and Sheridan Road

Date of Application: July 14, 1983  
Date of Hearing: August 24, 1983  
Size of Tract: 5.8 acres

Presentation to TMAPC by: Roy Johnsen  
Address: 324 Main Mall - 74103

Phone: 585-5641

Relationship to the Comprehensive Plan: Z-5870

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5.8 acres in size and located south and east of the southeast corner of 91st Street and South Sheridan Road. It is non-wooded, sloping, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land zoned RM-1/PUD and approved for 168 multifamily dwellings, on the northeast by a townhouse development zoned RS-3/PUD, on the east and south by a single-family neighborhood zoned RS-3/PUD, on the west by a proposed commercial shopping center zoned RM-1/PUD and on the northwest by the existing Heatherridge Shopping Center, zoned RM-1/CS/PUD.

Zoning and BOA Historical Summary -- Past zoning actions have established the subject tract as the "hole-in-the-donut" with PUD #166 surrounding it on all sides.

Conclusion -- Based upon the Comprehensive Plan, existing land uses, and the surrounding zoning patterns, the Staff can support RM-1 on the northwest portion of the tract. However, because of its interior location, the fact that this tract's development was not planned for under the surrounding PUD, and that dedicated streets are stubbed into the subject tract giving the impression that single-family development would be constructed, the Staff feels that a strip of RS-3 zoning along the east and south property lines should be approved. We would support a distance of 120 feet since this is the depth of an RS-3 duplex exception lot. This would provide for a row of large lot duplex dwellings backing up to the existing single-family if the tract were not developed under the protection of a PUD.

Therefore, the Staff recommends APPROVAL of RM-1 on the subject tract, less and except the east and south 120 feet which we recommend RS-3.

Staff Recommendation: PUD #336

The subject tract is located south and east of the southeast corner of 91st Street and South Sheridan Road. It is approximately 5.8 acres in

PUD #336 and Z-5870 (continued)

size, gently sloping and recommended for a combination of RM-1 and RS-3 zoning.

It is abutted on the north by vacant land zoned RM-1/PUD for 168 multi-family dwelling units, on the northeast by a townhouse development zoned RS-3/PUD, on the east and south by a single-family neighborhood zoned RS-3/PUD and on the west by vacant land zoned RM-1/PUD for commercial use.

The applicant is requesting to develop this tract in conjunction with the tract to the north and will share access to 91st Street and South 69th East Avenue.

The Staff has reviewed the proposal and find that it is consistent with the Comprehensive Plan, surrounding land uses, existing zoning patterns, and the PUD Ordinance. Therefore, the Staff recommends APPROVAL of PUD #336, subject to the following conditions:

- (1) That the applicant's Outline Development Plan be made a condition of approval.
- (2) Development Standards

Gross Area: 5.8 acres

Permitted Uses: Multifamily dwellings and customary accessory uses including clubhouses, pools and other recreational facilities. It is intended, though not required, that condominium development with individual ownership of units shall be permitted.

Maximum No. of Dwelling Units:	106 units
*Minimum Livability Space Per Dwelling Unit:	1,000 square feet
Maximum Building Height:	35 feet
Maximum No. of Stories	2 stories
Minimum Setback Between Buildings:	10 feet
**Minimum Building Setback From East Boundary:	70 feet
**Minimum Building Setback From South Boundary:	55 feet
**Minimum Building Setback From Other Boundaries:	20 feet
Off-Street Parking:	1 & 1/2 spaces per 1 bedroom unit and 2 spaces per 2 or more bedroom units.

\*Livability space is defined as the open space not allocated or used for off-street parking or loading, or for paved access to off-street parking or loading, but required livability space may include pool and clubhouse areas.



