

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1517
Wednesday, August 15, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Higgins Hinkle, Secretary Wilson Woodard C. Young, Chairman T. Young	Draughon Kempe Paddock Rice	Compton Gardner Matthews Pendergrass Wiles	Linker, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall on Tuesday, August 14, 1984, at 11:21 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Young called the meeting to order at 1:36 p.m.

MINUTES:

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to approve the Minutes of August 1, 1984 (No. 1515).

REPORTS:

Report of Receipts and Deposits:

The Commission was advised this report is in order.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to approve the Report of Receipts and Deposits for the month ended July 31, 1984.

Chairman's Report:

Receipt of Letter concerning PUD #271—Sheridan Pond.

Chairman C. Young informed he received a letter from Robert Duenner and Company raising some questions concerning Sheridan Pond (PUD #271) which is not on today's agenda (Exhibit "A-1"). He read the letter that registered Mr. Duenner's complaints. Chairman Young suggested sending this to the Staff for review and having them report back in one week as to what they find.

The owner of the perpetual easement on the subject tract, Dr. Ed Moore, 1818 East 42nd Street, informed he did not know they were using this easement for anything except what it was supposed to be used for, and he would like this matter to be looked into.

Chairman's Report (continued)

Richard Riddle, 5314 South Yale Avenue, represented Sheridan Pond. He informed they would be more than happy to assist the Staff in their investigation. He does not think this is a problem because it is a private easement. He informed that the work that is being done on the property would not interfere with Dr. Moore's rights.

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to direct the Staff to research Mr. Duenner's concerns and report their findings to the Planning Commission in one week.

Director's Report:

Resolution to Amend District 8 Plan by Adding Thereto Turkey Mountain Special District:

Ms. Matthews informed the resolution is ready for the Commission's signatures.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to approve the Resolution to Amend the District 8 Plan by adding thereto Turkey Mountain Special District as follows:

RESOLUTION NO: 1517:592

A RESOLUTION
AMENDING THE DISTRICT 8 PLAN
A PART OF THE COMPREHENSIVE PLAN
FOR THE TULSA METROPOLITAN AREA

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission did by Resolution on the 29th day of June 1960, adopt a "Comprehensive Plan, Tulsa Metropolitan Area", which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa County, Oklahoma, all according to law; and

WHEREAS, The Tulsa Metropolitan Area Planning Commission is required to prepare, adopt, and amend, as needed in whole or in part, an Official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, on the 9th day of June 1976, this Commission, by Resolution No. 1160:457 did adopt the District 8 Plan Map and Text as a part of the Comprehensive Plan of the Tulsa Metropolitan Area which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, This Commission did call a Public Hearing on the 24th day of July 1984, for the purpose of considering amendments to the District 8 Plan and Public Notice of such meeting was duly given as

Director's Report (continued)

WHEREAS, a Public Hearing was held on the 8th day of August 1984, and after due study and deliberation this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863, to modify its previously adopted District 8 Plan Text and Map as follows:

MAP AMENDMENTS

Show area bounded by the Okmulgee Beeline on the west, 71st Street on the south, the Arkansas River on the east, and the Mooser Creek alignment on the north as Turkey Mountain Special District.

TEXT AMENDMENTS

The District 8 Plan Text shall be modified by revising the indicated portions as follows:

3. POLICIES FOR SPECIFIC AREAS

In addition to the general land use policies in Section 4, which apply throughout District 8, this Section 3 establishes policies applying to the following specific areas in District 8:

Special Districts:

Skelly Drive Frontage Areas Special District
Richard L. Jones Airport Special District
Turkey Mountain Special District

Beeline Corridor

3.4 Turkey Mountain Special District

The following policies relate to the Turkey Mountain Special District. The area lies generally between Mooser Creek and 71st Street, the Beeline Expressway and the Arkansas River. The boundaries are indicated on the Plan Map.

3.4.1 Turkey Mountain Special District Goal

3.4.1.1 The purpose of this Special District is to recognize the unique physical features of the natural and man-made environment in this area.

3.4.2 Turkey Mountain Special District Objectives

3.4.2.1 This special district should provide a visual and physical anchor for River Parks development.

Director's Report: (continued)

3.4.2.2 Efforts should be made to acquire additional park land where feasible and appropriate in this area.

3.4.3 Turkey Mountain Special District Policies

3.4.3.1 A detailed plan for the development of this special district should be done.

3.4.3.2 The various elements of the development process in this special district should be integrated through the Planned Unit Development process.

3.4.3.3 Investigate the realignment of Elwood Avenue.

3.4.3.4 The river bluff areas should be protected and maintained in its natural state to the maximum extent feasible.

3.4.3.5 A variety of methods should be examined and evaluated for acquiring additional park land in this area. These methods could include, but should not be limited to, public-private ventures, donations, and grants.

3.5 Beeline Corridor Policies

Renumber from 3.4 to 3.5

4.1.1.3 Containment of all medium-intensity development and high-intensity development in the District within the Beeline Corridor, the nodes, the Special Districts (Skelly Drive Frontage Areas, Richard L. Jones Airport, and Turkey Mountain Special District), and areas previously zoned for commercial development.

5.2.2.8 Access to a north-south collector street should be added to serve existing development between 67th Street and 71st St.

5.5.2.5 Health services will be conveniently located for all residents of District 8.

Director's Report (continued)

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION that the amendment to the District 8 Plan be and is hereby adopted as part of the District 8 Plan, a part of the Comprehensive Plan of the Tulsa Metropolitan Area, and filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

BE IT FURTHER RESOLVED THAT upon approval and adoption hereof by the Tulsa Metropolitan Area Planning Commission, this Resolution be certified to the Board of Commissioners of the City of Tulsa, Oklahoma, and to the Board of County Commissioners of Tulsa County, Oklahoma, for approval and thereafter, that it be filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

APPROVED AND ADOPTED THIS 15th day of August 1984.

CONTINUED ZONING PUBLIC HEARING:

PUD #359 Bob Latch 77th Street and East side of South Memorial Drive (AG)

Chairman C. Young advised that a letter was timely filed with the Staff requesting that this item be continued to the September 12, 1984, hearing (Exhibit "B-1").

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to continue consideration of PUD #359 until Wednesday, September 12, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #369 Johnsen (Bellamah) North of NW corner of 101st Street and Mingo Rd.
(RS-3)

Chairman C. Young informed that the applicant made an oral request for the Commission to continue this item to the August 29, 1984, meeting.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to continue consideration of PUD #369 until Wednesday, August 29, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5965 Jones (M & M Investments) NW corner of 71st Street and Utica Avenue
OM to CS, and FD

Chairman Young advised the applicant sent a letter requesting that this item be withdrawn (Exhibit "C-1").

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to withdraw Z-5965 from the agenda.

Application No. Z-5969

Present Zoning: RM-1

Applicant: William R. Pitcock

Proposed Zoning: CG

Location: SE corner of Apache Street and Urbana Avenue

Date of Application: May 18, 1984

Date of Hearing: August 15, 1984

Size of Tract: .83 acre

Presentation to TMAPC by: Tom Birmingham

Address: 2727 East 21st Street

Phone: 745-0101

Relationship to the Comprehensive Plan: Z-5969

The District 3 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately .83 acres in size and located on the south side of Apache Street, between Urbana and Vandalia Avenues. It is non-wooded, flat, vacant and zoned RM-1.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property zoned IL, on the east by a gas and convenience store and strip shopping center zoned CS, on the south by single-family dwellings zoned RS-3, on the west by single-family dwellings zoned RS-3.

