

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
MINUTES of Meeting No. 1553  
Wednesday, May 1, 1985, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Connery Draughon Higgins, 2nd Vice- Chairman Kempe, Chairman Paddock, Secretary Wilson, 1st Vice- Chairman Woodard	Carnes Harris VanFossen Young	Frank Gardner Holwell Wilmoth	Linker, Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, April 30, 1985, at 12:50 p.m., as well as in the Reception Area of the INCOG offices.

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

**Minutes:**

On **MOTION** of **WOODARD**, the Planning Commission voted 5-0-1 (Connery, Draughon, Higgins, Kempe, Woodard, "aye"; no "nays"; Wilson, "abstaining"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the Minutes of April 17, 1985 (No. 1551).

5.01.85:1553(1)

SUBDIVISIONS:

Preliminary Plat:

Twin Oaks (PUD #331) (3293) 55th and S. Delaware Avenue (RS-3, RS-2)

Chairman Kempe advised that this item needed to be continued until May 15, 1985.

On **MOTION** of **WILSON**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, Young, "absent") to **CONTINUE** consideration of the preliminary plat of Twin Oaks (PUD #331) (3293) until Wednesday, May 15, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

Blake Hills 2nd (PUD #389) E. of the SE/c 81st and S. Yale (RM-1, RD RS-3)

Chairman Kempe advised that this item needed to be continued until May 15, 1985.

On **MOTION** of **WILSON**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of the preliminary plat of Blake Hills 2nd (PUD #389) until Wednesday, May 15, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

Hunters Glen (2283) SE/c 91st & S. Yale Ave. (CS, OL)

The Staff presented the plat to the TAC with the applicant represented by Paul Gunderson.

The Staff made the following summary of submittals and approvals on this tract of land:

11/20/84: Received sketch plat for processing titled "Hunters Glen" consisting of two lots, running east/west from Yale to Braden.

12/13/84: Sketch plat approved by TAC.

1/21/84: Received a revised sketch plat titled "Hunters Glen", consisting of three lots, (2 on Yale, 1 on 91st & remainder on Braden omitted.)

2/11/85: Received sketch plat on 2 lots on Braden, titled "Hunters Glen II".

2/14/85: Sketch plat approved on revised "Hunters Glen".

Hunters Glen (2283) (cont'd)

4/08/85: Received preliminary plat "Hunters Glen" which includes entire property, four lots fronting Yale, 91st and Braden. (Current application)

Due to the numerous times this has been submitted already, Staff has compiled the list of conditions from all of the above reviews. Staff is aware that applicant has had some discussion with Engineering regarding improvement of Braden, but was not aware of any of the details as of 4/15/85. Therefore, conditions relating to Braden were still included exactly as previous recommendations.

Mr. Gunderson advised the TAC that the requirement for improvement on Braden will be guaranteed by bond or other acceptable document upon approval of Engineering Dept. and City Commission.

The Staff and Technical Advisory Committee recommended approval of the PRELIMINARY PLAT of Hunters Glen, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughton, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to APPROVE the preliminary plat of Hunters Glen (2283), subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language for water and sewer facilities in covenants).
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. (Including improvements on Braden) (On-site detention or fee) (Plat will not be released until plans are approved.) (Erosion is sensitive more than minimum features will be required.)

Hunters Glen (2283) (cont'd)

7. All curve data shall be shown on final plat where applicable. (Including corner radii 30')
8. Limits of Access shall be shown on the plat as approved by City and/or Traffic Engineer. Applicant was advised a median may be constructed south of the centerline at 91st on Yale and east on 91st from the centerline of Yale. (Show mutual access easement on common access points.)
9. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
10. The key or location map shall be complete. (Complete expressway across Darlington South) (Darlington South is just preliminary at this time). (Omit Darlington South if this plat will be filed first.)
11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6-5 of Sub. Reg's.)
12. All Subdivision Regulations shall be met prior to release of final plat.

River Parks (PUD 365) (1292) NE/c 19th & Riverside Drive (RM-2)

The Staff presented the plat to the TAC with the applicant represented by Paul Gunderson.

