

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1532
Wednesday, November 28, 1984, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Kempe, Chairman Paddock, Secretary Rice VanFossen Wilson, 1st Vice- Chairman Woodard Young	Draughon Higgins	Brierre Compton Frank Gardner Holwell	Linker, Legal Department Thomas, Traffic Engineer

The notice and agenda of said meeting was posted in the Office of the City Auditor on Tuesday, November 27, 1984, at 11:30 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice Chairman Marilyn Wilson called the meeting to order at 1:39 p.m.

MINUTES:

The Commission was unable to approve minutes due to an error on the Agenda which incorrectly stated that the minutes of November 21, 1984, meeting No. 1530 would be approved rather than those of November 14, 1984, meeting No. 1530.

REPORTS:

Committee Report:

Rules and Regulations Committee:

Mr. Paddock informed the Rules and Regulations Committee held a meeting November 21st to review and update the Rules and Procedures governing the Commission, and the Code of Ethics and Policies by which the Commission will govern itself in the future. He further informed there will be additional meetings in coming weeks and the Committee hopes to be in a position sometime after the first of the year to make a final report.

Director's Report:

Mr. Lasker presented the Resolution Amending the Major Street and Highway Plan to the Commission and informed of a diagram attachment to the Resolution which shows the parkway standards as described in the Staff Recommendation as requested by the Commission at the meeting of November 21st.

Mr. Lasker further informed that he had discussed the parkway width question with the City Engineer and other transportation policy people and it is the general feeling that "the minimum" phrase be used in response to the question in last week's meeting as to

Director's Report: (continued)

whether the parkway width should be a minimum or maximum of 150'. He stated the City Traffic Engineer, Bill Thomas was present to answer questions regarding this matter.

Mr. Paddock and Mr. VanFossen questioned Mr. Thomas, Traffic Engineer, regarding the 150' standard. Mr. Thomas informed that a width over 150' was not necessary for the parkway. In response to a question from Mr. VanFossen as to the reason for defining minimum or maximum or whether to define it as either, Mr. Thomas informed that the parkway could be completed with only 92' of right-of-way, but the additional 58' is for utilities and landscaping; 150' gives the opportunity for median and landscaping along the road.

Mr. VanFossen informed that the residents and citizens of Tulsa are concerned about the possible need to increase the width to over 150'. He further questioned whether there is a reason to say why the width should not be exactly 150'.

Mr. Thomas stated there is no reason to exceed 150', but where additional width is available it should be used to make more of a park-like atmosphere on the roadway.

Mr. VanFossen questioned Legal Counsel regarding a reason to define the width as anything other than 150'.

Mr. Linker informed that there is no reason to define this as anything other than 150' except to take that action would require further notice; however, the City Commission can take this action. The Planning Commission can make its feelings known by vote, but to make changes in the resolution would require giving notice and going through the process again. The Planning Commission could vote and forward information to the City Commission and it could take that into account in its action.

Mr. VanFossen stated that the Commission's Resolution did not have the standards in it at the time it was adopted.

Mr. Linker stated that he had heard both that the Commission had voted on the resolution with the standards and had voted without the standards having been passed upon. He further stated that if the Commission had voted on the resolution without standards being acted upon it was in trouble and notice would have to be given and the process started over again to adopt the standards. Mr. Linker stated that he was not at the meeting in which the Resolution was adopted, but the attorney who had been at that meeting said the standards were adopted at that meeting.

Mr. Connery stated he felt that the Commission did not adopt the standards.

Mr. Wilson asked Mr. Thomas if 150' is all that is needed for the parkway. She further questioned whether the term "minimum" is for the future should land be available and whether land would go toward more landscaping and wider median.

Director's Report: (continued)

Mr. Thomas stated that in some locations there is more than 150' now, but 150' is all that is needed and if there is more than that, it should be made use of if it is not needed for parks or residence. If more width is not available, 150' is sufficient.

Mayor Young informed that even though there is confusion concerning the maximum or minimum width, or simply just to say 150', the Commission is caught in a dilemma of having to have a new public hearing in order to make any changes--he, Mr. Linker and Mr. Lasker feel the appropriate action is for the Planning Commission to adopt the resolution as currently presented and to express, in motion, concerns the Planning Commission has about that language and other concerns that the Planning Commission believes the City Commission should consider. The City Commission has three options then: (1) adopt it in total as sent up; (2) send it back to Planning Commission and have continued Public Hearings until it is in a form we want; or (3) adopt the plan in part. He further stated that he and Mr. Linker had discussed this the day before and State Statutes allow City and County Commissions to adopt plan amendments in whole or in part. At the City Commission level, a majority of the Commissioners have expressed an interest in adopting this resolution only in part because there is additional fact finding that is expected to occur regarding a portion of Riverside Drive. The possibility exists that the City Commission might send a part of the plan back to the Planning Commission and ask that a Public Hearing be continued on a date certain requesting some additional modification in the standards that would be adopted by the City Commission at a later date. This could be accomplished within about a 30-day period of time. He felt, therefore, that the motion should be acted upon and sent to the City Commission for action.

Mr. VanFossen made a motion for adoption of the Resolution as presented.

Mayor Young requested that the motion be expanded to ask the City Commission to review the standards with regard to the maximum/minimum issue and also to review the application of the standards for that portion of Riverside Drive north of Interstate 44.

Mr. VanFossen questioned the issue of if the resolution is not adopted, with Riverside Drive remain an expressway.

Mayor Young informed that the expressway designation would be deleted for the entire length. This deletion would include the entire distance of the proposed expressway. The designation of the parkway may be adopted for the entire length and apply the standards only to a portion of the parkway or the parkway may be adopted only for the area south of Interstate 44 until the standards are clarified and can apply the parkway to the remaining portion.

Mr. Paddock informed that he was in favor of the motion, but had a minor change in the text of the resolution. He moved that the parentheses be deleted from the parenthetical phase in paragraph "b". He felt that if anything is put in parentheses it means that

Director's Report: (continued)

it really is not important to the meaning of what is being written; he felt that the parenthetical phrase was an integral part of that clause and should, therefore, contain no parentheses.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-1 (Connery, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; Rice, "abstaining"; Higgins and Draughon, "absent") to approve the resolution as submitted and to ask the City Commission to review the standards with regard to the maximum/minimum issue and also to review the application of the standards for that portion of Riverside Drive north of Interstate 44.

CONTINUED ZONING PUBLIC HEARING:

Applications No. Z-5969 and PUD No. 381 Present Zoning: RM-1 (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: November 28, 1984
Size of Tract: .83 acre

Presentation to TMAPC by: Tom Birmingham, Attorney
Address: 2727 East 21st Street Phone:

The applicant was present; no interested parties.

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: Z-5969

Site Analysis -- The subject tract is approximately .83 acre 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, and on the west by single-family dwellings zoned RS-3.

Zoning and Historical Summary -- Commercial zoning and development has been limited to the two south intersection 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 had developed otherwise. Single-family homes side and 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 these physical features.

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.

Staff Recommendation: PUD #381

The applicant has submitted PUD #381 as previously encouraged by the Commission for review and approval. The applicant proposes to develop

PUD #381 and Z-5969 (continued)

the project in two phases: Phase I--5,500 sq. ft. and; Phase 2--10,615 sq. ft. The total project floor area is 16,113 sq. ft. for the facility. A total of 31 parking spaces is proposed which is inadequate. Office uses, Use Unit 11, require one parking space per 300 sq. ft. of gross floor area which would be a minimum parking requirement of 54 spaces. Other Trades and Services, Use Unit 15, requires one space per each 400 sq. ft. of gross floor area. The Staff supports a mix of 25% office and 75% warehouse which meets the general purposes of the PUD Text and can be accommodated by the site with a reduction of the total floor area to 13,750 sq. ft. and CS zoning on the north 100 ft. of the east 174.6 ft. of the net site. This will meet the floor area requirement of .5 maximum under the PUD for the gross site. The Staff is also suggesting that RM-1 zoning remain on the balance of the site.

Access is shown on the plan from Zion Street. This curb cut is approximately aligned with Vandalia Avenue adjacent to the southeast corner of the development area. No access should be supported to the commercial area from Vandalia and Zion Avenues at this location due to the potentially hazardous traffic pattern this would create with through traffic to Apache Street mixing with the commercial and business traffic on this site. No screening is indicated on the plot plan to screen this location from adjacent residential areas on the south and west. A 6-foot privacy screening fence should be installed on the south boundary and on the west boundary, south of the access drive to Urbana Ave. The access drive on the south side of the building is indicated to be 15 feet--this width is inadequate for even oneway traffic when consideration is given to access to the building's rear for commercial purposes or for emergency vehicles. This drive should be a minimum of 21 feet in width.

Given the above review and modifications, the Commission could 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.

If the TMAPC gives favorable consideration to rezoning the north 100 feet of the east 174.6 feet of the net site CS and the balance to remain RM-1, the Staff suggests the following conditions of approval:

- (1) The applicant's Development Plan and Detail Text shall be made a condition of approval, unless modified herein.