Zoning and Historical Summary -- Commercial zoning and development has been allowed to occur on the two south corners of Apache Street and Yale Avenue.

Conclusion -- Although the subject tract lies within the typical nodal pattern for commercial zoning, the property around the subject tract has developed otherwise. Single-family homes front the rear of the subject property. Residential development has restricted the typical 660' x 660' node for this corner and the Comprehensive Plan which designates the property as residential low intensity recognizes this situation.

Based on the Comprehensive Plan and existing land use patterns, the Staff cannot support CG or CS zoning, and therefore recommend denial of CG or CS, leaving the property zoned RM-1. RM-1 zoning will allow either low intensity multifamily or light office under a PUD or BOA Special Exception.

Applicant's Comments:

Mr. Birmingham informed they wanted the CG zoning, not for commercial use, but to develop light-office warehousing. He presented a plat and described what the buildings will be like. The buildings will be for small businesses. The property has been platted since 1955 and has not developed residential--they do not feel that it will develop residential. There is a large tract to the north of the subject tract that is basically for large industrial uses. They feel the area will support some smaller light-type office warehouse use. The units will be subject

Application No. Z-5969 (continued)

to Board of Adjustment exception, and that exception would allow the proper screening, access control, etc., to give maximum protection to the residential to the south. The subject tract is located on a major street and it has zero potential for multifamily development. There is already retail/commercial on the corner of Apache Street and Yale, and further retail development there is not economically feasible. They feel this should be approved although it is not in conformance with the Comprehensive Plan. They feel that it is in conformance with the area, the needs of the area, and the economics of the area. Mr. Birmingham presented a layout plan of a typical unit and explained it.

Mr. Gardner informed that once the zoning is put on the map, the Commission has no assurance of what will be built. There are a lot of uses allowed in CG that would be extremely detrimental to this area. He suggested that if the Commission is inclined to be supportive of what the applicant is trying to do, IL zoning would be better than commercial. They are not advertised for IL at this hearing. The only way the Planning Commission can have some assurance of what might be developed and that it will be compatible with the area is through a Planned Unit Development. Mr. Birmingham informed they would not be adverse to requesting a continuance to advertise for IL zoning or a PUD.

There was discussion about what other zoning categories or alternatives (other than CG) the Planning Commission could consider granting at this meeting without having to readvertise.

T. Young informed he does not like the idea of having IL zoning on this piece of property.

Chairman C. Young informed he does support the idea of a PUD to accomplish what the applicant is proposing.

Ms. Higgins informed she feels this is a viable project and would fit in with the area. She would be more comfortable with granting CS zoning than CG zoning.

Mr. Connery asked about the drainage in this area. Mr. Gardner described the process the applicant would have to go through. He informed any drainage problems would be taken into consideration in the platting process.

T. Young informed the only thing that would make him inclined to support CG would be that there would be less of the commercial zoning with CG than CS and the Commission could adjust where the zoning line would be located.

Ms. Higgins informed if there was CG just on one tract and the Bulk and Area of the one tract would not be enough to do anything detrimental, they would be safe with CG.

Ms. Wilson informed if the applicant's intent is what they say it is and if they are willing to be restricted by a proposed PUD, she has no problem with continuing the case and hearing it again.

Protestants: None.

TMAPC Action: 7 members present.

ON MOTION OF HINKLE the Planning Commission voted 7-0-0 (Connery, Higgins,

Application No. 5969 (continued)

Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to continue consideration of Z-5969 until Wednesday, September 26, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow the applicant to readvertise for a PUD.

PUBLIC HEARING:

Public Hearing to Consider Proposed Amendments to Title 42, Tulsa Revised Ordinances, Chapters 10 and 14, as Relates to the Termination of Nonconforming Uses within an FD Floodway District and Provisions for Amortization of Said Uses (Tulsa Zoning Code).

Mr. Gardner informed that the INCOG Staff of the Planning Commission was requested by the City Commission to call for a public hearing to amend the City Zoning Code, specifically as it relates to nonconformity of mobile home parks and mobile home subdivisions in floodways. Both Chapter 10 and Chapter 14 were advertised, but the Legal Department has determined that the best place to amend the Code that would be applicable would be just Chapter 10, Section 1050.3. Mr. Gardner read the language of the proposed amendment.

There was discussion as to the number of years a nonconforming use would have to terminate from the effective date of the Floodway Zoning. Mr. Linker suggested using the Internal Revenue Code's number of 18 years unless research was done to establish some lesser period of time that might be more acceptable.

Mr. Gardner told the Commission what would be involved in research to determine a lesser time limit.

Mayor Young informed this is before the Planning Commission at the request of the City Commission and is in relation to their overall response to flood and drainage problems. He hopes that the 18 year time-frame can be reduced.

Mr. Gardner informed that in the Staff's research they discovered there may be a shorter time that can be negotiated by the property owner and the City. There was discussion about whether language to this effect could be included in the Ordinance.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to close the public hearing.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to approve the following amendment:

1050.3 Nonconforming Mobile Home Parks or Mobile Home Subdivisions.

When at the effective date of this amendment to the Zoning Code there exists a lawful mobile home park or a lawful mobile home subdivision which would not be permitted by the terms of this Chapter or amendments thereto, such use shall be deemed a nonconforming use and shall terminate within no more than 18 years from the effective date of this amendment, or such shorter period of time as may be negotiated.

Provided, however, that mobile home uses or adjuncts thereof which are or become nuisances shall not be entitled to continue as nonconforming uses.

Public Hearing Continued on Amendment to the Tulsa Zoning Code:

Provided, further, that this subsection is not intended to prevent other use of property that is in conformity with the provisions of this Chapter or where the boundaries of the FD District are amended as provided in Section 1060 of this Chapter.

ZONING PUBLIC HEARING:

Z-5978 Griffin, Theodore SW corner of 109th East Avenue and 21st Street
OM to CS and CG

Chairman C. Young advised that the Planning Commission cannot hear this item at this meeting as the applicant has not paid his Legal News bill. There was an interested party present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, Paddock, Rice, "absent") to continue consideration of Z-5978 until Wednesday, August 29, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center, with such hearing being contingent upon the applicant paying his Legal News bill.

After this action was taken, the applicant appeared with proof of payment of the Legal News bill. The Staff explained to the applicant why this item was taken out of order. Mr. Gardner informed that the Planning Commission policy is that if the Staff is notified by Legal News that a bill has not been paid by the day of the hearing, those cases are automatically continued. Mr. Linker informed that continuances are taken at the beginning of the next meeting.

Application No. Z-5979 Present Zoning: RS-3
Applicant: Tierra Vista, Inc. Proposed Zoning: IL & FD
Location: NE corner of 51st Street and 101st East Avenue

Date of Application: June 25, 1984
Date of Hearing: August 15, 1984
Size of Tract: 1.92 acre

Presentation to TMAPC by: Gary M. McDonald Phone: 582-1211
Address: 1000 Atlas Life Building

Relationship to the Comprehensive Plan: Z-5979

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District I -- Industrial Development encouraged.

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

Staff Recommendation:

Site Analysis -- The subject tract is 1.92 acre in size and located at the northeast corner of 51st Street and 101st. It is non-wooded, flat, vacant and zoned RS-3.

Surrounding Area Analysis -- The tract is surrounded by IL Industrial zoning and development.