This plat has a sketch plat approval, subject to conditions. A copy of the minutes of 11/29/84 was provided, with Staff comments as applicable.

A revised plan with the required 104 units was available for TAC, since the total number had been reduced from 120 as shown on the previous site plan reviewed by TAC.

Access as shown was satisfactory with the Traffic Engineer.

Staff advised that "final draft copies" of plat are required for release letters.

It was noted, for the record, that 18th St. is only 46' wide and does not meet minimum 30' width. (However, all PUD plans, previous site plans, etc. have been based on property lines as shown, so TAC had no objection as shown and only pointed out this difference for the record.)

River Parks (PUD 365) (1292) (cont'd)

The Staff and Technical Advisory Committee recommended approval of the PRELIMINARY PLAT of River Parks, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to APPROVE the preliminary plat of River Parks (PUD #365) (1292), subject to the following conditions:

1. On face of plat show:
  - (a) The PUD number,
  - (b) "1" lot "\_\_\_\_ acres"
2. All conditions of PUD #365 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (South P/L should show 25' building line & utility easement.)\* Existing easements should be tied to or related to property an/or lot lines. \*(Easement width may vary.)
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language for water/sewer facilities in covenants). (Extension may be required on 18th St.)
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. On-site detention or storm sewer 100 year to river.
8. Paving and/or drainage plans shall be approved by the City or County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City or County Commission.
9. Check PSO covenants on Page 3. (Line left out?)

River Parks (PUD 365) (1292) (cont'd)

10. The key or location map shall be complete. (This is Range 12).
11. Show Book & Page reference for small sliver of land purchased by City for street widening.
12. All Subdivision Regulations shall be met prior to release of final plat.

Bent Tree (PUD 353) (3194) SE/c 51st & S. Mingo

(IL)

The Staff presented the plat with the applicant represented by Adrian Smith.

Applicant is working with Traffic Engineer on access locations, as per condition #10. City Engineer advises applicant to coordinate access, right-of-way, and Drainage Plans with street intersection project.

The Staff and Technical Advisory Committee recommended **approval** of the PRELIMINARY PLAT of Bent Tree, subject to the conditions.

On **MOTION** of **HIGGINS**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the preliminary plat of Bent Tree (PUD #353) (3194), subject to the following conditions:

1. On face of plat show building lines in accordance with amended PUD. (30' on south and 28' on east. 50' building line on Mingo and 51st are o.k.) Show number of lots and acres under location map. Show drainageway and/or easement as required by City Engineer. (See #8 & #9 below.)
2. Covenants: There is a discrepancy between acreage given in the PUD Text and on Site Plan submitted by architect. Also assure that PUD conditions listed in Section C comply with the amended PUD. (Amendment and Site Plan pending approval 4/17/85.)
3. All conditions of PUD #353 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.

Bent Tree (PUD 353) (3194) (cont'd)

5. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language for water/sewer facilities in covenants).
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
7. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
9. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
10. Limits of Access shall be shown on the plat as approved by City and/or Traffic Engineer. Include applicable language in covenants. (Note: PUD minutes indicate that Planning Commission was concerned regarding the double entries. Access approval by the Traffic Engineer was a specific condition of approval of the PUD.)
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
12. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6-5 of Sub. Reg's.)
13. All (other) Subdivision Regulations shall be met prior to release of final plat.

FINAL APPROVAL AND RELEASE:

Harvard Pointe South (PUD #306-A) (2083) 93rd & S. Harvard Avenue (RS-2)

Staff informed that all release letters had been received and that final approval and release were recommended.

5.01.85:1553(7)

Harvard Pointe South (PUD #306-A) (2083) (cont'd)

On **MOTION** of **HIGGINS**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the Final Plat of Harvard Point South (PUD #306-A) (2083) and release same as having met all conditions of approval.