	<u>Submitted</u>	<u>Suggested</u>
(2) Development Standards:		
Land Area (Gross):	62,658 sq. ft.	62,658 sq. ft.*
(Net):	39,360 sq. ft.	39,360 sq. ft.
Permitted Uses: Office and Warehouses		As permitted by right in a CS District excluding bars, night-clubs, taverns and dancehalls and including Use Unit 15. Other

PUD #381 and Z-5969 (continued)

Trades and Services.

Maximum Floor Area:

Phase I	5,500 sq. ft.	13,750 sq. ft. total with a mix of 25% office and 75% related warehouse uses.
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Phase II	10,615 sq. ft.	
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Maximum Building Height:	One-story	One-story
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Minimum Off-Street Parking:	31 spaces	38 spaces minimum as required per the Zoning Ordinance.
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Minimum Landscaped Area:	1,175 sq. ft. (3%)	1,968 sq. ft. (5%)
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Minimum Building Setbacks:

From centerline of Apache	110 ft.	110 ft.
From centerline of Urbana	50 ft.	50 ft.
From centerline of Zion	40 ft.	50 ft.
From East Boundary	10 ft.	10 ft.

Signs:	None specified.	Signs shall be in conformance with the PUD Chapter of the Zoning Ordinance.
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*Gross area calculations for PUD do not include 1/2 of the right-of-way for Zion Street. Half the street right-of-way for Apache is considered to be 55.5 feet.

- (3) A 6-foot privacy screening fence shall be installed on the west boundary (south of the entrance to Urbana only) and on the south boundary along Zion Avenue.
- (4) No ingress or egress shall be permitted to this development on adjacent developments from Zion Avenue.
- (5) Trash and utility areas shall be so screened as to not be visible from the ground level of adjacent residential areas.
- (6) Architectural treatment of the south and west elevations shall be generally compatible with that of the north elevations.
- (7) All freestanding exterior lights shall be so located and designed to direct light away from adjacent residential areas. Light fixtures mounted on buildings shall be so designed to direct light downward and against the proposed buildings.
- (8) That a Detail Site Plan which meets all approved PUD conditions be submitted for TMAPC approval prior to issuance of a Building Permit.

PUD #381 and Z-5969 (continued)

- (9) That a Detail Landscape Plan and Sign Plan shall be submitted for review and approval by the TMAPC prior to occupancy.
- (10) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants, conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Discussion:

Mr. Gardner informed this application is companion to PUD #381 which was filed separately after the zoning case. This is a continued item with the Staff Recommendation having been read at a previous hearing. It was continued so the applicant could file the Planned Unit Development so that the specific request and use might be limited to just what was requested by the applicant rather than conventional zoning.

Mr. Gardner further informed that given the review and modifications, the Commission could find the proposal to be consistent with the Plan, in harmony with the existing and expected development of the area and a unified treatment consistent with the purposes of the Zoning Code. Mr. Gardner noted the following changes recommended by the Staff: Total floor area between Phase I and Phase II not exceed 13,750 feet with 25% office and 75% warehouse space, there is a small change in the minimum landscape open space, there is an increase in the parking spaces from 31 to 38 to meet the Ordinance. In addition, this particular use has been tied to the Use Unit 15 and bars, nightclubs, taverns and dancehalls have been excluded.

Mr. Paddock asked if there was any significance attached to the use of the phrase "the Commission could find the proposal to be in accordance with" and Mr. Gardner informed if the zoning is approved, the Commission could find it; if the zoning is not approved it would not be in compliance anyway.

Presentation:

Mr. Birmingham, representative for the applicant, William R. Pitcock, submitted a plot plan and described it to the Commission (Exhibit "A-1"). He informed the area is immediately south of an IL district and there was some discussion why it should not be rezoned IL since the applicant wants to do light warehousing. He noted the Planning Commission has requested to see a PUD on the project for the controls it imposed due to the residential area located to the south.

Mr. Birmingham informed this is an area where there is a lot of vacant IL zoning and the applicant is trying to develop some small office/combo warehouse spaces for small businesses that would locate here; e.g., electrical contractors, plumbing and heating concerns. These tenants would bring in only a small amount of money per square foot. Mr. Birmingham noted three areas of the Staff Recommendations he would like to see modified: (1) The square-footage of 16,115 is vital to making this plan feasible; it is planned to be developed in two phases with Phase I consisting of two units which would be rented, then the developer would see if the area would economically support the other phase, but approval of both phases would be necessary for financing. The office

Z-5969 and PUD #381 (continued)

to warehouse ratio requirement of 25% would require that 25% of a potentially small unit be devoted to office which would hurt marketability. He requested this be changed to "some office" or 300 square feet of minimum office, but not 25% because this takes away flexibility and increases project cost and could make it unfeasible; (2) he felt the 15' driveway at the rear is adequate for oneway travel and access to the units; and (3) the proposal for 31 spaces is adequate. He further felt that 38 parking spaces is asking too many spaces for the type of development since this parking would be used by employees and service vehicles and there wouldn't be a volume of customers going in and out.

Other Discussion:

Mr. VanFossen questioned Mr. Birmingham regarding the 15' access on the south and whether there is no need for access or drive around that. Mr. Birmingham informed the access for the structures is on the north side. Mr. VanFossen questioned if this could be deleted and required as landscaping and Mr. Birmingham informed there must be some access there for emergency vehicles, etc. Mr. VanFossen informed he didn't feel the 15' is adequate.

Mr. VanFossen questioned Mr. Birmingham if he felt the 25% should be maximum office space, not necessarily at least 25% and Mr. Birmingham informed the Staff is saying there will be a minimum of 25% office and we feel that is too much based on the type of development.

Mr. VanFossen questioned Mr. Gardner if the 25% office space requirement is related to square-footage and Mr. Gardner informed anything less than 25% in office doesn't hurt because less parking is needed when there is more warehouse and the office space figure is used to calculate parking spaces. Mr. Gardner further informed there isn't enough parking even for warehouse use under Use Unit 15. Mr. VanFossen questioned what the requirement was for warehouse usage and Mr. Gardner informed this proposal is basically Use Unit 15 which would be at least 1 per 400 square feet.

Mayor Young informed that he computed 35 parking spaces would be required if all 14,000 square feet recommended would be warehouse. 40 spaces would be required for 16,000 square feet of warehouse space. He noted this appears to be basically a warehouse facility and offices there would be associated with operation of the facility--receptionist, telephone. He questioned if there is a need to discuss this as office space in the conventional sense or could it just be considered a warehouse facility and Mr. Gardner informed it could, but even calculated 1 per 400 that is minimum and if he has any successful clients there is a need for more than minimum parking requirements. He further informed the 35 spaces is the minimum required under the Ordinance if this was all warehouse and it is strictly a minimum. If the applicant has one retailer or one business service, more parking would be required.

Mr. Gardner noted Mr. Birmingham said this would be developed in two phases to determine if there is a market, but he knows there must be a certain amount of square-footage to finance. He further noted that if the development meets the Code and can be accommodated and he builds Phase I or Phase 1 and 2 is strictly a market question. Mr. Birmingham advised that Mr. Pitcock has no problem with the PUD restrictions to warehouse use only.

Z-5969 and PUD #381 (continued)

Mr. Birmingham also advised the parking would be strictly for the tenant businesses and the parking would be adequate for this. Ms. Wilson questioned if he wanted to give up office space and go strictly warehouse and he said he did except he would like the offices as receptionist and storage area to support the warehouse. Ms. Wilson also questioned if Mr. Birmingham envisioned having any businesses loading and unloading during day and night hours since there are residential areas nearby and he advised that all loading and unloading would be on the north side of the building which faces Apache Street where there is no residential.

Mr. Gardner inquired if Mr. Birmingham would have a problem with the property being restricted to Use Unit 15 and he said he wouldn't have a problem with that. Ms. Kempe questioned Mr. Gardner about what this Use Unit 15 would do in regard to the Standards of the PUD and he informed this would change the number of parking spaces from 38 to 35 and the maximum amount of floor area would be less than the proposal. Item #8 would cover him on the Detail Site Plan which meets all approved PUD conditions and PUD conditions and Ordinance requirements could be added when maximum amount of floor area would be less than the proposal. Item #8 would cover him on the Detail Site Plan which meets all PUD conditions and Ordinance requirements could be added.

Ms. Wilson inquired about type of building materials to be used and Mr. Birmingham informed it would be metal with stone detail on the front. Ms. Wilson further inquired if there would be something similar on the back side and he said there would.

Mr. Birmingham noted that Mayor Young pointed out six parking spaces could be located on the west side of the structure which would give 37 spaces. Mayor Young informed a zero setback on the east would be required which would give approximately 15,000 sq. ft. of floor space.

Mr. Gardner advised the structure could be built to a size which would allow adequate parking space. Mayor Young advised there could be up to about 15,000 square feet of warehouse space with the current property unless there was some other way of putting in parking spaces. Mr. Birmingham inquired if the square-footage was the key to the parking 1 per 400 and Mayor Young advised the Commission was trying to tie back to what the Code provides. He further advised when the Detail Site Plan is presented, the Commission would review number of parking spaces versus square-footage of the building. Mr. Birmingham noted this would give flexibility to float square-footage with the parking.