Zoning and BOA Historical Summary -- Past zonings have allowed industrial zoning surrounding the tract.

Conclusion -- Based on the Comprehensive Plan and the fact that the subject tract is surrounded by industrial zoning and development, the Staff recommends APPROVAL of the IL request, LESS and EXCEPT any portion within a designated floodway which is to be rezoned FD.

Comments:

Ms. Wilson asked the Staff why the City Commission is still pending on Z-5180, and Mr. Gardner informed it is still pending because no action was taken by the City. The applicant could have dropped the application before it got to the City.

Applicant's Comments:

Mr. McDonald informed this piece of property was formerly a county park-- Alsuma Park. He described the property and informed he feels the IL usage is consistent with the area.

Interested Party:

Mr. Ross Flood, the president of Tierra Vista, Inc., was present.

Protestants: None.

TMAPC Action: 7 members present.

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

Application No. Z-5979 (continued)

no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL, LESS and EXCEPT any portions within a designated floodway which shall be zoned FD:

Lots 1-24, LESS and EXCEPT the South 25' of Lots 21-24, Block 52, Alsuma Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

CZ-112 Hinshaw North of the NW corner of Peoria Avenue and 66th Street North
RS to IL

Chairman C. Young informed that advertising was not done for this case, so it needs to be continued.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to continue consideration of CZ-112 until Wednesday, August 29, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-113 Present Zoning: RS
Applicant: Shelby Satterfield Proposed Zoning: CG
Location: West of the SW corner of 21st Street and 49th West Avenue

Date of Application: June 27, 1984
Date of Hearing: August 15, 1984
Size of Tract: 50' x 214'

Presentation to TMAPC by: Shelby Satterfield
Address: 4952 West 21st Street Phone: 587-3473

Relationship to the Comprehensive Plan: CZ-113

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District I -- Development Sensitive -- No Specific Land Use or Intensity Specified. There is a potential transition area between high intensity and industrial area and low intensity.

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

Staff Recommendation:

Site Analysis -- The subject tract is .245 acre in size and located west of the southwest corner of 21st Street and 49th West Avenue. It is partially wooded, gently sloping, contains a single-family dwelling and is zoned RS.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property with truck parking zoning IM and IH, on the east by a single-family dwelling converted to a real estate office zoned CG, on the south by single-family dwellings on large lots zoned RS, and on the west by an access road and single-family dwelling zoned RS.

Zoning and BOA Historical Summary -- Past zoning cases have allowed for commercial and industrial development in the area. There has been one recent rezoning to CG Commercial General east of the subject tract.

Conclusion -- The subject tract is designated by the Comprehensive Plan as a Special District; however, it also lies within the standard 660' x 660' node. Therefore, based on the fact the property fronts 21st Street, is across from IM and IH and the fact it is adjacent to CG zoning, the Staff recommends APPROVAL of CG zoning.

Applicant's Comments:

Mr. Satterfield was present but did not wish to speak.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CG:

The East 50' of the North 264' of the West 165' of the NE/4 of the NE/4 of the NE/4 of Section 17, Township 19 North, Range 12 East,

Application PUD #372 Present Zoning: CS and RS-2
Applicant: Norman (Savage)
Location: South and East of 51st Street and Harvard Avenue.

Date of Application: June 28, 1984
Date of Hearing: August 15, 1984
Size of Tract: 4.13 acres

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

Staff Recommendation: PUD #372

Planned Unit Development #372 is 4.14 acres in size and located south and east of the southeast corner of 51st Street and South Harvard Avenue. It is vacant and zoned a combination of CS, RS-2 and PUD #325. Approval of this request would delete the 2.09 acres on the northeast corner of PUD #325 from the controls of that PUD and place it within the controls of PUD #372. The Staff has reviewed PUD #325 and find that the deletion of this tract would not affect the remaining portions of the PUD.

The applicant is now requesting to develop under this PUD a two-building addition to the County Club Plaza Shopping Center which would have access through the existing shopping center and one single-family lot that would have access to Louisville Avenue.

The Staff has reviewed the applicant's Outline Development Plan and find the proposal to be: (1) Consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #372, subject to the following conditions:

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

DEVELOPMENT AREA "A"

Area: 157,205 sq. ft. 3.61 acres
Permitted Uses: Offices and studios and uses permitted as a matter of right in the CS Commercial Shopping Center District.
Maximum Floor Area: 36,000 sq. ft.
Minimum Building Setbacks:
East Boundary, 20 feet
Southeast Boundary, 30 feet
Southwest Boundary, 30 feet
Maximum Building Height (to top of parapet): 22 feet*
Off-Street Parking: Off-street parking shall be provided as required by an applicable Use Unit.

PUD #372 (continued)

Minimum Interior Landscaped Open Space: 8 percent**

*No building shall have more than one-story provided an interior mezzanine with a floor area of not more than 25% of the first floor may be included.

**Interior landscaped open space includes landscaped yards, plazas, and pedestrian areas and interior landscaped buffers but does not include any parking, building or driveway areas.

DEVELOPMENT AREA "B"

Area: 23,203 sq. ft. .5326 acres

Permitted Uses: One single-family dwelling unit

Minimum Building Setbacks and Yards and Height Restrictions:

As required in the RS-2 Zoning District

Livability Space: As required in the RS-2 Zoning District.

Off-Street Parking: As required in the RS-2 Zoning District.

- (2) Signs within Country Club Plaza II shall comply with the restrictions of the Planned Unit Development Chapter of the Tulsa Zoning Code and the following additional restrictions:

Ground Signs:

Display Surface Area:

Maximum Per Sign: 240 sq. ft.

Maximum Sign Height above grade of abutting parking area: 18 feet*

Directional signs within the interior of Country Club Plaza II and shopping directory signs intended to inform a visitor as to the location within the center of a tenant or tenants may be freestanding if not exceeding 10 feet in height. The design of directory signs shall be uniform throughout Country Club Plaza II.

Wall or Canopy Signs:

Aggregate display surface area not exceeding 1 - 1 1/2 square feet per each lineal foot of the building wall to which the sign or signs are affixed shall be permitted. Wall or canopy signs shall not exceed the height of the building. No roof signs shall be permitted. Projecting signs shall be permitted only beneath a canopy.

*No sign shall exceed the height of an adjacent building.

- (4) No freestanding light shall exceed 18 feet in height provided that in no event shall a freestanding light exceed the height of an adjacent building.

PUD #372 (continued)

No freestanding light shall be permitted within the rear yard of any building except along the southwest boundary of Development Area "A". Lighting at the rear of the buildings within Area "A" other than along the southwest boundary of Area "A" shall be located at the adjacent rear property line and directed away from abutting residential areas. No light shall be affixed to the rear of any building in Area "A" other than along the southwest boundary thereof.

- (5) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
- (6) That a Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy of any units, including screening and landscaping as identified in the applicant's text.
- (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.