WAIVER OF PLAT:

Z-6031 Oral Roberts University Hts. 2nd (1783) SE/c 81st & S. Lewis (OM, OMH)

This is a request for waiver of plat on the above subdivision, since it is already platted. The land is being rezoned from IR (Industrial Research) to OM, OMH to bring the zoning classification more in line with the existing and proposed uses. No changes in access are planned and dedications and/or improvements are already in place on the abutting streets. Buildings shown on the conceptual plan at 81st & Lewis will utilize existing curb cuts. (The actual building plans may change, but this is the general location. Remaining buildings shown on the plot plan are existing.) The property is not to be split or sold and will remain as part of the University and Hospital complex. Drainage and/or grading plans and/or storm water detention will be subject to approval of City Engineer in the permit process, or as otherwise directed. If any utility extensions are needed to serve the process, or as otherwise directed. If any utility extensions are needed to serve the new building, any waiver would be subject to applicable extensions and easements therefore.

The applicant was represented by Mike Taylor.

Water and Sewer Dept. advised they needed additional easement on S. Lewis and a loop water line may be required.

The Staff and Technical Advisory Committee recommended **APPROVAL** of the waiver of plat on Z-6031, subject to the conditions.

On **MOTION** of **WOODARD**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the Waiver of Plat on Z-6031, subject to the following conditions:

- (a) Grading and drainage plan approval by City Engineer, including on-site detention and PFPI;
- (b) Utility easement: West 50' between property line and building line on Lewis; and
- (c) Utility main extensions as needed.



**Z-4589 Acre Gardens (2502)** SE/c N. Cincinnati & Woodrow Pl. and the SE/c  
N. Cincinnati & Zion Pl. (RS-3)

This is a request to waive plat on several small residential parcels that were rezoned from commercial (CS) to RS-3 by TURA. Numerous other tracts were included in the same zoning application, but they were included in areas that were replatted. Lots 10 and 11, Block 8 and Lot 10, Block 2 of the above subdivision were not included in any plat. Since the lots were already platted and sufficient right-of-way for N. Cincinnati has already been dedicated, the Staff recommends waiver of the platting requirement on these lots.

On **MOTION** of **WOODARD**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, Van Fossen, Young, "absent") to **APPROVE** the **Waiver of Plat on Z-4589**.

**CHANGE OF ACCESS ON RECORDED PLAT:**

**Southern Hills Mall 2nd Addition (3393)** SW/c 51st and S. Marion Ave. (OL)

This is a request to change (add) one access point to S. Marion Avenue. This lot is part of PUD #253, which was amended by PUD #253B, which was approved on 2/13/85. This amendment was requested to permit this access point and was approved on a major amendment by the City Commission on 4/2/85.

The applicant was present.

Traffic Engineering has approved the new access point as requested and in accordance with the amended PUD. Staff recommended the Access Change be **approved** as complying with the amended PUD.

On **MOTION** of **HIGGINS**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the **Change of Access on Southern Hills Mall 2nd Addition (3393)**.

**Mizel Center (1694)** E. of SE/c of S. 129th E. Avenue (CS)

This is a request to add one access point on 21st Street and limit access on 130th E. Avenue, where it had not been limited before.

The Staff and Traffic Engineer recommended approval.

On **MOTION** of **HIGGINS**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **APPROVE** the **Change of Access on Mizel Center (1694)**.

AMENDMENT TO COVENANTS:

Waterbridge (3593) SW/c 53rd & S. Memorial

(OL)

It was noted that this item needed to be continued to May 15, 1985.

On **MOTION** of **WILSON**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of the Amendment to the Covenants of Waterbridge (3593) until Wednesday, May 15, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

LOT SPLIT:

Lot Splits for Waiver:

L-16408 Don Bruce (1973) South & West of the SW/c of 151st St. & Lewis Ave.

(AG)

This is a request to split a five-acre tract into two, 2-1/2 acre lots. Because these lots will have no actual street frontage, approval will be required by the County Board of Adjustment to allow access by a private 30' road easement on the west boundary of the subject tract.

This approval will be subject to the approval of:

- (1) County Board of Adjustment for the above-mentioned variance;
- (2) City-County Health Dept. for perc test (septic tanks); and
- (3) Creek County RWD#2 for water service availability.

The applicant was not represented.