Mr. VanFossen questioned whether this issue could be answered at this point, because setback requirements could be met. He advised he could not go along with less than the Staff Recommendation and questioned whether it would be wise to continue this item. Mr. Gardner informed there are screenage, signage, Detail Landscape Plan and Detail Site Plan requirements for Area "A", as well as subdivision plat, meeting requirements of Section 260 of the Zoning Code.

Mr. Gardner advised the Commission could allow Use Unit 15 only with parking of 1 per 400 square feet and noted the proposal is dependent on the number of parking spaces.

Z-5969 and PUD #381 (continued)

Mayor Young noted the east boundary might need to be changed to zero at Urbana and Mr. Gardner advised the east boundary would probably be the only building line needing to be changed. The Commission could give a zero east boundary with a notation that that would require meeting the City Fire Code.

Ms. Kempe informed this zoning request and PUD would require two different motions.

Mr. Paddock indicated he agreed with the Staff Recommendation and would deny the request for rezoning and would like to take up the PUD separately. Mr. Connery informed he supported Mr. Paddock. He would not vote to support either the zoning change or the proposed development at this location since he felt it would be an encroachment on the RS-3 area and the majority of the proposed development would not improve the area since it would be a warehouse operation at a major intersection.

Mayor Young informed he regretted the Commission had spent so much time on the PUD if it wasn't going to approve the zoning and that he was against the motion for denial. Ms. Kempe advised she was in agreement with Mayor's comments since this item had been returned by the Commission for the PUD.

Mr. Paddock informed he could not support the PUD as he could not see how a PUD for 9/10 acre with the physical features of this tract could meet plan and development requirements of Chapter 11. Mayor Young noted he agrees with Mr. Paddock's assessment for the requirements of the PUD, but he felt this would be an innovative approach to building in North Tulsa under conditional rezoning if the Commission approves the PUD.

TMAPC Action: 8 members present. Z-5969

On MOTION of YOUNG, the Planning Commission voted 7-1-0 (Connery, Kempe, Rice, VanFossen, Wilson, Woodard, Young, "aye"; Paddock, "nay"; no "abstentions"; Higgins and Draughon, "absent") for approval of Z-5969 with minimum off-street parking per Zoning Ordinance, minimum setbacks be changed to zero feet on the east and a notation that a firewall be constructed on the east boundary, on the following described property:

Legal Description for Z-5969:

Lots 1, 2, 3, 4, & 5, Block 2, Smithdale Addition, City of Tulsa, Tulsa County, Oklahoma.

TMAPC Action: 8 members present. PUD #381

On MOTION of YOUNG, the Planning Commission voted 6-2-0 (Kempe, Rice, VanFossen, Wilson, Woodard, Young, "aye"; Connery, Paddock, "nay"; no "abstentions"; Higgins and Draughon, "absent") for approval of PUD #381 with 16,113 square-foot floor area, parking by Ordinance and zero lot line boundaries on the east lot line, on the following described property:

Legal Description for PUD #381:

Lots 1, 2, 3, 4 and 5, Block 2, Smithdale Addition to the City of Tulsa, Tulsa County, Oklahoma.

Applications No. Z-5981 & PUD #382 Present Zoning: AG (AG)
Applicant: Jones (Grace Fellowship, Inc.) Proposed Zoning: OL, RM-1 & FD
Location: East of Memorial at 87th Street

Date of Application: July 5, 1984
Date of Hearing: November 28, 1984
Size of Tract: 10 acres

Presentation to TMAPC by: Bill Jones
Address: 201 West 5th Street, Suite 400 Phone:

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 and RM-1 Districts may be found in accordance with the Plan Map.

Staff Recommendation: Z-5981

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 Recommendation: PUD #382

On August 15, 1984, the TMAPC voted to continue this case and indicated a consensus of approval for up to three (3) acres of RM-1 on the subject tract. The applicant has now submitted the requested PUD for review and approval by the TMAPC.

The proposed PUD is divided into two areas: Development Area "A"-- Office; and Development Area "B"--Park, Greenbelt, and Floodway. The two development areas are separated by an existing creek channel. Development Area "A" lies west of the creek and has frontage on South Memorial and Development Area "B" lies east of the creek. Considering

Z-5981 and PUD #382 (continued)

the Staff's recommendation for denial of the requested zoning, "Suggested Standards" have been formulated to be in basic compliance with the TMAPC consensus of granting the applicant three (3) acres of RM-1 zoning. This can be accomplished by confining RM-1 zoning to the west 400 feet of this tract as measured from the section line. This depth will also generally comply with the zoning given in this particular area farther to the north and south of the subject request.

The applicant has proposed renovation of the existing church building in Development Area "A" which has an area of 28,800 sq. ft. and a new three-story building with an area of 43,200 sq. ft.--72,000 sq. ft. of total office area. This would considerably exceed the permitted .4 floor area ratio for three acres of underlying zoning and far exceed the Staff's suggested zoning for RM-1 on the west 400 feet of the tract. The suggested limits of zoning and PUD would allow the applicant 52,838 sq. ft. of office area or an increase of 24,038 sq. ft. beyond the existing building.

Given the above review and modifications, the Commission could 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.

If the TMAPC gives favorable consideration to rezoning the west 400' of the subject tract to RM-1 (an area of 3.03 acres), the Staff suggests the following conditions of approval:

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

DEVELOPMENT AREA "A"--OFFICE

Land Area (Gross):	5.53 acres	240,999 sq. ft.
(Net):	4.62 acres	201,369 sq. ft.

Submitted Suggested

Permitted Uses:	Principal & Accessory Uses permitted by right in an OL District and set forth in the Zoning Code on the date of filing PUD #382 and magazine and cigar stand, barber and beauty shops, flower shop, eating places (except drive-ins), school and church.	Same
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Maximum Floor Area:	72,000 sq. ft.	52,838 sq. ft.
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Maximum Building Height: (Exclusive of Mezzanines & below grade floors).	3 stories	3 stories
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Minimum Building Setbacks:

PUD #382 and Z-5981 (continued)

From Centerline of South Memorial Drive	170 ft.	170 ft.
From South Property Line	35 ft.	35 ft. for existing building & 35 ft. plus 2 ft. for each 1-foot of building height for new buildings if the abutting property is within an RS, RD, or RM District.
From East Boundary Line of Development Area "A"	25 ft.	25 ft.
Minimum Off-Street Parking:	240 spaces	1 space for each 300 sq. ft. of gross floor area and as required by the Zoning Ordinance.
Minimum Landscaped Area:	Not Specified	15%

DEVELOPMENT AREA "B"--PARK, GREENBELT & FLOODWAY

Land Area:	4.46 acres	194,069.2 sq. ft.
Buildings:	None	
	<u>Submitted</u>	<u>Suggested</u>
Permitted Uses:	Park, Greenbelt, Water Detention or Retention facilities and access thereto, utility lines and equipment, open area recreational facilities and those uses permitted by right in an FD District and set forth in the Zoning Ordinance on the date of filing PUD #382.	Same

- (3) That Development Area "A" shall be screened by a 6-foot privacy fence extending along the north and south boundaries from Memorial to the east where said boundaries are intersected by the Creek channel.
- (4) Signs shall be in compliance with the PUD Chapter of the Zoning Code and a sign plan shall be submitted to the TMAPC for review and approval prior to installation.
- (5) That a Detail Landscape Plan be approved by the TMAPC prior to the granting of occupancy for any building in Development Area "A" and generous landscape treatment be given to the north and south boundaries of said development area.
- (6) That a Detail Site Plan and Text for Development Area "A" be approved by the TMAPC prior to the issuance of a Building Permit.

Z-5981 and PUD #382 (continued)

- (7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants, the conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

Mr. William B. Jones, 201 West 5th Street, Suite 400, attorney representing the applicant, Atherton and Murphy Investment Company, presented copies of the proposed nine (9) unit development (Exhibit "B-1"). He informed this tract is narrow--330 feet north to south and the property line is 1,197 feet. He noted this tract is unusual in this respect and much of the tract is located on the 100-year floodplain of the Haikey Creek channel. He stated that he felt the proper zoning should technically be OL or RM-1 within the boundaries of that portion of property outside the 100-year floodplain, an area of approximately 4.4 acres. He also noted this property, developed by Grace Fellowship Church, has been developed prior to Memorial Drive being developed and widened with nearby tracts zoned AG. Tracts across the street are zoned RS-3 with PUD.

Mr. Jones advised the only use his client would have for the property would be in an office classification which includes renovation of the existing church building. The proposed development would consist of two development areas: Development Area "A" consisting of 43,200 square feet or an area in excess of 4 acres located outside the floodplain; and Development Area "B" would be utilized for recreational purposes.