Applicant's Comments:

Mr. Norman submitted a set of plans which included a Concept Illustration, a Landscape Plan, and a Drainage Plan (Exhibit "D-1") and explained them. He informed the applicant would like to take 2 acres that is presently zoned CS and combine it with the 2.08 acres that is presently approved for 18 dwelling units. They would like to incorporate this into a continuation of Country Club Plaza II which has already been started on the east boundary of Country Club Plaza and extends southward. He submitted nine photographs of the shopping area and explained them (Exhibit "D-2"). This application is to consider creating one single-family half-acre lot which will open onto the cul-de-sac. The remaining 1-1/2 acres will be used in connection with the property to the north, subject to the PUD development standards. Mr. Norman informed he met with the owners of four homes on the north side of the creek channel and went over the project in detail with them. They gave him their verbal approval at that time. Mr. Norman described their drainage proposal for the project. He presented a letter from Sisemore-Sack-Sisemore that gives the assurance that all water that presently comes from the shopping area that would come this way will be taken directly to the Joe Creek Channel which has a 100-year capacity. He informed that none of the water that presently filters back to the east in the old channel will be allowed to do that. There will still be some water coming to the low area from the residential areas. They plan to maintain the trees on the property as a part of the transition from the commercial buildings to those single-family areas to the east. The single-family lot will have a screening fence between it and the commercial buildings. There will also be a 10' wide planting strip on the lot side (residential side) of the fence.

Mr. Norman described the strict lighting standards for the rear of the buildings. He informed that the Staff Recommendation is acceptable to the applicant.

PUD #372 (continued)

Instruments Submitted: Set of Plans (Exhibit "D-1")
Nine Photographs (Exhibit "D-2")

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughton, Kempe, Paddock, Rice, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development as recommend by the Staff:

PARCEL #1

A tract of land, containing 2.0430 acres, that is part of Lot 1, Block 1, vacated Louisville, and vacated Lot 3, Block 3, all in the Amended Plat of "SOUTHERN HILLS MALL ADDITION", an addition to the City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to wit: "BEGINNING AT A POINT", said point being the Southeast corner of Lot 1 in Block 1 of the Amended Plat of "SOUTHERN HILLS MALL ADDITION"; thence due West along the Southerly line of the Amended Plat of "SOUTHERN HILLS MALL ADDITION" for 595.19'; thence due North for 75.00'; thence due East for 290.00'; thence due North for 212.82'; thence due East for 209.05' to a point on an Easterly line of the Amended Plat of "SOUTHERN HILLS MALL ADDITION"; thence South $0^{\circ}-24'-19"$ West and along said Easterly line for 225.00'; thence North $53^{\circ}-49'-49"$ West and along a Southerly line of Lot 1, Block 1, of the Amended Plat of "SOUTHERN HILLS MALL ADDITION" for 2.78'; thence South $0^{\circ}-01'-05"$ West and along an Easterly line of Lot 1, Block 1 of the Amended Plat of "SOUTHERN HILLS MALL ADDITION" for 64.47' to the "POINT OF BEGINNING" of said tract of land.

PARCEL #2

A tract of land, containing 2.0986 acres, that is part of the W/2 of the NW/4 of Section 33, Township 19 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to wit: Starting at the Northwest corner of said Section 33; thence South $0^{\circ}-02'-00"$ West along the Westerly line of Section 33 for 1506.20'; thence South $89^{\circ}-58'-00"$ East for 50.00'; thence North $0^{\circ}-02'-00"$ East and parallel to the Westerly line of Section 33 for 678.90'; thence due East along an extension of, and along the Southerly line of the Amended Plat of "SOUTHERN HILLS MALL ADDITION", a subdivision to the City of Tulsa, Tulsa County, Oklahoma, for 676.38' to the "POINT OF BEGINNING" of said tract of land; thence continuing due East along said Southerly line for 595.19' to the Southeast corner of the Amended Plat of "SOUTHERN HILLS MALL ADDITION"; thence South $0^{\circ}-01'-05"$ West along the Easterly line of the W/2 of the NW/4 of Section 33 for 213.69'; thence South $89^{\circ}-49'-50"$ West for 25.00'; thence South $0^{\circ}-01'-05"$ West for 91.82'; thence South $89^{\circ}-49'-50"$ West for 49.36'; thence North $57^{\circ}-16'-01"$ West for 99.17'; thence North $54^{\circ}-10'-27"$ West for 177.55' to a point of curve; thence Northwesterly along a curve to the left, with a central angle of $18^{\circ}-03'-06"$ and a radius of 1047.50' for 330.03' to the "POINT OF BEGINNING" of said tract of land.

Application No. Z-5980 Present Zoning: OM
Applicant: Jeffords (Long, Frost) Proposed Zoning: CG
Location: North of the NE corner of 60th Street and Peoria Avenue

Date of Application: July 3, 1984
Date of Hearing: August 15, 1984
Size of Tract: 2 acres

Presentation to TMAPC by: Kevan Jeffords
Address: 4815 South Harvard Avenue, Suite 534 Phone: 749-1672

Relationship to the Comprehensive Plan: Z-5980

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Commercial.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2 acres in size and located on the east side of Peoria Avenue, between 58th Street and 60th Street. It is partially wooded, flat, contains an unoccupied horticultural nursery and is zoned OM.

Surrounding Area Analysis -- The tract is abutted on the north by a restaurant and other commercial and office uses zoned CS, on the east by single-family dwellings on large lots zoned OL and RS-3, on the south by an office and single-family dwelling zoned CS and OL, and on the west by a strip commercial center zoned CS.

Zoning and BOA Historical Summary -- Previous zoning actions have allowed CS zoning along Peoria Avenue.

Conclusion -- Since the Comprehensive Plan does not support CG zoning and there is no other CG zoning in the area, the Staff cannot support the application as requested. However, the Comprehensive Plan will support CS zoning and with the tract abutted on three sides by CS zoning, the Staff recommends APPROVAL of CS zoning.

For the record, if the applicant's proposed use is a boat dealership, the Staff would recommend the applicant apply for a special exception to the CS zoning if approved through the BOA to allow his particular use in a CS District.

Applicant's Comments:

Mr. Jeffords stated they would like to move a Marine Dealership to this location which would involve the sale of boats, motors, and accessories. The only changes that will be made on the lots will be to remodel the existing building and build a building immediately behind the existing building to house the repair facilities for boats. They are extending a chain-link fence across the now vacant lot. They applied for CG zoning because under CS zoning they would have to apply for an exception from the Board of Adjustment. Due to time restraints and the lease-purchase plan they have entered into, they would like to get started with this project as soon as possible. Mr. Jeffords presented an

Application No. Z-5980 (continued)

artist's rendering of the project.

Mr. Connery asked the applicant what size boats they would be selling, and Mr. Jeffords informed they would be boats for personal use.

Chairman C. Young informed that if CG zoning were approved, then all uses that could go into CG zoning by right would be allowed. These uses are a lot broader than what would be allowed in a CS district. Also, there would be other property owners in the area that would want CG zoning if this was approved.

Chairman C. Young asked how long it would take for the applicant to get the Board of Adjustment exception, and Mr. Gardner informed it would take about four weeks. Mr. Gardner informed there is a platting requirement even if the applicant is going to use an existing building. The platting process may cause the applicant more delay than any zoning would.

There was discussion about what alternatives are available to the applicant that would allow him to do what he wants to do.

Chairman C. Young informed he is opposed to CG zoning along Peoria because of the precedent it will set for others coming in wanting similar zoning.