\*\*The building setbacks shall be substantially as depicted on the Illustrative Site Plan, but in no event less than the minimum standards above set forth

- (3) That prior to the commencement of construction of any buildings within the project, vehicular access from or to the property and from or to South 67th East Avenue and East 92nd Place will be closed.
- (4) That identification of the project will be achieved by a monument sign located along the 91st Street frontage of the adjoining multi-family tract. The sign shall not exceed 32 square feet in surface area, nor 15 feet in height, and illumination, if any shall be by constant light.
- (5) That a Detail Landscape Plan be submitted to and approved by the TMAPC and installed prior to occupancy, including along the south and east boundaries of the project, a screening fence of not less than 6 feet in height shall be erected meeting the following design standards:
  - (a) Minimum height - 6 feet,
  - (b) cedar or pressure treated pine material,
  - (c) supporting posts shall extend to at least 2 feet below grade, and
  - (d) at the termination point of the existing right-of-way of both South 67th East Avenue and East 92nd Place, the fence shall offset inwardly a distance of 4 feet in order to establish an area of landscaping outside the project fence.

In addition to the screening fence, a landscaped area of not less than 50 feet shall be maintained along the east boundary of the property, and a landscaped area of not less than 55 feet shall be maintained along the south boundary of the project, and required landscaping shall include the offset area established on the exterior of the fence.

- (6) That a Detail Site Plan be submitted to and approved by the TMAPC prior to the issuance of a building permit.
- (7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to 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, making the City of Tulsa beneficiary to said covenants.

Mr. Compton suggested that the fourth condition of the PUD be reworded because the proposal at present and PUD #166-B which was the initial application will become as one development and a sign was previously approved for PUD #166-B.

A letter was submitted from the Heatherridge Civic Association, Inc., in support of the application (Exhibit "D-1").

Z-5870 and PUD #336 (continued)

A protest letter was also submitted from Robert Adkinson (Exhibit "D-2").

Applicant's Comments:

Mr. Roy Johnsen, attorney, represented the owner of the property, Reppe Development Company. Mr. Reppe acquired the property to the north of the subject property in 1982, and filed an amendment to that PUD in 1983, to take it back to what had previously been approved in an earlier PUD application. Mr. Reppe sought approval of 168 units for a multifamily project on the north 6.7 acres.

At its present configuration the subject property is abutted on the north by a tract identified for multifamily use owned by Reppe Development Company, who has not acquired the subject property. To the west of the subject property is commercial use, to the north and east is multifamily development and to the south is an existing single-family neighborhood. There is a pipeline on the property which greatly constrains the ability to locate buildings on the tract and adds very much to the cost of development because it is necessary to lower the pipelines.

When Mr. Reppe acquired the subject property he initiated discussions with the Heatherridge Civic Association, Inc., which is the neighborhood association of those people who reside in the single-family subdivision to the south and east adjoining the subject property. Through a series of meetings with the Association various proposals were discussed and site plans reviewed. An agreement has been reached as set out in the letter submitted by the Heatherridge Civic Association, Inc. The applicant had submitted to the Association in writing a letter setting out certain standards which would be included in the PUD submittals. Mr. Johnsen proceeded to read the list of standards submitted to the Association. One of the major concerns of the residents was 7 (d) of the standards. There are streets stubbed into the east and south sides of the property, 67th East Place and 92nd Place South. It was agreed by Reppe Development Company and Heatherridge Civic Association that those streets would be closed and that there be a fenced area along those boundaries, so there would be no traffic to and from the subject property, or the single-family adjoining streets. The agreement was made that the fence be offset inwardly 4' at those termination points to provide an area for landscaping outside the boundary fence of the project. That agreement was not included in the drawing, but was agreed to between Reppe Development Company and the Association.

There was also an agreement made dealing with the display sign area. The property to the north which is owned by Reppe Development Company was given approval for a sign on the 91st Street frontage for 72 square feet of display surface area which was a monument sign and was not to exceed 6' in height. The applicant made an agreement with the Association that there will be no sign on the south part because the whole area will be developed as one project being limited to the one sign on 91st Street frontage.

Those various development standards were agreed upon to be a part of the PUD which has been done. It was also requested by the Association and owners in the area that they establish of record, by way of covenant, those development standards.