Mr. Jones noted he had several problems with the Staff Recommendations. In regard to the size of the structure, he felt the tract meets the PUD requirements for being unique in size and shape and not an ordinary tract for office or residential development. If the building exceeds 35', the 2' setback would be no problem; however, he felt it was not unreasonable to expect a density of 72,000 square feet on a 10-acre tract. He further felt the Staff was not questioning density, but the possibility that other applicants would try to come in and change zoning from AG. He informed there is RM-1 zoning on locations at 81st Street and Memorial Dr. and at 91st Street and Memorial Drive. Under the PUD approximately 90% of the 10-acre tract would be left open, thus he felt the 20,000 square feet in building over what was recommended by the Staff was not unreasonable.

Mr. Jones advised that approximately 60% of the area would be in its natural state and he felt that confining the 15% landscaping to Development Area "A" was high.

Mr. Jones informed he felt the Staff Recommendation for the stockade fence on the north boundary until it hits the creek was unnecessary.

Mr. Jones noted he had discussed his proposal with Mr. Piasias, owner of the adjacent property and he had no problems with the development, but requested the fence which had been erected by the church be extended back further on the property. He advised this action would be taken. Additionally, he informed all lighting for parking would be indirect, low lighting, would meet police requirements for security lighting and would be away from Mr. Piasias' property.

Z-5981 and PUD #382 (continued)

Mr. Jones also noted there are currently 580 parking spaces with little landscaping. Under the proposal, this number would be reduced to 240 spaces and landscaping would be added where it doesn't currently exist.

Staff Comments:

Mr. Gardner informed the Staff feels the 400' frontage is significant due to future zoning applications in the Memorial area. He further informed frontage of less than 400' is permitted under the Plan. Under the PUD there is the benefit of the intensity; without a PUD dimensions of a similar nature north, south or to the west if no PUD is filed would result in working with a net of substantially less than 400', possibly in the neighborhood of 250' or 300' because the right-of-way on the east side of Highway #64 is more than 60' from the centerline.

Discussion:

Mr. Paddock questioned Mr. Jones on the direction the water travels on the property and Mr. Jones informed it crosses into a detention pond on the east side of the property and then backs into the channel.

Mr. Paddock also questioned Mr. Jones as to what lesser amount of footage he would suggest if the Commission recommended approval that the PUD for the west 400' be rezoned RM-1 and Mr. Jones felt it should follow the 100-year floodplain which would create a logical dividing line.

Mayor Young noted that on August 15, when Mr. Jones had appeared before the Commission, he had asked for an opinion of the Commission as to RM-1 zoning on 3 acres, now increased to 4.4 acres. Mayor Young also questioned Mr. Jones if the proposal would still be viable if the Staff Recommendation was adopted and Mr. Jones stated he didn't know. Mr. Atherton, the applicant, stated it would be marginal.

Mr. Jones noted the channel was not an improved channel; it has trees, debris, etc. in it. Mr. Connery mentioned there had been some illegal dumping on the back of the property which diverted the water flow and asked what was being done about the problem. Mr. Jones informed they were working on a proposal to prevent dumping. Mr. Connery noted that a commitment has been made to look into and correct the illegal dumping problem and noted he couldn't understand why the hydrologist said not to do anything about the property. He informed he was not in opposition to the proposal, but wanted to ascertain if the dumping that had been reported contributed to a problem with redirection of waterflow, thus causing additional drainage problems. Mr. Jones further informed the channel could be cleaned out, but the Federal Emergency Management Agency (FEMA) has control over any modification as to how the flood water is currently handled.

Interested Parties: Mr. Christ Pias Addresses: 8771 South Memorial
 Mr. Bill Donovan Suite 1200, 5215
 East 71st Street

Interested Parties' Comments:

Mr. Pias informed he is the neighbor directly to the south of this site. He felt cleaning out the channel would cause more of a problem to his land as the tributary would make a 90 degree turn and would cause an

Z-5981 and PUD #382 (continued)

overflow in the retention area and a greater possibility of flooding on his property. He further informed he did not object to the change of zoning since the church had caused numerous traffic problems and he felt this development would be an improvement as long as there would not be a large volume of traffic.

Ms. Wilson questioned Mr. Piasias about how far he lived from the development and he stated his home is approximately 300' from the property line to the south. Ms. Wilson also questioned whether Mr. Piasias received water near the house from the drainage on this property and he informed he did not.

Mr. Donovan informed he represents Grace Fellowship Church and clarified the question of the Memorial Day flood; the detention area worked well.

Other Discussion:

Mr. VanFossen noted there is 200,000 square feet of usable land in Development Area "A" and the proposed square-footage appeared to be viable and questioned Mr. Gardner as to why the Staff was recommending only 52,000 square feet. Mr. Gardner advised in order to accommodate what the applicant wants, there needs to be 550' of RM-1 zoning from the section line east into the property. He further advised the 400' would give the 3 acres which was suggested to the applicant to go back and return for PUD that fit that standard.

Mr. VanFossen requested an entire review of the Memorial strip between 81st and Bixby to reanalyze the business traffic. He also advised he strongly supports this type of development in this area because he feels there is a problem using Memorial for residential, which was the original aspect and feels this would be a viable benefit to the area. If only the front portion (400') was zoned, there would be an unusable strip within this property, but the development would still make economical sense and would make good use of what is now an "eyesore".

Commissioner Rice questioned Mr. Gardner as to whether there is any way the requirements could be accommodated without changing the zoning that is recommended by the Staff and Mr. Gardner informed 550' could be zoned, but that was all. In order to obtain more intensity than the .4 under the RM-1 or OL you would have to get to .5 which is OM, medium intensity and is in violation of the Comprehensive Plan and the site was not advertised for that.

Mayor Young questioned if 550' would still keep the zoning line west of the drainage channel and Mr. Gardner said it would. Mayor Young noted he felt that was a factor responsible to Mr. VanFossen's comments in that if the Commission chose to protect the Memorial frontage from higher intensity zoning and forced development toward the interior in a residential category, the creek would present a problem. Any residential development would occur east of the creek which would give this plan a unique factor to justify an additional amount of RM zoning. He requested the record reflect the reason the Commission considered the depth was because of the channel.

Mayor Young questioned Mr. Jones if an additional condition could be added requiring the property owner to maintain the channel where it

Z-5981 and PUD #382 (continued)

crosses the property and Mr. Jones advised it would not be objectionable.

Mr. Paddock questioned Mr. Gardner if there was any merit in Mr. Jones' concern about the 15% landscape requirement being restricted to Development Area "A" and if it could be lowered and a portion assigned to Development Area "B". Mr. Gardner noted that in observing the drawing even if the open space is excluded there would still be at least 10% of the open space. He informed the Commission could reduce the amount to 10% and that the open space did not have to come from Area "A", but could come from the whole development.

Mr. VanFossen noted he agrees with the Staff's Recommendation and he would not support changing the 15% requirement as he felt it needed to be kept in the area of the development. He further noted he felt there was adequate land to support the requirement.

Mr. VanFossen noted there is a green area on the north in the fence line and he felt it would be better not to have the fence and suggested that, in the future, the fence recommendation should be "if desired by the abutting property owner". Mayor Young noted the proximity of the fence to the drainage channel could be an obstruction to flow.

TMAPC Action: 8 members present.

On MOTION of YOUNG, the Planning Commission voted 8-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Higgins and Draughon, "absent") to approve the Staff Recommendations and for rezoning to RM-1 to a depth of 550' with the rest of the tract to be FD and AG.

Other Comments and Discussion:

Ms. Wilson noted Item 3 of the Staff Recommendations for PUD #382 should be amended to include the extension of the fence on the south boundary where it would not interfere with water flow.

Mr. Gardner informed FD does not have a floor area ratio and suggested this area could be defined as that portion which is out of the FD on the west side with RM-1 for up to the 72,000 square feet of floor area. Mr. VanFossen questioned if it could be defined as the floodplain of this date not to exceed 72,000 square feet since the dimension it would take is unknown and it helps identify the reason for making this change from the normal so there would be no precedent set. Mr. Gardner informed legally floor area ratio would be defined where FD boundary is and suggested if it takes all the property west of the FD to get to 72,000 sq. ft. that would be the motion; if less than that, a line could be physically drawn where there is property between the FD line and the RM-1 line that remains AG. He further informed that might not quite get the 72,000 sq. ft.

Mr. Jones advised he would furnish a certified survey showing a quantum of land that would support the 72,000 sq. ft. lying wholly within the west of the existing floodplain limited to just enough land for the 72,000 square feet.

Ms. Kempe advised there was a motion for 550' and Mr. VanFossen questioned if that supported the 72,000 square feet. Ms. Kempe said it did not

Z-5981 and PUD #382 (continued)

support the 72,000 and Mayor Young advised the Staff said 550' of RM-1 would support the application. Mr. Gardner submitted that was before the FD was added because the 550' will include some FD; it appears if the area shown as Phase I was shown RM-1, there would be slightly less than 72,000 square feet and east of that would be FD. The only question is how much of the eastern portion of land is also FD.

Mayor Young questioned if the Commission was ready to hear this case and stated that no one seemed to know where the zoning line should be located. Mr. Gardner advised the area was originally to be treated as 3 acres and now the discussion is about more than 4 acres, which has confused the issue.