Mr. Connery made a motion to deny this application, but that motion died for the lack of a second.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-1-0 (Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; Connery "nay"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to recommend to the Board of City Commissioners that the following described property be approved for CS zoning as recommended by the Staff:

Lots 8 and 9, Southlawn Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Application No. Z-5982 and PUD #373

Present Zoning: RS-2

Applicant: McIntosh (Norman)

Proposed Zoning: OL

Location: East of Lewis Avenue and South of 51st Street

Date of Application: July 5, 1984

Date of Hearing: August 15, 1984

Size of Tract: 5.4 acres

Presentation to TMAPC by: Charles Norman

Address: 909 Kennedy Building

Phone: 583-7571

Relationship to the Comprehensive Plan: Z-5982

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 and Low Intensity -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested OL District may be found in accordance with the Plan Map for the No Specific Land Use portion and is not in accordance with the Plan Map for the Residential portion.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5.4 acres in size and located just south of the southeast corner of 51st Street and South Lewis Avenue. It is partially wooded, sloping, contains what appears to be two large single-family dwellings and an accessory building and is zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by a shopping center and apartment complex zoned CS and RM-1, on the east by rear lots of a single-family neighborhood zoned RS-2, on the south by single-family dwellings on large lots zoned RS-2, and on the west across Lewis Avenue by an apartment complex zoned RM-1.

Zoning and BOA Historical Summary -- Past zoning actions have maintained low intensity zoning classifications on tracts fronting Lewis Avenue for a distance of 1/2 mile south of 51st Street, except for a medium office exception.

Conclusion -- Given the Comprehensive Plan designation the Staff can support OL zoning on the front-half of the tract, but the east-half is designated as Low Intensity Residential, and OL is not in accordance with the Plan. However, a review of the surrounding zoning patterns and land uses would provide the support for RM-1. Since the applicant is proposing to develop the tract under the protective conditions of a PUD as an office complex and the Code would allow the office use in an RM-1 district by exception, the Staff sees no reason to require the applicant to readvertise and go through the process again when the final results of the applicant's proposal would be the same.

Therefore, if the Planning Commission feels the proposed PUD project is appropriate the Staff would recommend APPROVAL of the requested OL zoning, LESS and EXCEPT the east 5 feet of the north 50 feet, which would prohibit access from 52nd Street.

In addition, the Staff would recommend amending the Comprehensive Plan to reflect this zoning change.

Application Z-5982 and PUD #373 (continued)

Staff Recommendation: PUD #373

The subject tract is approximately 5.4 acres in size and located just south of the southeast corner of 51st Street and South Lewis Avenue. The applicant is proposing an office complex be developed on the tract using PUD supplemental zoning.

The Staff has reviewed the applicant's Outline Development Plan and given the appropriate zoning find the proposal to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #373, subject to the following conditions:

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

Land Area (Gross):	5.376 acres
Permitted Uses:	Principal and accessory uses permitted as a matter of right in the OL District and barber and beauty shops
Maximum Floor Area:	93,500 square feet
Maximum Building Height:	3 stories over one level of parking
Minimum Building Setbacks:	
From Centerline of Lewis Ave.:	200 feet
From North Property Line:	20 feet
From East Property Line:	225 feet
From the West 1/2 of the South Property Line:	35 feet
From the East 1/2 of the South Property Line:	100 feet
Minimum Off-Street Parking:	1 space per 300 sq. ft. of floor area
Minimum Internal Landscaped Open Space:	20%
3. Signage shall be limited to one ground identification sign not exceeding 8 feet in height or 32 square feet of display surface area and illumination, if any, shall be by constant light.
4. That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
5. That a Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy of any units, including screening, fencing, and lighting as identified in the Text.

6. 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.

Applicant's Comments:

Mr. Norman submitted a set of plans (Exhibit "E-1") and described why they named this project as they did. He informed there are many pecan trees on the property and they would like to retain as many of these trees as they can. He described the surrounding area and told of the uses in the area. He informed that in the extreme northeast corner of the property there is a stub street (52nd Street), half of which stubs into the corner of the subject property and half of which stubs into the corner of a multifamily development. That street is paved to the property line; however, they are not proposing access to that street except for emergency use. There will be a crash gate prohibiting access to the street, except for emergency vehicles. Mr. Norman submitted three photographs (Exhibit "E-2") and described the shape and slope of the subject tract. This tract is isolated from any streets except for 52nd and Lewis and, by the platting of the homes on Atlanta, is precluded from developing in the single-family zoning district in which it is presently located. Mr. Norman told why they chose to advertise for OL zoning rather than some other classification. He submitted a drainage plan and described the drainage on the property. They will be required to provide detention capability on the east part of the drainage basin. He informed they are capable of complying with all of the requirements of the Hydrology Department of the City with respect to surface water drainage. Mr. Norman submitted an exhibit which shows the specific development concept which conforms to the written text and development standards applicable under the PUD. They are proposing that two buildings be permitted. The buildings will have a maximum height of three stories, and they would like to be permitted to locate one level of structural parking underneath the three stories. The buildings will be located in such a way that they will be closest to the commercial property and the multifamily project to the north. He described what the setbacks will be from the proposed buildings to the surrounding buildings and uses. Mr. Norman described the circulation of traffic on the subject tract. He also described the existing pecan trees on the subject tract. By having a three-story building, they will be able to preserve more open space and more of the existing trees on the property. Mr. Norman submitted a landscape plan and informed that because of the detention area required, they will probably lose approximately three of the trees on the property. He described the kind of pavement they are proposing to use in the detention area. The proposed material would allow parking in the area. They will only lose two pecan trees of any size in the actual location of the proposed buildings. The buildings will be located as far as possible from the residential areas to the south and to the east. Mr. Norman described the lighting restrictions they will have on the property and the screening that will be done on the property. He informed they are required in the PUD to have at least 20% of the property used exclusively for open space. They are able to meet this requirement by having the three-story buildings rather than one-story or two-story buildings.

Z-5982 and PUD #373 (continued)

<u>Protestants:</u>	Ed Clemishire	Addresses:	2425 East 53rd Street
	R. D. Woods		2447 East 53rd Street
	K. E. McNeal		5231 South Lewis Avenue
	Lois Gatchell		5208 South Atlanta Avenue
	L. E. Beaver		5205 South Atlanta Avenue
	Dorothy Beaver		5205 South Atlanta Avenue

Protestants' Comments:

Mr. Ed Clemishire informed he does not object to this project, but he is concerned about the drainage in the area. He described the drainage problems they have had and suggested that a storm sewer be put in.

Mr. R. D. Woods submitted a plat (Exhibit "E-3"). He expressed his concerns about the drainage in the area and told of drainage problems he has had. He does not think the applicant will be able to put in a detention pond that will be adequate to hold the water on the property. Mr. Woods informed he feels this proposal will be an asset to the neighborhood if they can control the water.

Mr. K. E. McNeal informed that he is not opposed to this proposal, but he is concerned about the drainage in the area. He suggested that the applicants put in a pump and pump the water to Lewis where there are adequate storm sewers.

Ms. Lois Gatchell informed her back yard abuts the subject tract. She is glad the applicants are concerned about saving the trees on the tract. She feels that this is probably the most desirable use for the subject property; however, she is concerned about the drainage in the area. Mrs. Gatchell also had three other concerns. First, she requested that the screening fence be monitored so that it does not hinder the drainage from the surrounding properties. Secondly, she wanted the Commission's assurance that 52nd Street would not be opened up for use. Thirdly, Mrs. Gatchell described the traffic problems they have in the area. She would like these problems to be addressed prior to adding to the traffic situation in the area. Mr. Gardner addressed each of Mrs. Gatchell's three concerns.

Mr. L. E. Beaver informed he is concerned about the type of paving that is going to be used in the detention pond. He was also concerned about the height of the buildings that are proposed on the property. He feels that the height of the proposed buildings is completely out of character with the rest of the buildings in the area. He is concerned that this proposal will add to the traffic problems they already have in the area. He would like the zoning on the property to remain as it is.