Z-5870 and PUD #336 (continued)

Mr. Johnsen advised the Staff recommendation provides that the maximum number of dwelling units not exceed 106, but the applicant has requested 112 units. He felt that the 6 additional units would not be discernable to the residents or any individual. The 6 units are very important to the economics for the developer of the project. The applicant is in concurrence with the RM-1 approval on the subject tract, less and except a a buffer of RS-3, but suggested that it be the south and east 100' for RS-3 rather than 120'. The concept would still be adhered to, but would allow the 112 dwelling units as shown on the plot plan. Mr. Johnsen advised the original request was for RM-1 on the entire tract, but would amend the request to RM-1, less and except the east and south 100' to be rezoned RS-3.

Mr. Compton suggested that the wording of condition #4 of the PUD be stated as follows: (4) That identification of the project will be achieved by a monument sign located along the 91st Street frontage meeting the conditions of PUD #166-B. Mr. Johnsen was in agreement to that wording.

Commissioner T. Young was concerned if the PUD was not developed that access would be from the existing stub streets. He suggested that the east boundary be squared up with the RM-1 zoning directly to the north. Mr. Compton advised if that area were squared up there would be approximately 100' to 75' depth. The Staff would agree that the 100' which the applicant is suggesting would get him, under the PUD, 112 units. Mr. Compton advised that the 120' depth the Staff placed on the recommendation is to provide a buffer to create a transition and that the depth of 120' is based on an RS-3 duplex exception for a typical lot under the Bulk and Area Requirements. The 100' strip of land is a developable tract, but the Staff would still recommend 120'. Mr. Johnsen again reiterated that it is very important to his client that the number of dwelling units be gained and felt the 100' would be consistent with the Staff recommendation.

Commissioner T. Young stated he did not see a need for allowing RS-3 zoning on the south boundary. He suggested that the RM-1 line presently in place be extended south to the southern boundary of the applicant's tract. By preserving a zoning pattern with 120' or 100', a potential small lot subdivision is being created which would require streets to be extended into the area if the PUD was not developed.

Protestant's: John Moody                      Addresses: 4100 Bank of Oklahoma Tower  
Mrs. James Sanwick                      9361 South 67th East Avenue

Protestants' Comments:

Mr. John Moody represented the Heatherridge Civic Association, Inc. Mr. Moody, who is a resident in the subject area advised that he had spoken with Mr. Johnsen prior to the meeting to be assured that the representation made to the Association be contained in a restrictive covenant, which would be inforceable by the Civic Association. The Association is not opposed to the proposed development by Mr. Reppe and appreciates his working with the Association in creating a plan that was acceptable to them. The Association is interested that the restrictive covenant agreement be submitted because they are not interested in the multifamily zoning without the PUD and the agreements entered into by Mr. Reppe set forth in a letter with plans attached. Mr. Moody expressed no feeling

Pud #336 Legal (continued)

of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to wit: "Beginning at a Point" that is the Northwest corner of Lot 1 in Block 2 of "Heatherridge", a Subdivision to the City of Tulsa, Tulsa County, Oklahoma; thence South  $00^{\circ}-09'-03''$  East along the Westerly line of Block 2 and Block 4 of "Heatherridge Subdivision" for 452.50'; thence South  $89^{\circ}-49'-56''$  West along the Northerly line of Blocks 4 and 5 of "Heatherridge Subdivision" for 556.00' to a point on the Easterly line of Block 1 of "Sheridan Square", a Subdivision to the City of Tulsa, Tulsa County, Oklahoma; thence North  $00^{\circ}-09'-03''$  West along the Easterly line of Block 1 of "Sheridan Square" for 452.50'; thence North  $89^{\circ}-49'-56''$  East and parallel to the Northerly line of Block 4 and 5 of "Heatherridge Subdivision" for 556.00' to the "Point of Beginning" of said tract of land.