Mayor Young advised that he was withdrawing his motion. Ms. Kempe advised this motion had already been voted upon and the vote on the motion would have to be reconsidered and the question reopened.

TMAPC Action:

Mr. VanFossen moved that the area of Development Area "A" outside of the flood district be zoned RM-1. Ms. Kempe advised the Commission would first reconsider the vote on the motion for zoning and reopen the matter for discussion and new motion.

Mr. Gardner informed he thought this would work if the phrase "up to 72,000" was inserted because the area might be a little more, but looks less. Mr. VanFossen advised he had no problem with that.

TMAPC Action: 8 members present. Z-5981

On MOTION of PADDOCK, the Planning Commission voted 8-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Higgins and Draughon, "absent") to approve enough RM-1 to support up to 72,000 square feet of floor area with the balance to remain AG and FD.

Legal Description for Z-5981

The North-half of the North-half of the Northwest Quarter of the Southwest Quarter (N/2, N/2, NW/4, SW/4), Section Thirteen (13), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

TMAPC Action: 8 members present. PUD #382

On MOTION of VANFOSSSEN, the Planning Commission voted 8-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Higgins and Draughon, "absent") to approve the Staff Recommendation but changing the 52,000 sq. ft. to 72,000 sq. ft., change the 15% to 10%, delete the north screening fence and adding two conditions agreed to by the applicant; applicant would maintain the channel and would provide low and indirect lighting and any required Police Department security lighting.

Legal Description for PUD #382

The North-half of the North-half of the Northwest Quarter of the Southwest Quarter (N/2, N/2, NW/4, SW/4), Section 13, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma.

Z-5981 and PUD #382 (continued)

Other Zoning Discussion:

Ms. Wilson mentioned Mr. VanFossen's discussion regarding a proposed study from 81st and Memorial to Bixby and advised this was the second time this had been brought up and this might be a good time to direct the Staff to do study on land uses. Ms. Kempe questioned Mr. Gardner as to the earliest date the Staff could undertake a special study of Memorial from 81st to Bixby and he informed it would take about 90 to 120 days. Ms. Kempe directed the Staff to prepare a study on land uses from 81st and Memorial to Bixby after the first of the year.

ZONING PUBLIC HEARING

Application No. Z-6016
Applicant: Sublett (61st Corp.)
Location: NE/c 61st & 89th E. Ave.

Present Zoning: RM-T
Proposed Zoning: OL

Relationship to Comprehensive Plan

The District 18 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 OL District is not in accordance with the Plan Map.

Staff Recommendations:

Site Analysis -- The subject tract is approximately 3 acres in size and located at the northeast corner of 61st Street and South 89th East Avenue. It is non-wooded, flat, vacant, and zoned RM-T.

Surrounding Area Analysis -- The tract is abutted on the north by a developed single-family subdivision zoned RS-3, on the east by vacant property and a developed townhouse development zoned RM-T, on the south by mostly vacant property zoned RM-1, and on the west by duplex development zoned RS-3.

Zoning and BOA Historical Summary -- Low intensity townhouse development has been allowed on the subject tract and RM-1 apartment zoning is abutting to the south.

Conclusion -- Based on the Comprehensive Plan and existing zoning patterns, the Staff cannot support the OL request, with no other office zoning in the area the approval would create spot zoning. The Staff, therefore, recommends DENIAL of the OL request.

Comments and Questions:

Applicant present; no interested parties.

Mr. Sublett, applicant, presented pictures of the site and an aerial photo of the area (Exhibit C-1). Mr. Sublett informed the property is under contract to acquire subject to changing of zoning from RM-T to OL. He informed there is a great deal of multifamily housing including townhouses, condominiums and rental apartment units. A large apartment project located west of the subject property is under construction nearing completion. South of the tract is a large tract currently zoned RM-1. Mr. Sublett advised the area is currently saturated with multifamily dwellings and he felt a single story office building zoned OL would tend to complement the area. There is commercially zoned property located east and west at the intersections of 61st and Memorial and 61st and Mingo.

Mr. Sublett informed he is not surprised at Staff's Recommendation for denial due to its consideration as spot zoning. He advised he had discussed the zoning change with area residents and they do not like having apartments in the neighborhood primarily because of the height. The homeowners do not like to have people looking down from the two-story dwellings. Mr. Sublett advised he had sent letters to neighbors and had held meetings with neighbors of the community with a resulting positive response. He advised they prefer the OL classification to the RM-T classification and definitely do not want more apartments or rental units.

Mr. Sublett presented a petition (Exhibit C-2) signed by 17 homeowners in the immediate area who support the proposed zoning change from RM-T to OL. He advised this project would lessen the density from the RM-T, the lower height of the project and restricting to a 25% coverage on the site.

Mr. Sublett further informed he felt this development would alleviate community concerns including traffic--a small business concern would have traffic only during daylight hours, there would be little noise and traffic on weekends and evenings. Residents are concerned that there be limited access, possibly only off 61st street, but the primary concern is that of a two-story structure with people looking into their residences.

Mr. Sublett advised that of the five families whose homes abut the site, four families have approved it and support the zoning application.

Mr. Paddock noted Mr. Sublett's contention there is an excess of multifamily dwellings on the market in Tulsa and advised there appears also to be an excess of office space and questioned Mr. Sublett in this regard. Mr. Sublett advised there is an excess of larger office buildings and larger users of office space, but area surveys tend to show the smaller office buildings continue to maintain a high occupancy rate.

Ms. Wilson inquired if Mr. Sublett limited his survey to a one-block radius when speaking with area residents and he affirmed he restricted his survey to people in the immediate vicinity, those who would be immediately effected.

Ms. Wilson further inquired if Mr. Sublett had found no one against this zoning change and he informed that with the exception of two people who stated they were not opposed to it and wanted to remain neutral, everyone else agreed to sign the petition.

Mayor Young asked Mr. Gardner if RM-T and RM-1 and OL are considered to be low intensity and Mr. Gardner said they are but this area has specific designation of residential and that part of the plan map would have to be amended. Mayor Young questioned if the word "residential" after low intensity makes it not in accordance and Mr. Gardner informed it was.

Mr. Paddock questioned Mr. Gardner if the applicant could go to the Board of Adjustment and get a special exception for office classification and Mr. Gardner informed he could not because the Ordinance doesn't permit it. The Ordinance states that RM-1 equates to OL; RM-2 equates to OM and if you have those the Board can grant special exception, but RM-T does not qualify.

Mayor Young questioned Mr. Gardner as to when the area residences were built and Mr. Gardner informed they were built several years prior to the properties that abut them was changed from AG to RS-3 to RM-T. He further questioned if these residences were in place when the RM-T was approved and Mr. Gardner advised they were.

Mr. VanFossen questioned if this site had been requested RM-1 within a PUD, would there be problems and would it get away from the spot zoning problem. Mr. Gardner informed if the property had been zoned RM-1 there would be no problem with the PUD office tract; this was considered in the Staff Recommendation and RM-1 would not be recommended for approval in this location.

Mayor Young questioned why Staff would not recommend RM-1 and Mr. Gardner stated it was because single family homes were there first, RM-T is much lower density, much more restrictive and primarily designed for ownership; therefore RM-T, RD and RS-3 are the only categories that would be recommended for approval.

Mr. Connery informed the design appeared to be a complement to the office buildings across the street and to the west on 61st Street and would seem to serve as a good buffer to the single family residence to the north on 61st. Mr. Gardner expressed a concern the office could be a funeral home or pharmacy which would be allowed under OL zoning.

Mayor Young informed he was not supportive of this rezoning and felt the residents might have supported RS-3 or RD zoning if they realized these options were available. Mr. Paddock advised he supported the Staff Recommendation for denial because of the District Plan, the physical facts and because the application represents spot zoning. Mr. Connery noted 61st Street is already spot zoned on both sides.

Instrument Submitted:

Picture of Site (Exhibit C-1)
Petition of nearby property owners (Exhibit C-2)

TMAPC Action: 8 Members present. Z-6016

On MOTION of PADDOCK, the Planning Commission voted 7-1-0 (Kempe, Paddock, Rice, VanFossen, Wilson, Woodard, Young, "aye"; Connery "nays"; no "abstentions"; Higgins and Draughon "absent") to DENY a request for OL zoning on the following described property:

Lots 1 through 33, Block 1, Farmington Addition to the City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5620-SP-4
Applicant: Cox (State Farm Insurance)
Location: S of SE/c Memorial & 91st

Present Zoning: CO
Proposed Zoning: CO

Date of Application: October 16, 1984
Date of Hearing: November 28, 1984
Size of Tract: 3 acres

Presentation to TMAPC by: Mr. Jack Cox
Address: 1323 S. Baltimore

Phone: 583-7588

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- (10 acres, SE corner) and Low Intensity, N.S.L.U. on the balance. All of the property is designated Potential Corridor.

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

Staff Recommendation:

Site Analysis -- The subject tract is located south of the southeast corner of 91st Street and South Memorial Drive and has a frontage of 225 feet. It has a gross area of 3.0 acres.

Surrounding Area Analysis -- The tract is vacant and is abutted to the north, east and west by vacant property. South of the subject tract is an apartment complex.