Mrs. Dorothy Beaver had a question about the crash gate on 52nd Street. Mr. Gardner described what the crash gate would be like. Mrs. Beaver informed she is concerned about the traffic in the area.

Interested Party: Xymena Kulsrud Address: 5220 South Atlanta Avenue

Interested Party's Comments:

Ms. Xymena Kulsrud informed she represents eight of the residences on the 5200 Block of Atlanta Avenue. She informed they are in favor of this proposal. She feels that the developer has taken the residents' feelings into consideration as far as the aesthetic environment of the building is

Z-5982 and PUD #373 (continued)

concerned. She informed she is pleased that there is going to be so much open space on the lot, so she does not mind the height of the buildings.

Applicant's Rebuttal:

Mr. Norman readdressed some of the concerns the protestants had. He informed they will not be able to solve the drainage problems in the area with their development, but they are not allowed to make the problems any worse. Mr. Norman told how they propose to pave the detention pond so that water would be able to seep through the paving material. He informed he feels this land use is appropriate for this tract, and he would like the Commission to support the Staff Recommendation.

Comments:

There was discussion about how the drainage and detention effectiveness can be insured. Mr. Norman informed that the topography of a piece of property is taken into consideration in the Planned Unit Development process. He described the detention requirements for this site and informed that the drainage is a top priority to them.

Ms. Higgins asked Mr. Norman about the slope of the detention area, and Mr. Norman described what the detention area will be like.

Ms. Wilson asked Mr. Norman if he would object to this item being "red flagged" for City Engineering and Hydrology Departments to look at. Mr. Norman informed he has no objection to the concept of giving this every attention that it should be given.

Chairman C. Young informed he is concerned about flooding on this property.

Ms. Higgins asked the Staff if the apartments in the area were required to have on-site detention, and Mr. Gardner informed those apartments were developed many years ago. If they had to meet the drainage standards of today, the people would not have nearly the problems they now have.

Ms. Higgins informed she would like the PUD conditions to say something about the screening not restricting the flood waters. Mr. Gardner informed that under Item #5 a statement could be added which would state that the design of the screening would have to be approved by the City Hydrologist.

Instruments Submitted: Applicant's Plans (Exhibit "E-1")
Three Photographs of the Subject Tract and Area
(Exhibit "E-2")
Protestant's Plat (Exhibit "E-3")

TMAPC Action: 6 members present. Z-5982

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughton, Kempe, Paddock, Rice, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned OL, LESS and EXCEPT the east 5 feet of the north 50 feet, which would prohibit access from 52nd Street.

Z-5982 LEGAL DESCRIPTION: A tract of land being a part of the SW/4 of the NW/4 of the NW/4 and a part of the NW/4 of the NW/4 of the NW/4, Section 32, Township 19 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being described by metes and bounds as follows, to wit:

Z-5982 and PUD #373 (continued)

Commencing at the NW corner of Section 32, Township 19 North, Range 13 East, said Point being the centerline of the intersection of East 51st Street South and South Lewis Avenue; thence South 0°-08'-35" West along the West line of Section 32 and the centerline of South Lewis Avenue a distance of 527.35 feet to the POINT OF BEGINNING; thence South 89°-58'-46" East a distance of 329.39 feet to a Point on the West line of Lot 1, Block 1, SPANISH GARDENS ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma; thence South 0°-00'-36" West along the West line of Said Lot 1, Block 1, SPANISH GARDENS ADDITION a distance of 132.00 feet to the southwest corner of Said Lot 1, Block 1, SPANISH GARDENS ADDITION; thence South 89°-58'-45" East along the South line of Lot 1, Block 1, SPANISH GARDENS ADDITION a distance of 329.54 feet to a Point said Point being the Southeast corner of Lot 1, Block 1, SPANISH GARDENS ADDITION and on the West line of the RESUBDIVISION of COLUMBIA TERRACE 2ND ADDITION an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, Said Point being on the centerline of East 52nd Street South; thence South 0°-03'-47" West along the West line of the RESUBDIVISION OF COLUMBIA TERRACE 2ND ADDITION, a distance of 329.75 feet; thence North 89°-58'-26" West a distance of 329.77'; thence North 0°-08'-35" East a distance of 81.00 feet; thence North 89°-58'-26" West a distance of 329.77 feet to a Point on the West line of Section 32, Township 19 North, Range 13 East; thence North 0°-08'-35" East along the West line of Said Section and the centerline of South Lewis Avenue a distance of 380.69 feet to the POINT OF BEGINNING, and containing 234,164.91 square feet or 5.376 acres, more or less.

TMAPC Action: 6 members present. PUD #373

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development with the addition of the language that Condition #5 state that the screening fence be approved by the Hydrology Department:

PUD #373 LEGAL DESCRIPTION:

A tract of land being a part of the SW/4 of the NW/4 of the NW/4 and a part of the NW/4 of the NW/4 of the NW/4, Section 32, Township 19 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma being described by metes and bounds as follows, to wit:

Commencing at the NW corner of Section 32, Township 19 North, Range 13 East, Said Point being the centerline of the intersection of East 51st Street South and South Lewis Avenue; thence South 0°-08'-35" West along the West line of Section 32 and the centerline of South Lewis Avenue a distance of 527.35 feet to the POINT OF BEGINNING; thence South 89°-58'-46" East a distance of 329.39 feet to a Point on the West line of Lot 1, Block 1, SPANISH GARDENS ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma; thence South 0°-00'-36" West along the West line of Said Lot 1, Block 1, SPANISH GARDENS ADDITION a distance of 132.00 feet to the Southwest corner of Said Lot 1, Block 1, SPANISH GARDENS ADDITION; thence South 89°-58'-45" East along the South line of Lot 1, Block 1, SPANISH GARDENS ADDITION a distance of 329.54 feet to a Point, Said Point being the Southeast corner of Lot 1, Block 1, SPANISH GARDENS

Z-5982 and PUD #373 (continued)

ADDITION and on the West line of the RESUBDIVISION OF COLUMBIA TERRACE 2ND ADDITION an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, Said Point being on the centerline of East 52nd Street South; thence South $0^{\circ}-03'-47''$ West along the West line of the RESUBDIVISION of COLUMBIA TERRACE 2ND ADDITION, a distance of 329.75 feet; thence North $89^{\circ}-58'-26''$ West a distance of 329.77'; thence North $0^{\circ}-08'-35''$ East a distance of 81.00 feet; thence North $89^{\circ}-58'-26''$ West a distance of 329.77 feet to a Point on the West line of Section 32, Township 19 North, Range 13 East; thence North $0^{\circ}-08'-35''$ East along the West line of Said Section and the centerline of South Lewis Avenue a distance of 380.69 feet to the POINT OF BEGINNING, and containing 234,164.91 square feet or 5.376 acres, more or less.

On MOTION of WILSON, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, T. Young, "absent") to direct the Staff to advise the City Commission in the record of this case of the concerns for drainage to the extent that the Planning Commission feels that there needs to be on-site inspection by the Hydrology Department in reviewing the specific drainage plans for this site.