Staff noted that field check and air photos show a number of tracts in this general area that probably have two dwelling units, but have not been split. If these tracts were even a fraction of a foot bigger, no lot split would be required. Board of Adjustment approval **WOULD** be required though, because of the lack of frontage even if a lot split wasn't processed.

The TAC had no objection to the request, but recommended to the Planning Commission and BOA that a 35' building line be imposed from the 30' private right-of-way. This would provide the proper clear area if the area develops and a dedicated street is required in the future.

The Staff and Technical Advisory Committee recommended **approval** of L-16408, subject to the conditions.

On **MOTION** of **DRAUGHON**, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent")

L-16408 Don Bruce (1973) (cont'd)

to APPROVE L-16408 Don Bruce (1973), subject to the conditions noted by Staff, including the 35' building line.

L-16412 Watson/Harper (193) W. of SW/c Admiral Pl. & S. 91st E. Ave. (CS)

This is a request to clear title on a split that was done in previous years without TMAPC approval. The request is to split off the northern 162.5 feet from a 482' x 140' tract. This leaves the southern 319.5 feet with no frontage on a dedicated street. The owner has provided a private roadway easement along the western boundary of the lot. This lot split would require a variance from the Board of Adjustment because of the above-mentioned frontage problem. Approval is subject to the applicant furnishing this office with a copy of the recorded access or roadway easement, and also the approval of the Water and Sewer Dept. for any extensions that may be required, as well as any easements that may also be needed.

The applicant was not represented at the TAC meeting but was present at the Planning Commission meeting.

Water and Sewer Dept. advised that main extensions would be required since these services would be separated by this split. Any development will require drainage plan approval by City Engineer. Perimeter easement required where free of existing structures. (ONG already has easement on west side.)

The Staff and Technical Advisory Committee recommended approval of L-16412, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-1 (Connery, Draughon, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Carnes, Harris, VanFossen, Young, "absent") to APPROVE L-16412 Watson/Harper (193), subject to the following conditions:

- (1) Board of Adjustment approval of zero frontage;
- (2) Proof of access to the rear tract;
- (3) Water and Sewer main extensions;
- (4) Perimeter easement of 11' where free of existing structures; and
- (5) Drainage Plan required for development in permit process.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16346 (703) B. Remington	L-16428 (2502) Linro Radford
L-16415 (2103) I. Shearer	L-16433 (3602) TURA
L-16418 (1694) D.E. Brown, Inc.	L-16434 (3602/192) United Missouri Bank
L-16421 (3602) TURA	L-16435 (683) American Petrofina
L-16422 (3602) TURA	L-16436 (182) American Petrofina

Lot Splits for Prior Approval (cont'd)

L-16425 (684) Roger Tucker Homes

L-16426 (374) Ron Guil

L-16437 (3294) 6000 Garnett Park

Staff advised that all the above lot splits were in order and recommended ratification.

On **MOTION** of **WILSON**, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, VanFossen, Young, "absent") to **RATIFY** the above lot splits as recommended by Staff.



Z-6039 (cont'd)

Applicant Presentation:

Mr. Johnsen advised that he was representing the William K. Warren Medical Research Association. He presented an aerial photo (Exhibit "A-1") and photographs (Exhibit "A-2") of the area. He advised that the property is bounded on the north by a 10-story office building and there are 6-story and 8-story office buildings located nearby. He noted that the aerial photo showed the separation from the residential area to the south to be 100' from the centerline of 71st Street and traveling west the separation is approximately 200; thus it would be difficult to see the houses because of the existing vegetation.

Mr. Johnsen noted several applicable development standards under the plan: (1) the intensity would be the same as allowed within the high intensity area within the district; and (2) high-rise development which limits ground cover and open space would be preferred. He advised that it appeared Staff's concern was the residences to the south, but noted that the existing zoning pattern and development are consistent with the Plan. He also noted that the concerns expressed were in regard to the height of the buildings. He advised that an 8-story building was a possibility for the site and if one was erected, it would still be shorter than the office building abutting on the north and the building located on the northeast corner of the site.

Comments and Discussion:

Chairman Kempe asked Staff what consideration had been given to the 5 acres of AG when the previous OM zoning was recommended and Mr. Gardner informed he was unsure if anything specific had been stated in the minutes pertaining to this. He advised that Staff's concern was primarily the setbacks and noted that other buildings are setback 200' on the east.