Conclusion -- The applicant has submitted a Site Plan which the Staff has reviewed and finds the proposal to be: (a) consistent with the Comprehensive Plan; (b) in harmony with the existing and expected development in the area; (c) a unified treatment of the development possibilities of the site; (d) designed in a manner that provides proper accessibility, circulation, and functional relationship of uses; and (e) consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of Z-5620-SP-4, subject to the following conditions:

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

Development Area "A" -- West 289 Feet

Land Area: 65,025 sq. ft. 1.49 acres

Permitted Uses: Automobile Insurance Claims Adjustment Office
with Evaluation Area.

	<u>Submitted</u>	<u>Recommended</u>
Maximum Floor Area:		
Office Area	9,295 sq. ft.	9,295 sq. ft.
Evaluation Area--3 Bays	1,307 sq. ft.	1,307 sq. ft.
Maximum Building Coverage:	16.3%	16.3%
Maximum Parking Height:	21 feet	21 feet
Minimum Parking Spaces:		
Employee (includes 2 handicapped)	75 spaces	75 spaces
Future Employees	8 spaces	8 spaces
Guest (includes 2 handicapped)	9 spaces	9 spaces
Minimum Building Setbacks:		
From Centerline of Memorial	150 feet	150 feet
From North Property Line	22 feet	22 feet
From South Property Line	29 feet	29 feet
From East Limit of Development	118 feet	118 feet
Sign:	One 6' wide x 8' high sign on a 10' pole not taller than 18' above finished grade.	Same
Screening:	6' tall privacy fence on south boundary line.	Same
Landscaping: (Minimum Area)		
Interior Area	12,568 sq. ft. or 19%	12,568 sq. ft. or 19%
Exterior Along Memorial:	11,700 sq. ft.	11,700 sq. ft.

Development Area "B" -- East 291.8 Feet

Land Area: 65,655 sq. ft. 1.51 acres

No Detail Site Plan approval is requested at this time and therefore future development on this site will also require Site Plan approval.

- (3) Subject to review and approved conditions by the T.A.C. in the platting process.

- (4) Subject to the proposed common access drive from Memorial being constructed and in place to the east boundary of Development Area "A" prior to the granting of occupancy of the proposed facility.
- (5) That a Detail Site Plan and Text for Development Area "B" be approved by the TMAPC prior to issuance of a Building Permit.
- (6) That a Detail Landscape Plan be approved for each Development Area by the TMAPC prior to occupancy and special treatment be given to the south boundary of Development Area "A" where it abuts the multifamily residential uses.
- (7) That no damaged vehicles be stored on the premises and no tools for repair of vehicles be maintained in the "Evaluation Area".
- (8) That no Building Permit shall be issued until the requirements of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the Corridor conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments:

Mr. Gardner informed this is zoned Corridor. The site plan review includes two development Areas "A" and "B". Area "A" is an automobile claims adjustment office. Area "B" is a future area of development but applicant will be platting it at this time. There were no differences between Staff Recommendations and proposals of applicant. Mr. Gardner emphasized items (5) and (7) of the Staff Recommendations. He informed the phrase "along with Covenants" should be inserted at the end of the item (5) of the Staff Recommendations because there will be supplemental Covenants later. Applicant is bound by a site plan and will have to return at a later time for review by the Commission prior to receipt of building permits.

Applicant's Comments:

Mr. Bob Cannon, representative of E. Casteel Co., Phoenix, Arizona, representing State Farm, informed that there is nothing within the Staff Recommendations they could not live with and would abide with the comments of the Staff.

TMAPC Action: 8 Members present. Z-5620-SP-4

On MOTION of RICE, the Planning Commission voted 8-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins "absent") to recommend to the Board of City Commissioners that the following described property be zoned C0 per the Staff Recommendation with the amended condition on item (5) that the phrase "along with covenants" be inserted:

A tract of land lying in the Northwest Quarter of Section 24, T18N, R13E of the Indian Base and Meridian according to the U.S. Government Survey thereof in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the Northwest corner of said Section 24; thence Due South along the West line of said Section a distance of 960 feet to a point, thence $N89^{\circ}37'44''E$ and parallel to the North line of said Section 24 a distance of 60 feet to the Point of Beginning; thence Due North a distance of 225 feet to a point; thence $N89^{\circ}37'44''E$ a distance of 580.80 feet to a point; thence Due South a distance of 225.00 feet to a point; thence $S89^{\circ}37'44''W$ a distance of 580.80 feet to the point of Beginning, containing 2.9999 Acres, more or less.

Application No. PUD 383
Applicant: Johnsen (Moulin Brant)
Location: N of NE/c 54th & Lewis

Present Zoning: OL
Proposed Zoning: OL

Date of Application: October 18, 1984
Date of Hearing: November 28, 1984
Size of Tract: 1.1 Acres

Presentation to TMAPC by: Mr. Roy Johnsen
Address: 324 Main Mall

Phone: 585-5641

Ms. Kempe informed a request had been received to continue this item until December 12, 1984. She questioned if there were any protestants present and there were none.

Mr. Gardner advised that Notices of Applicant had been sent to protestants.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Wilson, Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Woodard "absent") to continue consideration of PUD 383 until Wednesday, December 12, 1984, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

Applications No. Z-6017 and PUD No. 384 Present Zoning: AG (AG)
Applicant: Johnsen (H. A. Windors) Proposed Zoning: IR and IL
Location: South side of 71st Street and West of Arkansas River

Date of Application: October 18, 1984
Date of Hearing: November 28, 1984 (continued to 12/12/'84)
Size of Tract: 9.75 acres, more or less

Presentation to TMAPC by: Roy Johnsen
Address: Phone:

Relationship to the Comprehensive Plan: Z-6017

The District 9 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 District," the requested IL and IR Districts are not in accordance with the Plan Map.

Staff Recommendation: Z-6017

Site Analysis -- The subject tract is 9.75 acres in size and located east of the southeast corner of 71st Street South and Elwood Avenue. It is partially wooded, sloping steeply, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property zoned AG, on the east by City of Tulsa Sewage Treatment Facility zoned AG, on the south mostly vacant property with some scattered single-family dwellings zoned AG, and on the west by vacant property zoned AG.

Zoning and BOA Historical Summary -- Board of Adjustment approval has allowed a sewage disposal facility (Use Unit 2) east of the subject tract.

Conclusion -- Based on the Comprehensive Plan and existing zoning and land use patterns, the Staff cannot support the IR or IL request as it would be considered spot zoning, not consistent with the Comprehensive Plan; and therefore, recommend DENIAL of the application.

For the record, the Staff could support OL zoning if properly advertised which is a may be found in accordance with the Comprehensive Plan.

Staff Recommendation: PUD #384

The subject tract is approximately 9.75 acres in size and located east of the southeast corner of 71st Street South and Elwood Avenue. It is partially wooded, steeply sloping, vacant, and has a companion Zoning Case (Z-6017) where the applicant is requesting IR or IL underlying zoning.

The Staff has reviewed the proposed development and cannot support the PUD since we cannot support the underlying zoning as it is considered spot zoning, not in conformance with the Comprehensive Plan. Therefore, the Staff recommends DENIAL.

For the record, if any of the underlying zoning were to be approved and the PUD considered, the Staff would suggest that the following conditions be made a part of the approval:

Z-6017 and PUD #384 (continued)

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

	<u>Submitted</u>	<u>Suggested</u>
Land Area: (Gross)	±9.75 acres	±9.75 acres
Permitted Uses:	As permitted within an IR Industrial Research District and including Use Unit 15, Other Trades and Services, Use Unit 23, Warehousing & Wholesaling, and Use Unit 25, Light Manufacturing.	As permitted within an IR Industrial Research District and Use Unit 15.
Floor Area Ratio:	.5 ft.	.5 ft.
Maximum Building Height:	40 ft.	26 ft.
Minimum Landscaped Open Space:	10%*	10%*
Minimum Building Setbacks:		
From Interior Street Centerline;	50 ft.	50 ft.
From 71st Street (From Section Line);	190 ft.	190 ft.
From East Boundary;	25 ft.	25 ft.
From South & West Boundaries.	50 ft.	100 ft.

*Required landscaped open space shall include the perimeter landscaping along 71st Street, but each lot shall contain not less than 5% landscaped area. Required landscaping shall include parking islands and plazas, but shall exclude walkways which solely provided minimum pedestrian circulation.

- (3) The signs comply with Section 1130.2 (b) of the Tulsa Zoning Code and the following modified sign standards as submitted by the applicant:

Submitted:

Signs accessory to principal uses shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions.

Ground Signs:

For each principal building ground signs shall be limited to one monument sign identifying the building not exceeding 6 feet in height and not exceeding a display surface area of 64 square feet.

Wall or Canopy Signs:

Wall or canopy signs shall not exceed a display surface area of one square foot per lineal foot of the building wall to which the sign or signs are affixed.

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Entry and Expressway Signage:

In addition to other signage, a monument sign identifying the project not exceeding 20 feet in height nor exceeding a display surface area of 120 square feet may be located at the principal entrance to the project.