SUBDIVISIONS:

Final Approval and Release:

Highland Mobile Home Park (1804) South side of East 46th Street North,  
East of Mingo Road (RMH)

Park Meadows Addition (1613) NW corner of East 96th Street North and  
U. S. Highway #75

The Staff advised the Commission that all release letters have been received and final approval and release was recommended.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodward, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to approve the final plat of Highland Mobile Home Park and Park Meadows Addition, and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD-#269-A Geophysical Resource Center East of Yale Avenue, at 89th Street

Staff Recommendation: Minor Amendment - Detail Site Plan Review

Planned Unit Development No. 269-A is located approximately 830' north of the northeast corner of 91st Street and South Yale Avenue. It is approximately 11.96 (gross) acres in size and has been approved by the TMAPC and City Commissions.

The applicant is requesting a minor amendment to reduce the parking requirements. As approved PUD #269-A was required to have 1 parking space for every 300 square feet of building floor area. However, a large portion of the proposed structure will be allocated uses other than normal or typical office space. The applicant has submitted documentation that the following areas are not used as office space:

Penthouse	1,689 square feet
Basement Storage	2,700 square feet
Basement Core Area	1,964 square feet
Atrium and Core (1st Floor)	3,404 square feet
Core Area (2nd thru 5th Floor)	6,800 square feet
TOTAL	16,557 square feet

Subtracting this unusable floor area from the proposed total floor area of 97,071 square feet leaves 80,514 square feet of usable floor area. Also, because of the unique use proposed for this building it will contain a small museum (3,428 square feet) and library (2,000 square feet). These two uses do not have the same type of parking requirements as typical office. Each of these uses would necessitate 4 spaces per their respective Use Unit parking requirements.

Based upon this analysis the Staff can support, as a minor amendment, a minimum parking requirement as follows:

PUD-#269-A (continued)

	<u>Maximum Allowable Floor Area</u>	<u>Parking Requirements</u>
Leasable Office Area	75,086 sq. ft.	250 spaces (1 space/ 300 sq. ft.)
Museum	3,428 sq. ft.	4 spaces
Library	2,000 sq. ft.	4 spaces
Core Area-Trim- Storage Area	<u>16,557 sq. ft.</u>	<u>0 spaces</u>
TOTAL	97,071 sq. ft.	258 spaces

In addition, the applicant is requesting detail site plan approval and after review of the submitted plan, the Staff finds the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	521,310 sq. ft.	Same
Land Area (Net):	485,797 sq. ft.	Same
Maximum Building Floor Area:	98,453 sq. ft.	97,071 sq. ft.
Floor Area Ratio:	.189 of Gross Land Area	Same
Maximum Building Height:	5 stories	5 stories
Permitted Uses:	Principal and Accessory Uses permitted as a matter of right in the OL District.	Same
Minimum Building Setbacks:		
From centerline of		
Yale Avenue,	450 feet	Exceeds
from south property line,	100 feet	Exceeds
from east property line,	200 feet	Exceeds
from north property line.	250 feet	Exceeds
Minimum Off-Street Parking:	1 space per 300 sq. ft. of leasable floor area, 4 spaces for museum, 4 spaces for library,	
TOTAL	258 spaces.	259 spaces
Minimum Open Space	65 percent	Exceeds

Therefore, the Staff recommends APPROVAL of the Minor Amendment and submitted Detail Site Plan with the condition that the Detail Site Plan becomes a part of PUD #269-A.

Applicant's Comments:

Mr. Ted Sack represented the applicant. He advised the original PUD only required 1 parking space for every 400 sq. ft. of floor area, but later the building was changed to a 5-story structure and the requirement was changed to 1 space for every 300 sq. ft.

Commissioner T. Young inquired as to the hardship in constructing a parking lot which would require 328 parking spaces. Mr. Sack advised the difficulty is that some of the subject tract is located in a floodplain and is heavily wooded. There is also a drainage

PUD #269-A (continued)

area that affects the subject site. Commissioner T. Young was concerned with the future use of the site and Mr. Compton advised if the use of the site is changed the owner will be required to come before the Planning Commission for a major amendment to the PUD.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-1-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, "aye"; T. Young, "nay"; no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to approve the submitted Detail Site Plan, subject to the Plan submitted and the conditions set out in the Staff Recommendation.

