

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1572
Wednesday, September 11, 1985, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Harris	Frank	Linker, Legal
Connery	Young	Jones	Counsel
Draughon		Setters	
Higgins			
Kempe, Chairman			
Paddock, Secretary			
VanFossen			
Wilson, 1st Vice-Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 10, 1985 at 1:10 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 1:40 p.m.

MINUTES:

Approval of Minutes of August 28, 1985, Meeting No. 1570

On **MOTION** of **VANFOSSEN**, the Planning Commission voted 7-0-2 (Carnes, Connery, Higgins, Kempe, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, Paddock, "abstaining"; Harris, Young, "absent") to **APPROVE** the **Minutes of August 28, 1985, Meeting No. 1570**.

REPORTS:

Chairman's Report:

Chairman Kempe read a letter from Mr. Stan Williams, Director of Stormwater Management, requesting all hearings on the Floodway Zoning issue be continued until after October 23, 1985. This is to allow ample time for review and deliberation of the proposed new ordinances by the Board of City Commissioners.

A letter from a concerned citizen on the day care homes issue was submitted as an exhibit by Chairman Kempe to be made part of the record.

Committee Reports:

Mr. VanFossen stated the **Comprehensive Plan Committee** met September 10, 1985 to review the Memorial Drive Special Study and will consider the study further at a meeting scheduled for Tuesday, September 24, 1985. The Arkansas River Corridor Task Force Report and the relationships between the District Planning Committees and TMAPC/INCOG will also be considered at the September 24th meeting.

Mr. Paddock reported the **Rules and Regulations Committee** had met this date to discuss the TMAPC procedures on PUD's and public hearings, and expects to have further meetings to continue this discussion.

Director's Report:

Chairman Kempe read a memorandum from the City Commission announcing the meeting date for the Day Care Homes Issue has been moved from September 17, 1985 to October 1, 1985.

CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-6068** Present Zoning: RM-2
Applicant: **Alexander** Proposed Zoning: OM
Location: 1300 Block of South Trenton

Date of Hearing: September 11, 1985 (cont'd from 8/14/84)
Continuance Date Requested: October 23, 1985
Size of Tract: 1 acre, more or less
Presentation to TMAPC by: Ray Douglas Alexander, 1129 East 15th Street

Applicant's Comments & Request for Continuance:

Mr. Ray Douglas Alexander, requested a six week continuance to allow time to go before the Board of Adjustment. Mr. Draughon verified, with Staff, that a continuance to October 23rd would not create a problem.

On **MOTION** of **HIGGINS**, the Planning Commission voted 9-0-0 (Carnes, Draughon, Connery, Higgins, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Harris, Young, "absent") to **CONTINUE Consideration of Z-6068 Alexander** until Wednesday, October 23, 1985 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: CZ-#134 & PUD 404

Present Zoning: AG

Applicant: D & D Investments

Proposed Zoning: CS

Location: 1/4 mile West of 116th Street North & Garnett

Date of Hearing: September 11, 1985 (cont'd from 8/28/85)

Size of Tract: 9.29 acres, more or less

Presentation to TMAPC by: Mr. Jeff Tuttle, 808 South Peoria

Relationship to the Comprehensive Plan:

The District 15 Plan Map, the Owasso Comprehensive Plan, designates the subject tract as Rural Residential. The requested CS zoning is not in accordance with the Plan Map.

Staff Recommendation - CZ-#134:

Site Analysis: The subject tract is 9.29 acres in size and located west of the southwest corner of 116th Street North and Garnett Road. It is non-wooded, flat, vacant and zoned AG.

Surrounding Area Analysis: The tract is abutted on the north and west by vacant property zoned AG, on the east by a church zoned AG, and on the south by vacant single family lots zoned RS-3.

Zoning and BOA Historical Summary: Although commercial zoning has been allowed to extend beyond the typical nodes along Garnett, commercial zoning does not extend more than 1,320' west of the intersection along 116th Street North.

On a referral basis, the Owasso Planning Commission voted to recommend DENIAL of CS zoning on the subject tract.

Conclusion: Ample commercial vacant land exists along Garnett Road (Highway #169) to meet the needs of this community. Approval of the subject request would jump established buffers and lead to stripping on 116th Street. The Staff cannot support commercial zoning on the subject tract based on the Comprehensive Plan and its noncompliance with the Development Guidelines. The Staff recommends DENIAL of CS zoning as requested, as does the Owasso Planning Commission.

The Case was originally heard by the TMAPC on June 12, 1985 and continued to allow the applicant to submit a PUD. The PUD was referred to the Owasso Planning Commission, which voted for DENIAL. Further, the Staff is not supportive of the underlying zoning and is, therefore, not supportive of the companion PUD #404.

Staff Recommendation - PUD #404:

The subject tract has a gross area of ten acres and is presently zoned AG. CZ-134 has been submitted requesting CS zoning on the tract. The Owasso Planning Commission and INCOG Staff recommends denial of the underlying zoning and the Staff expresses nonsupport of this PUD.

The PUD Text indicates that all uses permitted by right in a CS District are requested, except the sale of alcoholic beverages in retail liquor stores or nightclubs. The Plan indicates that a maximum of 106,800 square feet of floor area is requested to be developed as an "L" shaped building with 40' service drives on the south (abutting the existing residential area) and on the west (abutting the vacant AG tract.) The Development Standards do not specify a minimum landscaped open area; however, a minimum of 15% should be provided which should include buffers placed around the perimeter of the area. The Staff further suggests that minimum architectural controls be established for rear (west and south presently) elevations of the buildings to assure compatibility with the fronts of said buildings. These controls could be established by requiring submission of elevation drawings with the Detail Site Plan for review by the TMAPC.