Outdoor Advertising Sign:

In addition to the permitted accessory signage, outdoor advertising is permitted as follows:

Maximum Number of Signs: 1
Maximum Height: 35 ft.
Maximum Display Surface
Area Per Sign: 672 sq. ft.

Suggested:

Ground Signs:

Ground signs shall be limited to one monument sign identifying the building or buildings not exceeding 6 feet in height and not exceeding a display surface area of 64 square feet.

Wall or Canopy Signs:

Wall or canopy signs shall be limited to one sign for each principal building and shall not exceed a display surface area of one square foot per lineal foot of the building wall to which the sign or signs are affixed.

Entry and Expressway Signage:

In addition to other signage, a monument sign identifying the project not exceeding 6 feet in height nor exceeding a display surface area of 120 square feet may be located at each of the two principal entrances to the project.

Outdoor Advertising Sign:

Permit an existing sign if nonconforming but no new signs.

- (4) The on-site business activities, other than parking and loading, shall be conducted within enclosed buildings.
- (5) The outside storage of or display of products or equipment offered for sale and the outside storage of any materials is prohibited.
- (6) That a Detail Plan be approved by the TMAPC prior to the issuance of a Building Permit, including elevations of all exterior walls showing the architectural treatment to be used.
- (7) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including a 6-foot screening fence and landscape buffering along the west and south property lines.
- (8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of

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approval, making the City of Tulsa beneficiary to said Covenants.

NOTE:

Any zoning pattern should not permit IL zoning to front 71st Street or extend to the extreme south or west boundaries of the subject tract.

Staff Comments:

Mr. Frank informed all areas adjacent to the area of request are presently zoned AG. Immediately abutting the proposed area on the east boundary is a City of Tulsa sewage facility.

Mr. Gardner informed the Staff prepared a Staff Recommendation for zoning and will review the PUD depending upon the Commission's dispensation of the zoning application. He informed a map of a special study of the area is provided.

Mr. Gardner noted that any zoning pattern should not permit IL zoning to front onto 71st Street. He informed if the Commission was inclined to be supportive of this zoning request, it should be strictly an envelope zoning with IR zoning actually touching 71st Street and around the perimeter of the project, with IL being the interior.

Other discussion:

Mayor Young asked Mr. Gardner if the District 8 Plan area between 81st and 91st, between Elwood and the Arkansas River was so identified because Jones Airport was there as a potential Industrial District and Mr. Gardner informed it was. He further questioned if the industrial area extended north of 81st or was confined to that particular one mile area near the airport. Mr. Gardner thought the IL district was south of 81st. Mayor Young noted there was recognition that when 71st Street was opened and the airport continued to function and expand there would be an industrial district in the area, but would be near the airport. Mr. Gardner advised there was an industrial district, but it was farther to the south. He also advised there is an area between 71st and closer to 81st which shows low intensity, but is in close proximity to the airport and that the Staff does not recommend residential zoning for the proposed area, but also does not recommend industrial zoning.

Applicant's Comments:

Mr. Johnsen, representing Gilmore and Wilson Developers and Tandem Financial Services (development subsidiary of Sooner Federal Savings and Loan), referenced several projects which have been developed by Gilmore and Wilson.

Mr. Johnsen noted the Staff map of the area and advised an area zoned IL extends south to 81st; therefore, an industrial zoning area already exists in this area because of Jones Airport. Since this site is located in the flight plan of the airport, it would not be designated residential. He informed when the special study was presented an airport representative advised the Airport Authority did not want residential or high level structures in this area to protect the airport's approach zones.

Mr. Johnsen presented an aerial photo (Exhibit "D-1") of the area which had been flown within the last 30 days. He informed 71st Street is a

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primary arterial street, is four-lanes and continues from the new bridge to the Okmulgee Beeline resulting in good accessibility to developed and non-developed areas of the City. He viewed the area as a Corridor although not in the technical sense of the Zoning Code, but as an area along 71st Street.

Mr. Johnsen noted the perimeter of the property sites off 71st Street with County right-of-way along 71st Street to the north boundary and he noted a service road has been constructed along this north boundary as access to the City's sludge treatment area. He felt this area had the characteristics of industrial use in that it has a road network, equipment, facilities and industrial-type fencing.

He informed the property is approximately 9.75 acres beginning at the intersection of 71st and Elwood, an area which is recognized as a 10-acre node. He further informed if development trends continue as in the past, given what the plan calls for in node and development practices, this area would be nonresidential, extending from 71st to the proposed site and the City sludge facility. Based on this criteria, it was felt that single and multifamily residential designation was not appropriate. Although this area could be zoned Office, it was felt due to the current market a business park concept would better fit the area.

Mr. Johnsen presented pictures of the property (Exhibit "D-2") which gave a ground view of the property and nearby property. The developers felt that this area would benefit from high tech, office warehouse, office showroom, or business park, all of which fit the IL designation, but OL and OM would restrict the area to office use only. A CS designation would provide for retail uses such as restaurant, auto repair, etc. and would, with special exceptions, be high intensity uses which would not be desirable along arterial streets. Although CG zoning would permit trades and services and types of uses desired, some uses would not be acceptable, thus it was felt the IR/IL classification most nearly limits the uses to those types desired by the developers and would force a PUD. This would limit uses of the area to a business park.

Mr. Johnsen exhibited three additional pictures (Exhibit "D-3"). These pictures show the types of uses, i.e., high-tech, office showroom, office warehouse, business services (reproduction, printing, etc.), one-story buildings with landscaping and masonry fronts which could be utilized in this project. He informed elevation drawings had not been included with the proposal, but he was submitting the photographs as if they were the elevations. He noted a Detail Site Plan requirement is included in the submittals. The Staff has recommended that elevation data be submitted with Detail Site Plan Review. He advised the photos would be a record which would hold the developers to this type of elevation.

Mr. Johnsen presented a location map (Exhibit "D-4") which gives the relationship of the property to the airport and shows IL zoning. The site plan was drawn to show the types of buildings and their orientation. He noted the text requires the applicant to return to the Commission with Detail Site Plan Review. Landscaping, sign and parking standards have been established in the text and the applicant would meet the Code.

Mr. Johnsen identified his proposal as a business park and uses have been identified as those permitted within an IR Industrial Research District, a restrictive district which permits office use and industrial

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research. He informed he felt Use Unit 15, Other Trades and Services, would apply to this proposal as it denotes "trade establishment primarily providing business and household maintenance goods and services ordinarily not found in the primary retail districts". He noted several trade establishments — carpeting, decorating, repair services, etc. which would be included in the Use Unit 15. Mr. Johnsen informed when the plan originally included Use Unit 23, Warehousing and Wholesaling, and Use Unit 25, Light Manufacturing; however, the Staff recommended those uses be deleted and he informed he concurs with this recommendation.

Mr. Johnsen advised he accepts the Staff's Recommendation for limitation of signs, restricted uses and the requirement that at the time of Detailed Site Plan Review elevations of exterior walls showing architectural treatment be submitted. He advised the drawing illustrates a 50' setback from south and west lines and the Staff proposed a 100' setback which would be acceptable, but he felt that it was not required to achieve compatibility with neighboring property on the east boundary adjoining City property.

Ms. Kempe advised the Staff is only recommending 25' on the east boundary and Mr. Johnsen informed the Staff recommended 100' on the south extending to the east boundary and he requested that the 100' on the south stop short of the east boundary and the requirement be for only 50'.

Mr. Johnsen advised his proposal is for zoning a portion of the tract IR and a portion IL. The IL would allow those types of uses that would not be permitted in IR to be included. IR would protect the frontage and protect the question of precedent and force a PUD so there would be a site plan requirement.

Mr. Johnsen informed the latest plan proposal for the area includes the 71st Street frontage on the north and south as within a Consideration Area. This takes the area out of a standard guidelines type of approach and recognizes departure from the guidelines.

Mr. Johnsen presented a basic zoning pattern of IR and IL (Exhibit "D-5") to put 100' strip of OL along the north boundary, 71st Street, and along the west and south boundaries, but not along the east boundary where it abuts the City, thus it would be enveloped and guarantees a PUD, but gives enough IL to generate a reasonable floor area for the project. Approximately 5.22 acres would be zoned IL and 4.35 acres zoned IR. Typical practices would generate larger IR, because it would extend to the centerline of 71st because of the right-of-way.

Questions and Comments:

Mr. VanFossen informed he didn't see the north boundary line being defined where it forms a panhandle and asked what the setback would be in this location. Mr. Johnsen informed there was 50' planned on that section and 100' on the innermost west boundary. Mr. VanFossen questioned if there was a proposed design on the backs of the buildings, particularly along the property line and Mr. Johnsen informed there was a design on one picture he had presented and it showed painted masonry block on the back. He informed the developers were proposing concrete tip up on the back and brick on the front. Mr. VanFossen informed he would have a problem with that and noted a 26' high wall of tip up 200'-300' long is

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not of a pleasant appearance and Mr. Johnsen agreed and suggested it could be included in the record that there was no commitment to a 26' back of a building adjacent to the west boundary.