Application No. PUD #374
Applicant: Lewis Partners (Moody)
Location: NE corner of 21st Street and Lewis Avenue

Present Zoning: CS, OL

Date of Application: July 5, 1984
Date of Hearing: August 15, 1984
Size of Tract: 2.14 acres

Presentation to TMAPC by: John Moody, Attorney
Address: 4100 BOK Tower

Phone: 588-2651

Staff Recommendation: PUD #374

The subject tract is slightly over 2 acres in size and located at the northeast corner of 21st Street and South Lewis Avenue. It extends east along 21st Street to Atlanta Avenue. It contains a 7-story office building located adjacent to the intersection zoned CH Commercial High Intensity, with the remainder of the tract being used as a surface parking lot zoned OL Office Light. The applicant is proposing to use PUD supplemental zoning to: 1) expand the existing office building 6 feet east into the area zoned OL, (2) place a 2 to 3-story parking structure on the middle portion of the tract, and (3) erect a drive-in bank facility at the corner of Atlanta Avenue and 21st Street.

The Staff has reviewed the submitted Outline Development Plan (revised many times from the original concept) and have identified still one area of significant concern. Our concern consists of providing the proper buffering and screening along the back side of the parking facility where it abuts the rear yards of several single-family homes. We would recommend that, in addition to what the applicant has proposed in his Development Plan, the Detail Site Plan include elevations showing the material and specific design and that these plans be reviewed by the abutting owners prior to being submitted to the TMAPC for approval and that the Detail Landscape Plan show significant landscaping either on the applicant's property or, if agreed to, on individual abutting property owners' land. The Landscape Plan should also be reviewed by the abutting property owners prior to submission to the TMAPC.

Given these additions, the Staff finds the proposal to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #374, subject to the following conditions:

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

Land Area:	2.14 acres
Permitted Uses:	General Office Building, Parking Garage, and Drive-in Bank Facility*
Existing Floor Area:	66,000 sq. ft.

PUD #374 (continued)

Maximum Additional Floor Area:	37,530 sq. ft.**
Maximum Floor Area Proposed:	90,000 sq. ft.
Maximum Building Height:	
Office Building;	7 stories
Parking Garage;	3 levels
Bank Facility.	1-story
Minimum Landscaped Open Space:	15 Percent
Minimum Building Setbacks:	
Office Building:	
From Centerline of 21st St.;	Existing
From Centerline of Lewis;	Existing
From North Property Line.	12 feet
Parking Garage and Bank Facility:	
From Centerline of Atlanta Ave. (excluding drive-in bank canopy);	70 feet
From Centerline of 21st Street;	50 feet
From North Property Line.	10 feet
Minimum Off-Street Parking:	Per Code for each use.

- (3) That signage shall meet the requirement of the PUD Ordinance.
- (4) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit, including elevation showing detail design of the parking facility.
- (5) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including significant landscaping along the northern property line and screening fences to buffer abutting single-family.
- (6) 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.

*No medical uses permitted.

**Maximum permitted under existing zoning.

Staff Comments:

Mr. Gardner informed that from the standpoint of the expansion of the building, the only thing the Commission is looking at is a 6-foot wide strip on the east. He submitted a parking study which was done on this tract and explained it (Exhibit "F-1"). The Staff knew that parking and traffic would be an issue.

Applicant's Comments:

Mr. Moody represented the 2021 Lewis Partners. He informed that this is basically a renovation project of the existing building on the property. He submitted an aerial photograph which identifies the significant buildings and features in the area (Exhibit "F-2"). He feels that what is

PUD #374 (continued)

proposed is consistent with the development in the area. Mr. Moody informed that the intersection of 21st and Lewis presently has approximately half of the traffic capacity that it was designed to accommodate. This project has direct access to the Broken Arrow Expressway, so they feel they have very compatible traffic access to the site. He described the existing structure and informed that previously the building was used principally by medical or medically supported professions which generated traffic on the property and in the adjacent neighborhood. The existing building and property is 100 percent paved. They feel that this project will be a vast improvement over the existing property prior to the acquisition by Mr. Moody's clients. Mr. Moody described the property and told about the design of the building. He told the Board what they could do on the property by right and described the renovation that will be done on the building. Mr. Moody described the slope of the property and the drainage on the property. He informed that this proposal will do two things: (1) It will increase pervious landscaped open area by 15 percent of the total site area which is not presently in place, and (2) it will provide a complete collection system on the entire property--all runoff generated on the property will be collected on-site and will ultimately be disposed of and placed into the storm sewer system under the streets. There will be on-site detention provided on the roof-top of the parking structure as a detention facility and in other parking areas within the site. Mr. Moody presented a scale model of the project and described the proposed parking garage which was the main concern of the Staff. He informed they have provided a traffic-flow which has entrances and exits from the parking garage to limit and control the amount of traffic that will go onto South Atlanta Avenue. He submitted a plan showing this proposal (Exhibit "F-3"). Mr. Moody informed they have agreed with the Homeowners Association in the area to provide, on their property, an island and curb-cut design that will prevent and prohibit left turns onto Atlanta Avenue. They have agreed to work with the abutting property owners in installing landscape materials on the property of the abutting property owners, if they desire, so they will have a pleasing exterior view of the parking garage rather than just a view of a screening fence. They will erect a 7-foot high screening fence along the entire north boundary of the property.

Jim Manzelmann, 3038 South Utica Avenue, described the basic design of the parking garage and the building and the types of materials that will be used.

There was discussion about the heat that would be blown from the building roofs onto the abutting residences.

Mr. Moody informed he agrees with the Staff Recommendation except they would like to request that they be permitted to have at least up to 10 percent of the floor area permissible for medical/dental related facilities. They do anticipate that there will be at least a dentist's office at this location.

Interested Parties: Charles Crane Addresses: 2444 East 20th Street
David Von Loesecke 2448 East 20th Street

Interested Parties' Comments:

Mr. Charles Crane represented the Lewiston Gardens Homeowners Association. He informed they were initially very concerned about the proposed development and were prepared to fully contest it because of the potential

PUD #374 (continued)

of Said SW/4 SW/4 SW/4; THENCE North $89^{\circ}-52'-35''$ East a distance of 20.25 feet to the Southwest corner of Lot Five (5), Block Two (2) of BARNARD ADDITION to the City of Tulsa, Oklahoma; THENCE North $89^{\circ}-52'-35''$ East along the South Boundary of Said BARNARD ADDITION a distance of 279.88 feet to a point in the West Boundary of Lot Six (6), Block Three (3) of WILMAC-KNOLL ADDITION to the City of Tulsa, Oklahoma; THENCE Due South along the West Boundary of said Addition a distance of 140.25 feet to a point 24.75 feet from the South Boundary of Said SW/4 SW/4 SW/4; THENCE South $89^{\circ}-50'-58''$ West parallel to and 24.75 feet from the South Boundary of Said SW/4 SW/4 SW/4 a distance of 275.20 feet; THENCE Northwesterly on a curve to the right having a radius of 25.00 feet, a central angle of $89^{\circ}-50'-58''$ for a distance of 39.20 feet; THENCE Due North parallel to and 29.75 feet from the West Boundary of Said SW/4 SW/4 SW/4 a distance of 115.45 feet to the point of beginning; LESS AND EXCEPT the parcel of land on which the footprint of the existing building sits more particularly described as follows:

BEGINNING at a point 29.75 feet East of the West Boundary and 165.15 feet North of the South Boundary of Said SW/4 SW/4 SW/4, THENCE North $89^{\circ}-52'-35''$ East a distance of 20.25 feet to the Southwest corner of Lot Five (5), Block Two (2) of BARNARD ADDITION to the City of Tulsa, Oklahoma; THENCE Due South 32.16 feet to the POINT OF BEGINNING; THENCE Due East 100 feet; THENCE Due South 83 feet; THENCE Due West 100 feet; THENCE Due North 83 feet to the POINT OF BEGINNING.