Mr. Draughon asked what the difference would be in the setbacks of OM and OL and Mr. Gardner informed OL is limited to one-story, regardless of the setback. Under OM, there are no height limitations, per se; however, it depends upon square footage.

Protestants:

Jack Crissup	Address: 4341 E. 72nd Street
Ed Behnken	4349 E. 72nd Street
Jack Burden	4364 E. 72nd Street
Marietta Allen Beard	4323 E. 72nd Street

Mr. Crissup informed he lives adjacent to the subject property and advised he has in excess of 200' of frontage on 71st Street which would include 1/3 of the south boundary of the area proposed for rezoning. He supported Staff's recommendation to deny OM and grant OL zoning, limiting the height to one-story, with the understanding that the owners would have the right to change this limitation under a PUD.

Ms. Kempe advised that the height was not "locked in" to one-story under OL. Mr. Crissup advised there is just as much land zoned RS-3 as OM. When the area of 71st and Yale was originally zoned, it was his

Z-6039 (cont'd)

understanding that this tract was to be left as a buffer. He suggested that if the land was developed, OL would be more appropriate because OL would have less of an impact on the residences.

Ms. Wilson asked if Mr. Crissup was objecting to OM. He advised he was against anything other than a one-story building; however, he understood that under OL a property owner could return with a PUD which would allow a greater height and he would oppose that as well.

Mr. Behnken advised that he would support OL zoning because OM could result in a precedent being set in the area. Mr. Connery asked what Mr. Behnken's primary objection was to a building taller than one-story. He advised he was concerned about future traffic problems on 71st Street and was opposed to buildings over one-story which could be permitted in an OM area because he felt they would be an encroachment into the residential neighborhood. He also noted that the other office buildings in the area are setback farther from 71st Street than would be required under the requested OM zoning.

Mr. Burden advised the greenbelt protection had been reduced to 10' by the widening of the intersection of 71st and Yale and he was concerned about the traffic on 71st Street. He advised he was in favor of the Staff Recommendation, but felt the issue should be held in suspense.

Ms. Beard informed she was under the impression that apartments would be built on the site and she had been in favor of that. She advised she was in favor of the Staff Recommendation for OL, but would prefer that single-family housing be built in the area.

Applicant Rebuttal:

Mr. Johnsen advised that under the Comprehensive Plan 71st Street is shown as a primary arterial, with the right-of-way being 120' (60' on either side of the centerline); however, prior to 1970 when the Plan was changed, the setback was calculated from the existing right-of-way. This created a different means of calculating property setbacks. He also advised that right-of-way is required to be dedicated in platting prior to building.

Mr. Johnsen advised that 71st Street would be the dividing line between various types of land use and he did not consider this property to be part of the residential neighborhood since it would be 200' from the nearest residence. He informed that the nearest home is setback 100' from the centerline of 71st Street and the other homes in the area are setback increased distances. He also noted that there is substantial tree coverage. He advised that the south boundary of the property is a major arterial street, with the north boundary zoned OM and the west boundary being undeveloped property and advised that the District 18 Plan encourages high-rise development.

Mr. Johnsen informed that the intersection of 71st and Yale is high and the land slopes down. The proposed building would be below the 10-story building to the north; thus it would not intrude on the neighborhood. He

Z-6039 (cont'd)

advised that there is no guarantee that there would be a PUD on this site; however, it would probably be likely because of the square footage bonus under the PUD.

Other Comments and Discussion:

Mr. Draughon asked how the Plan could be amended or corrected to deny a PUD for heights greater than 1-story. Mr. Linker advised that the Plan is only a plan and the Commission would have to look at the physical features of the property in order to decide if heights greater than 1-story should be permitted.

Mr. Paddock advised that he did not feel that "Special District 2" — Hospital, Medical uses, etc. was appropriate at this location. He noted that 71st Street was in the Capital Improvement Program of the City for widening and he advised he was concerned about the 60' setback from the centerline and 50' setback for OL and OM. He advised that OM has no height restriction, per se, and he felt there needed to be more controls than would be required under OM and the only way OM would be appropriate would be with a PUD.