PUD #166-B-1 Johnsen East of the SE corner of 91st Street and Sheridan Road.

Staff Recommendation: Minor Amendment - PUD #166-B-1 - Victoria Station

The subject tract is 6.69 gross acres, more or less, in size and located east of the southeast corner of East 91st Street South and South Sheridan Road. It is abutted to the west by an existing shopping center and to the east by a condominium development. The subject tract has been approved under PUD #166-B for 168 multifamily dwellings and customary accessory uses.

Due to the acquisition of approximately 5.8 acres of property abutting this tract to the south, the applicant has filed a minor amendment to allow changes in Victoria Station for a better utilization of property on both tracts. The applicant has specifically requested:

Minor Amendment deleting requirement for screening fence along the south boundary of Victoria Station;

minor amendment of an Amended Illustrative Site Plan depicting access from Victoria Station south; and

minor Amendment of minor refinements of Illustrative Site Plan and revised Illustrative Site Plan depicting minor resetting of buildings and a relocation of the access point to 91st Street.

After review of the revised Plot Plan, the Staff finds the requests to be minor in nature and recommends APPROVAL of the changes with the condition that the applicant's submitted Plot Plan become part of PUD #166-B and any further changes would require additional approval from the TMAPC.

Applicant's Comments:

Mr. Roy Johnsen, attorney, represented the applicant and concurred with the Staff Recommendation.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Hinkle, Kempe, Petty, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Higgins, Inhofe, "absent") to approve the requested minor amendment to

PUD #166-B-1 (continued)

PUD #166-B-1, subject to the conditions set out in the Staff Recommendation.

CZ-86 Clarification of the Action

Mr. Compton advised the Commission previously granted CS and OL zoning on the subject tract and the applicant, since that time, has submitted a description of the tract so as to determine what is zoned OL and what is zoned CS. In submitting the description it was discovered that the tract is totally above the centerline of the road. Mr. Compton stated it was his feeling that the action taken by the Commission was to zone everything north of the centerline of the road and not anything south of the centerline. He asked that the Commission make a clarification of the action made at that time. The intent of the action was to place a small amount of OL zoning on the tract so the CS would not extend any further east than presently and any portion that extended south into the park should not be zoned.

Chairman Kempe suggested that a motion be made to reflect the intent of the Commission at the previous hearing. She advised the minutes are open to correction at any time there is a correction. Mr. Petty suggested that making a substitute motion outside the scope of the original hearing would be detrimental for the Commission.

Mr. Linker agreed that the Commission should make a clarification of what was intended when the case was heard and not change the action. Mr. Linker asked if the change in the minutes would affect the applicant and Mr. Compton advised that the applicant asked for the clarification. The Staff has corrected minutes in past actions. At the meeting it was discussed that the case be approved, less and except the south 100'.

C. YOUNG made a MOTION to reflect the intent of the motion to approve the zoning, less and except the south 100'.

Mr. Petty suggested that a motion be made to reconsider the approval and then make the correction.

Mr. C. Young suggested that the request be continued for two weeks to allow the applicant to be present and give notice to any protestants.

Commissioner T. Young suggested that the matter must go before the County Commission and suggested the Planning Commission submit a letter to the County Commission accompanying the transmittal of minutes indicating the clarification which should be made in the recommendation. He suggested the Staff prepare a letter clarifying the action of the Commission.

C. YOUNG withdrew his MOTION.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 5-0-2 (Hinkle, Kempe, Petty, Woodard, C. Young, "aye"; no "nays"; Beckstrom, T. Young, "abstaining"; Draughon, Flick, Higgins, Inhofe, "absent") to direct the Staff to prepare a letter stating the Planning Commission's intent concerning CZ-86.



There being no further business, the Chair adjourned the meeting at 3:50 p.m.

Date Approved September 7, 1983

Cherry Kempe  
Chairman

ATTEST:

Marilyn L. Liddle  
Secretary