Application No. Z-5981
Applicant: Jones (Grace Fellowship Church)
Location: East side of Memorial, 8700 Block

Present Zoning: AG
Proposed Zoning: OL

Date of Application: July 5, 1984
Date of Hearing: August 15, 1984
Size of Tract: 10 acres

Presentation to TMAPC by: William B. Jones, Attorney
Address: 201 West 5th Street, Suite 400 Phone: 581-8200

Relationship to the Comprehensive Plan: Z-5981

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 and Development Sensitive.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 10 acres in size and located on the east side of Memorial Drive, at 87th Street South. It is partially wooded, gently sloping, contains a church building and related parking, and is zoned AG Agriculture.

Surrounding Area Analysis -- The tract is abutted on the north and east by vacant property zoned AG, on the south by a single-family dwelling and detached accessory building zoned AG and on the west by a developing single-family subdivision zoned RS-3 and PUD.

Zoning and BOA Historical Summary -- Previous zoning decisions in the area, for the most part, have been limited to typical RS zoning patterns within the subdistrict. Residential single-family is located directly west of the subject tract, across Memorial Drive.

Conclusion -- The Staff cannot support the spot OL zoning as requested due to the location of the subject tract being outside the node and because it is abutted to the west by residential single-family zoning and development. It is the opinion of the Staff that church use or low density residential zoning would be the highest and best use for the subject tract. The Staff does note the difficulty of utilizing the subject structure if not used as a church, but we do not feel this is justification for a change to office zoning. Therefore, the Staff recommends DENIAL of OL zoning.

Staff Comments:

Mr. Gardner informed this was advertised in the alternative for RM-1, so that can be a consideration.

Applicant's Comments:

Mr. William B. Jones described the subject tract and the existing building on the property. He informed that the property was used for quite some time as a church site. The nearest residential property to the subject tract is approximately 600 feet away. He informed that his client would like to buy the subject tract to locate their corporate headquarters on. They would like to convert the existing building to an office building

Z-5981 (continued)

for use by a company that could use an auditorium facility. They will build their corporate headquarters on the rear of the property. The property now has two points of ingress and egress--he showed where these are located. He informed that the attendance at the church was so great that there was a bad traffic problem in the area. The church property has 560 parking spaces, and what they are proposing to do would only require 95 parking spaces. Mr. Jones informed they are planning to come in with a Planned Unit Development so the project can be controlled and restricted. There is a large 2-acre detention facility on the east end of the property and a creek on the north side of the property. He described the drainage on the property. Mr. Jones described how the proposal would be located on the property. He informed there is only one way to exit the property to go south on Memorial Drive.

Chairman C. Young informed he would like to continue this item until a PUD is filed.

There was discussion about the applicant's alternatives to achieve what he wants to do on the property.

Protestant: Chris Pisas Address: 8771 South Memorial Drive

Protestant's Comments:

Mr. Chris Pisas informed he has been before the Commission before because the church at one time tried to expand and they were denied expansion because three-fourths of the subject tract is in a floodplain. He described the flooding problems on the property. Mr. Pisas informed he does not object to office zoning, but he does object to any type of further building on the property because it will take more out of the floodplain. He informed they are dumping rock in the creek on the property.

T. Young informed Mr. Pisas that if there is a PUD there can be some very strict restrictions placed on the development.

Interested Party: Bill Donovan Address: 5215 East 71st Street

Interested Party's Comments:

Mr. Donovan informed he is a member of the church that owns the subject property. The church members want to see the property sold. He informed that the subject property has the proper zoning to be a school. He informed that the rocks that were dumped on the subject tract were dumped without the church's knowledge.

Comments:

Chairman C. Young informed he feels that some sort of accommodation could be reached with a PUD filed. There does need to be some tight controls on the floodway, landscaping, access, etc. Something will have to be done to keep this from being as much of a precedent as it looks like it will be.

T. Young informed he thinks he could support three acres of RM-1 fronting Memorial in order to get the PUD in to work on. Part of this tract is located in a FEMA designated floodway. He would need to see what treatment can be given to that part of the land outside of the designated floodway but in the floodplain that would make it a sellable project to the City Commission.

Z-5981 (continued)

Mr. Gardner suggested that if the majority of the Board is leaning toward granting about three acres of RM-1, they could go ahead and make that decision and instruct the Staff not to transmit the Case, but to withhold it until the PUD comes forth. The applicant needs something that says the Commission is favorable toward this.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, Wilson, "absent") to express, as a consensus of opinion, favorability of up to three acres of RM-1 on the subject property.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, Wilson, "absent") to continue consideration of Z-5981 until September 12, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #272-A Olsen (Wallace, Lucenta) West and South of the SW corner of 81st
Street and Sheridan Road (CS, and RM-0)

Chairman C. Young informed he received a letter of continuance from the applicant (Exhibit "G-1"). The letter was not timely filed.

There were interested parties present.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to continue consideration of PUD #272-A until Wednesday, August 22, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #131-C-1 Murphy 14th Street and Garnett Road

Minor Amendment for Lot Split

Chairman C. Young informed this item needs to be continued for one week.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to continue consideration of PUD #131-C-1 until Wednesday, August 22, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #198-C-1 Kester Southcrest Office Park

Minor Amendment of Setback

Chairman C. Young informed this item needs to be continued for one week.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to continue consideration of PUD #198-C-1 until Wednesday, August 22, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #366 Dimension Properties (Green) 59th Street between Quincy Avenue and Quincy Place

Chairman C. Young informed the applicant requested by letter that this item be continued to the August 22, 1984, meeting.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to continue consideration of PUD #366 until Wednesday, August 22, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Progress Report:

Industrial Plan Cost Figures for "Other Actions"

Bob Pendergrass from INCOG informed that in the proposed Industrial Plan they recommended 11 activities for the Commission to review and to make possible recommendations to work into INCOG's work program and to try to get groups like the Chamber of Commerce involved.

Chairman C. Young asked if there are presently any funds available for any of the projects or if it was all monies that would have to be requested in future budgets, and Mr. Pendergrass informed all the monies would have to be requested. Mr. Pendergrass informed they do have some indication of support, in terms of the information system component, from the Chamber of Commerce. Exact dollar amounts would depend on the detail work program.

Chairman C. Young informed that the total of all the projects together is not that excessive. He suggested that, unless the City Commission has monies that they can call upon now, all these projects will be

Progress Report: (continued)

included in next year's budget process.

T. Young suggested that Chairman Young express to the City Commission the Planning Commission's belief that these are tasks that should be undertaken as soon as possible. He feels there are some of the costs that can be absorbed in the current year.

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Connery, Higgins, Hinkle, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Paddock, Rice, "absent") to send the report to the City Commission with the recommendation that all of these projects deserve consideration, and if there is any money in the present budget process, funding for some or all of the projects should be considered at the present time.

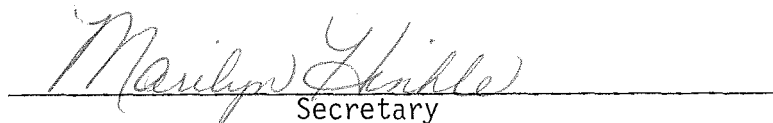
There being no further business, the Chair adjourned the meeting at 5:37 p.m.

Date Approved

August 29, 1984.


Chairman

ATTEST:


Secretary