Ms. Wilson informed she was concerned about approving OM because it might be adding a new building view.

Mr. Paddock advised he could not support the application by itself; he might consider it differently if it was accompanied by a PUD.

Instruments Submitted: Aerial Photo (Exhibit "A-1")  
Photographs of the Area (Exhibit "A-2")

TMAPC Action: 7 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, VanFossen, Young, "absent") to **DENY OM** zoning, but recommend to the Board of City Commissioners that the following described property be **REZONED OL**, as recommended by Staff:

Legal Description:

The West half of the South half of the South half of the Southeast Quarter of the Southeast Quarter (W2, S2, S2, SE/4, SE/4) all in Section 4-T-18-N-R13E, Tulsa County, State of Oklahoma.

ZONING PUBLIC HEARING:

Application No. Z-6041 Present Zoning: RS-3  
Applicant: Johnsen (Warren) Proposed Zoning: OL  
Location: North and West of the Northwest corner of 71st and South Yale

Date of Application: March 14, 1985  
Date of Hearing: May 1, 1985 (cont'd from April 24, 1985)



Z-6041 (cont'd)

Size of Tract: 11.75 acres

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

Phone: 585-5641

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is 11.75 acres in size and located east of the northeast corner of 71st Street and Granite Avenue. It is wooded, rolling, vacant and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property zoned RS-3, on the east by a developing apartment complex zoned OL and PUD #263-A and by a single-family dwelling zoned OL, on the south by an apartment complex zoned RS-3 and PUD #190 and on the west by a church zoned AG and vacant property zoned OL.

Zoning and BOA Historical Summary -- Past rezoning cases have allowed OL zoning in the area. Also, through PUD controls, multi-story office buildings were allowed in an OL District.

Conclusion -- Based on the Comprehensive Plan and existing land use and zoning patterns, the Staff considers OL zoning to be appropriate for the subject tract. Therefore, the Staff recommends APPROVAL of OL on the subject tract as requested.

Comments and Discussion:

Chairman Kempe asked if there were interested parties and there were none.

Mr. Johnsen informed the proposed zoning was in accordance with the existing zoning patterns and the Comprehensive Plan.

TMAPC Action: 7 members present

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, VanFossen, Young, "absent") to recommend to the Board of City Commissioners that the following described property be REZONED OL, as recommended by Staff:

**CORRECT**  
Legal Description

TMAPC APPROVED  
CORRECTION 1/29/86

Z-6041 (cont.)

Z- 6041

A part of the SE/4 of Section 3, Township 18 North, Range 13 East, Tulsa County, Oklahoma, more particularly described as:

Beginning at the Northwest corner of the SE/4 of the SE/4 of said Section 3; thence S 00°05' 24" E a distance of 1321.08' to a point; thence S 89°56'20" E a distance of 164.97' to a point; thence N 00°05'20" W a distance of 330.56' to a point; thence S 89°56'29" E a distance of 164.98' to a point; thence N 00°05'16" W a distance of 595.14'; thence S 89°56'56" E a distance of 329.98' to a point; thence N 00°05'07" W a distance of 396' to a point; thence S 89°56'56" W a distance of 659.99' to the point of beginning.

OTHER BUSINESS:

PUD #331-1 Twin Oaks S. Side of 55th Street at Delaware Avenue

Staff Recommendation — Minor Amendment to Approved Setbacks:

The Commission was advised that this item needed to be continued to May 15, 1985.

On **MOTION** of **WILSON**, the Planning Commission voted 6-0-0 (Connery, Draughton, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of PUD #331-1 Twin Oaks, minor amendment to approved setbacks, until Wednesday, May 15, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

Z-5969-SP-1-2 Hinkle Lots 1, 2, 3, Block 2, The Bedford

Staff Recommendation — Minor Amendment to Change Duplexes to Single-Family

The entire tract, which was previously approved for CO Corridor Zoning, is located 1/2 mile south of East 61st Street on either side of South 107th East Avenue. The original proposal was approved for 28 single-family dwelling units and 448 multifamily dwelling units; however, under the first minor amendment the TMAPC reduced the total dwelling unit count by 51 units to 425 units. Total units included the following categories: 25 single-family units, 16 duplexes and 384 multifamily units. The applicant is now requesting approval to change Lots 1, 2 and 3, which were originally approved for 3 duplex dwellings (6 units), to 4 single-family detached units.