Mr. VanFossen asked Mr. Gardner how the Commission would control this and Mr. Gardner informed item 6 of the Staff Recommendation where it requires elevation on exterior walls and architectural treatment. He further noted the Staff did not specify what this should be, but it would be reviewed and what is submitted might not be approved with the Detail Site Plan.

Interested Parties: John Cuevas
Mr. & Mrs. Beale
Mr. & Mrs. Robertson
Ms. Patricia Burlison

Interested Parties' Comments:

Mr. Cuevas informed he is an accountant and spokesman for the interested parties who are owners of all front footage on 71st Street west of this proposed project and up to Elwood Avenue. He further informed these parties had understood that the Master Plan had contemplated for this area to be commercial and they feel there would be a problem in asking for spot zoning. He further informed these property owners felt this zoning would devalue their properties, an area of about 12+ acres. It had been understood that sooner or later, under the Master Plan, they would be repaid for their land having been taken for widening 71st Street by having this land zoned commercial. He advised there was already approximately 1-acre of land to the west which was zoned commercial and questioned if the Commission was being asked to approve different spot zonings than those originally intended. He further stated the property owners are opposed to this rezoning. He questioned how the proposed property would be accessed.

Other Discussion:

Ms. Kempe informed Mr. Cuevas that the applicant might be able to answer his questions when it was his turn again. She requested that Mr. Gardner show the transparency of the area again because she could not locate the commercial area on her map and Mr. Gardner informed it probably had not been through the process yet.

Mr. Cuevas informed the area was on the corner of Elwood Avenue and 71st Street and stated it was the understanding of the property owners that it had been recently zoned commercial. Mr. Frank informed the City Commission passed an Ordinance at the meeting on the week before last, but the Ordinance had not yet been published.

Mr. Connery asked Mr. Curvas how he would propose to zone the land and he informed he was not proposing anything but they be understood the long-range plan had been for that frontage property between Elwood and close to the river, to be commercial in the Master Plan definition and across the street, on the north side would be the Turkey Mountain Project which would have residential, hotels, etc. Mayor Young questioned where Mr. Cuevas had obtained his information on this project and advised there were no proposals and one study had been done that said nothing like that should be done there. Mr. Cuevas informed he thought the information had

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come from Mr. Biffle and stated the Turkey Mountain Project was supposedly coming up for approval. Ms. Kempe noted this was not part of the Plan.

Mr. VanFossen informed this was not zoned commercial in the recent study and advised he thought it was to be lower intensity. Mr. Gardner clarified this by saying only the inner section of the corner of 71st and Elwood, the node would have potential for conventional commercial zoning and the property of the owners he represents are between the node and the applicant's property. Mr. VanFossen advised this was intended to be much lower intensity. Ms. Kempe questioned if this was 5 or 10 acres at the corner and was informed it was 10.

Ms. Kempe questioned if there were any other interested parties who wished to be heard and was advised there were none. Ms. Kempe requested that Mr. Johnsen respond to comments, particularly access.

Mr. Johnsen informed the access of the property would be to the service road the City had constructed. He further informed if normal development practices follow there would be some form of PUD which would extend to the proposed property.

Ms. Kempe questioned whether there would actually be industrial research within the complex and Mr. Johnsen advised there probably would not be. He further informed commercial zoning would be acceptable but the IL/IR combination would be more in tune with the objectives along 71st Street.

Mr. Paddock noted the Staff Recommendation which stated any zoning pattern should not permit IL zoning to front 71st and questioned Mr. Gardner if IR zoning would meet the objection.

Mr. VanFossen advised he has a problem with the back of the project and noted he would not approve this even though he felt it to be appropriate for this area until he could see a plan which would more clearly define the back walls.

Commissioner Rice asked what impact approval on this request would have on other zoning within the area and Mr. Gardner informed he felt it would impact the properties from the node to Elwood. He further informed the Staff would not want to see this area developed without PUD. Commissioner Rice noted he was concerned about a future impact on Elwood and Mr. Gardner informed he could see no impact.

Mayor Young advised other locations are available that could be more appropriately related to the airport where industrial zoning is indicated in the Plan and could not favor this zoning pattern.

Mr. Connery noted this development might have a positive impact on the City property.

Interested Party: Mr. Jerry Wilson, Address: 6106 South Memorial Drive
President of Gilmore & Wilson Construction

Interested Party's Comments:

Mr. Wilson advised he is one of the principals involved in the subject property and stated he shares the Commission's concern in regard to the

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visual impact of what buildings are allowed and the impact on 71st and what zoning will allow and the concern in regard to the rear of the building. He further informed the developers would install a privacy fence at the rear of the building. He also informed he felt it would be folly to consider residential zoning in this area because it is unknown what the traffic load will be at Jones Airport in the future. He further informed he feels the proper zoning for the area is IL and could not conceive that this property could be used for anything else.

Mr. Paddock questioned if a rearrangement in the zoning pattern would make a difference in whether the Staff could support zoning and Mr. Gardner advised it would not under the Plan as it presently exists. This would be a deviation and there would be no basis for supporting this zoning pattern. He further informed if the Commission was looking for some way to be supportive of this type project it would take this kind of zoning and the frontage should not be zoned IL. He also advised he wouldn't suggest zoning CS on the frontage either under the Plan as it presently stands. The CS that was supported was at the intersection where the Plan would accommodate commercial usage. In order to accommodate the applicant's proposal, Special District would be required and the zoning categories under "Special District" are a "may be found" and you can pick and choose between categories and projects to make things compatible.

Commissioner Rice advised he agrees with zoning determination as stated by Mr. Wilson.

Mr. VanFossen advised he agreed with the use of this type in this area and noted he would like to continue for an option of something which would better fit the location.

Ms. Kempe informed she had trouble seeing this area remain residential; she stated the project concept sounded good.

Mr. Paddock advised he agreed with Mr. VanFossen that this was a good type project in this area but felt more detail or conditions under which this PUD might be approved and recommended for approval by the City Commission.

Mr. Johnsen advised he had discussed this with the applicant and agreed if the Commission wanted a better, more detailed site plan that specifically addressed the backs and the relationship to the surrounding property, they would do this and would ask for a two-week continuance to return with a more sophisticated site plan.

Instruments Submitted: Aerial Photo (Exhibit "D-1")
Pictures (Exhibits "D-2 & D-3")
Location Map (Exhibit "D-4")
Sketch of Zoning Pattern (Exhibit "D-5")

TMAPC Action: 6 members present.

On MOTION of PADDOCK, the Planning Commission voted 5-1-0 (Connery, Kempe, Paddock, Rice, VanFossen, "aye"; Young, "nay"; no "abstentions"; Draughon, Higgins, Wilson, Woodard, "absent") to continue consideration of Z-6017 and PUD #384 until Wednesday, December 12, 1984, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS

PUD #148-3 (Ken Williams)

Applicant's Comments:

Mr. Williams advised he was somewhat suprised by the Staff Recommendation since he had originally attempted to submit a request for special excep-tion but was advised to proceed with a minor amendment. He further ad-vised that all preliminary meetings with the Staff indicated there were no apparent problems with the requested action. He requested additional time to respond to the safety issue and prepare additional background as to why it was felt this minor amendment was necessary.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Wilson, Woodard, "absent") to continue consideration of PUD #148-3, minor amendment until Wednesday, December 5, 1984, 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

PUD #171-2 (Bert B. Holmes)

Applicant's Comments:

Mr. Norman was present but had no comment.

TMAPC Action: 6 members present.

On MOTION of Young, the Planning Commission voted 6-0-0 (Connery, Kempe, Paddock, Rice, VanFossen, Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Wilson, Woodard, "absent") to approve modification of the sign.

PUD #253-A-1 (Sanditen Investments, Ltd.)

Applicant's Comments:

Mr. Norman informed he has been approached by area residents who have requested access into the shopping center from Marion Avenue. He pre-sented a petition signed by area residents (Exhibit "E-1") along with the identification of the location of the people who signed the petition. He also advised that notice was given about this amendment and he had visited with Mr. Thomas, Traffic Engineer, and he stated he had no prob-lem with this access point.

Other Comments:

Mayor Young informed he felt this item should be a major amendment since this question had been raised several times in recent years. When this site was originally zoned a promise was made to the residents that there would be no access onto Marion Avenue. He further informed notice would have to be given to everyone who was originally involved in the zoning before he would be for changing it.

Mr. Gardner informed notice was sent to abutting property owners even though this was called a minor amendment.

Instruments Submitted: Petition from Residents & Site Location (Exhibit "E-1").

TMAPC Action: 6 members present.

On MOTION of PADDOCK, the Planning Commission voted 5-0-1 (Connery, Kempe, Paddock, Rice, Young, "aye"; no "nays"; VanFossen, "abstaining"; Draughon, Higgins, Wilson, Woodard, "absent") for DENIAL as recommended by the Staff.

There being no further business, the Chairman declared the meeting adjourned at 6:05 p.m.

Date Approved December 12, 1984

Cherry Kemp
Chairman

ATTEST:

[Signature]
for Secretary