The requested minor amendment would necessarily include the following changes:

Z-5969-SP-1-2 Hinkle

- (1) Approval of a lot split on Lots 1 and 2 as follows: One lot equal to the west 61 feet of Lot 1; a second lot equal to the east 41 feet of Lot 1 and the west 10 feet of Lot 2; a third lot equal to the east 75 feet of Lot 2 and the fourth lot would be Lot 3 which is unchanged.
- (2) Approval for single-family dwellings on four (4) lots noted above.
- (3) Approval amending the requirement that no single-family lots front on South 107th East Avenue.
- (4) Submission of a Restrictive Covenant restricting the subject four (4) lots to development of single-family detached dwelling units only.
- (5) Reduction in the total number of units approved under the Corridor Site Plan and Zoning from 425 units to 423 units as follows: 29 single-family units; 10 duplex units and 384 multifamily units.

The proposed single-family units would front into the east side of South 107th East Avenue in approximately the 6600 Block and face the side of the existing multifamily units west across the street. The multifamily units have an attractive wood and masonry appearance and are landscaped with a berm along this part of the project. The applicant has indicated to the Staff that two of the proposed units can be presold if this minor amendment is approved by the TMAPC. Considering that the net result of the request would reduce the density in this project, and the proposal is compatible with existing adjacent development, the Staff finds the request to be minor in nature and recommends APPROVAL, subject to conditions 1-5 as noted above.

The Staff further recommends that the required Restrictive Covenant be submitted to and approved by the TMAPC prior to the granting of an occupancy permit on any of the four (4) single-family residences.

Comments and Discussion:

Chairman Kempe asked if there were interested parties and there were none.

Mr. Paddock asked why the applicant was requesting the change from duplex to single-family homes. Roy Hinkle, the applicant, informed that duplexes are more difficult to rent or sell at the current time and he has presold three of the units if the application is approved.

Z-5969-SP-1-2 Hinkle

TMAPC Action: 7 members present

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, VanFossen, Young, "absent") to APPROVE Z-5969-SP-1-2 Hinkle Minor Amendment to change duplexes to single-family as requested, but subject to the conditions of Staff as listed above.

PUD #159-8 Lot 61, Block 4, West Highlands II  
Z-4900-SP2-B Lot 1, Block 1, Stonecreek I

-AND-

Staff Recommendation — Modification of Conditions for Day Care Center

These are companion cases in that both are requesting a modification to conditions of approval that were placed on minor amendments. Both of the subject tracts are owned by the same owner and have been approved for a day care center as an accessory use of the apartment complexes per conditions. The applicant is now requesting modifications of those conditions on both tracts to allow for extended hours and to allow the center to care for children who are not residents of the apartment complexes.

As mentioned in the approval of both minor amendments, Staff believes that any extension past the approved 7:00 a.m. to 6:00 p.m. hours operation would constitute something other than an accessory use.

Staff does not find this request to be minor in nature and therefore, recommends DENIAL of the minor amendment. For the record, the applicant could submit a major amendment to the PUD and the Corridor Site Plan which would be reviewed accordingly.

Applicant Comments:

Dr. Linda Lipton, 3402 Preston, Pasadena, Texas, advised she is the administrator for the day care centers. She informed that the three (3) Tulsa centers owned by her company are regulated differently and the company wanted to extend the hours to better meet the needs of the residents of the apartments.

Comments and Discussion:

Ms. Wilson advised that this use had originally been approved as an accessory use and if the hours were extended, it would go beyond an accessory use. Mr. Gardner advised the center was to be used primarily to accommodate working parents who lived in the apartment complex.

Mr. Paddock asked Dr. Lipton who she considered to be her clientele and she advised that the majority of the families are single-parent households who have children needing care.

PUD #159-8 and Z-4900-SP2-B (cont'd)

Ms. Kempe asked what hours were being contemplated and Dr. Lipton informed the company would like to have the ability to open earlier than 7:00 a.m. and provide evening child care until possibly 1:00 a.m.

Ms. Wilson advised that the day care center actually consists of two apartments which are utilized for day care and the hours were set to accommodate the working hours of other tenants in minimizing noise, etc. She advised she was in favor of the Staff Recommendation for denial.

Mr. Gardner informed that a separate detached building would be a consideration for a change in hours of operation. Since one of the current centers is located in two apartments in a building, it is an accessory use.

TMAPC Action: 7 members present

On **MOTION** of **WILSON**, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, VanFossen, Young, "absent") to **DENY PUD #159-8 and Z-4900-SP-2-B**, modification of conditions for the day care centers, as recommended by Staff.

PUD #278 SW Corner of S. Lewis Avenue and E. 55th Street South

Staff Recommendation — Detail Site Plan Review — Lots 6 & 9, Pecan Tree Park

Pecan Tree Park is a resubdivision of Lot 1, Block 1, Pecan Tree Place and was recently amended to provide individual lots for purposes of constructing single-story office buildings with a common area reserved for parking. The underlying zoning of the subject tract is OL.

The following building floor area is proposed:

- Lot 6 — 3300 square feet, and
- Lot 9 — 5000 square feet.

The average square footage of the new construction will not exceed 4,445 square feet which was established as a maximum average per lot figure for the total nine (9) lots covered under the PUD which has a maximum building floor area of 40,000 square feet. The PUD has two (2) existing buildings on Lots 1 and 2 which have a total floor area of 8,500 square feet; therefore, with completion of construction on Lots 6 and 9, the PUD would have a total constructed building floor area of 16,800 square feet. Vacant lots remaining in the PUD would be Lots 3,4,5,7, and 8. Deducting the proposed and existing floor area from the total permitted would indicate that a 23,200 square feet office building could be built on the five (5) lots remaining vacant. The proposed use of the two (2) new buildings is for

PUD #278

general office purposes and 33 new parking spaces will be built adjacent to the new buildings. The parking ratio would be one space for each 253 square feet of gross floor area.

Given the above review, Staff recommends **APPROVAL** of the Detail Site Plan subject to the following conditions:

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

Land Area:

Lot 6	4,359 square feet
Lot 9	7,783 square feet

Permitted Uses: General Office Uses as permitted by right in an OL District.

Maximum Building Floor Area:

PUD 278 — Lots 1-9	40,000 sq. ft.
Existing— Lot 1	5,000 sq. ft.
Lot 2	3,500 sq. ft.
Proposed— Lot 6	3,300 sq. ft.
Lot 9	5,000 sq. ft.
Floor Area Remaining	23,200 sq. ft.

Maximum Building Height: Two-Story

Minimum Building Setbacks:

From South Property Line	10 ft.
From West Property Line	25 ft.

Minimum Off-Street Parking: 33 parking spaces proposed, with 25 existing.

Minimum Landscaped Area:

Total landscape area for PUD #289 must be 30,000 sq. ft — 42,636 was submitted under the original Detail Site Plan, which was approved prior to platting.

Signs: As permitted in an OL District.

- (3) That a Detail Sign Plan shall be submitted for review and approved by the TMAPC prior to granting occupancy of any building.

PUD #278

- (4) That a Detail Landscape Plan shall be submitted for review and approval by the TMAPC prior to granting an occupancy permit.
- (5) That a 6-foot tall solid screening fence shall be constructed along the south and west boundary of the PUD where it coincides with Lots 6 and 9.

TMAPC Action: 7 members present

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Harris, VanFossen, Young, "absent") to APPROVE the Detail Site Plan for PUD #278 Pecan Tree Park, as recommended by Staff, subject to the conditions above.

There being no further business, Chairman Kempe declared the meeting adjourned at 4:00 p.m.

DATE APPROVED May 15, 1985

Cheryl Kempe  
Chairman

ATTEST:

AB Paddock  
Secretary