Based upon the Staff's nonsupport of the requested underlying zoning of CS per CZ-134, the Staff is not supportive of the PUD. Therefore, the Staff recommends DENIAL of PUD #404. If the Commission, however, is supportive of CS zoning on the subject tract and the companion PUD, the following Development Standards are suggested:

1. That the applicant's Outline Development Plan and Text become a condition of approval, except as modified herein.
2. Land Area: 435,600 sf, 10.0 acres (Gross)
 402,600 sf, 9.24 acres (Net)

Permitted Uses: Uses permitted by right in a CS District under the City of Owasso and City of Tulsa Zoning Code, except the sale of alcoholic beverages in retail liquor stores or nightclubs, which shall be prohibited.

Submitted	Recommended
	Also prohibited Use units 16, 19 and outdoor advertising signs.
Maximum Allowable Square Feet: 106,800 sf	Same
Maximum Building Height: 39'	39', except a 10' minimum building setback plus 2' for each 1' of building height exceeding 15', if abutting property is zones RS or RD.
Minimum Building Setbacks (from):	
-West Boundary 40'	60'
-South Boundary 40'	60'
-C/L of E. 116th St. N. 130'	130'
-East Boundary 35'	35'

Submitted

Recommended

Minimum Off-Street Parking: As required in a CS District.
Minimum Internal Landscaped
Open Space: None Specified 15% *

* Landscaped open areas includes landscaped entrance areas, landscaped parking islands, and plazas and pedestrian areas, but shall exclude pedestrian walkways, parking lot drives and other areas designated solely for circulation of pedestrians or vehicles.

3. That trash areas shall be screened from public view.
4. That a screening fence shall be provided on the east and south boundaries with a 15' landscape buffer along the south and west boundaries. A privacy fence shall be provided along the west boundary if the abutting area develops for any purpose within an R District, at a future point in time. These conditions shall be enforced by submission of a Detail Site Plan for review and approval by the TMAPC prior to issuance of a building permit. The plan shall include elevations of the building(s), in particular rear elevations, which shall indicate compatibility of the design and materials of all building facades.
5. That a Detail Landscape Plan shall be submitted for review and approval by the TMAPC and installed prior to occupancy of any building. These plans may be submitted on a Development Area basis, if the PUD is phased in its development and construction.
6. That an entity be created for maintenance and operations of private facilities, landscaped areas, and related private improvements.
7. That no building permit shall be issued until the requirements of Section 260 of the Zoning Code has 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 approval, making the County of Tulsa beneficiary of said covenants.

Applicant's Comments:

Mr. Jeff Tuttle, representing the owners, gave a description of the property and the surrounding areas. Mr. Draughon inquired as to the basis for denial by the Owasso Planning Commission. Mr. Tuttle stated it was due to the fact the property was not located on a well defined corner and they could not allow CS except on a corner. Mr. VanFossen asked if there is a mobile home park in existence to the south or if it is merely platted. Mr. Tuttle advised they had signed the plats this morning (9/11/85) and the plats were awaiting the mayor's signature. Mr. VanFossen further established that zoning has been approved for the

mobile home park. Chairman Kempe asked Mr. Tuttle if he had seen the Staff's recommendation on Development Standards. After reviewing these, Mr. Tuttle stated he had no problems with them.

Comments & Discussion:

Mr. Draughon asked Staff to comment on the Owasso Planning Commission turning this down due to not being on a well defined corner. Mr. Frank commented that, generally, good planning principles indicate that you concentrate commercial intensities at the nodes. Referring to the aerial, Mr. VanFossen mentioned the homes in the area appear to be rather nice homes next to the subject tract and this might have been a significant factor as to denial by the Owasso Planning Commission.

Ms. Wilson agreed with Staff recommendation of denial. Discussion among Commission members established the subject tract is not in the Owasso city limits, but in their fence line.

TMAPC ACTION: 9 members present

On **MOTION** of **WILSON**, the Planning Commission voted 7-2-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; Carnes, Higgins, "nay"; no "abstentions"; (Harris, Young, "absent") to **DENY CZ-134 and accompanying PUD #404**, as recommended by Staff.

Application No.: **Z-6061 & PUD #400** Present Zoning: RS-2
Applicant: **Hausam** Proposed Zoning: RM-1, FD
Location: South of the SW corner of 53rd and South Sheridan

Date of Hearing: September 11, 1985 (originally heard by TMAPC ON 6/26/85,
and referred back to the TMAPC by the City Commission.)

Presentation to TMAPC by: Robert Nichols, 111 West 5th

Relationship to the Comprehensive Plan:

The District 18 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential, Development Sensitive.

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

Staff Recommendation: Z-6061

Site Analysis: The subject tract has an area of 1.27 acres and is located south of the southwest corner of East 53rd Street South and South Sheridan Road. The tract is partially wooded and slopes north to a creek which is unimproved. The creek bisects the north portion of the property and the southern portion contains one single-family dwelling and an accessory building.

Surrounding Area Analysis: The subject tract is zoned RS-2 and is abutted on the north and west by single-family residences zoned RS-2, on the south by vacant property zoned RM-T, and on the east across Sheridan by single-family residences zoned RS-3.

Zoning and BOA Historical Summary: RM-T Townhouse zoning has been granted south and abutting the area of request and OL zoning has been granted northeast of this area on the east side of Sheridan Road. However, the predominant character of abutting land use is RS-2 and RS-3 low intensity, single-family.

Conclusion: Although the requested RM-1 zoning is a "may be found" in accordance with the Comprehensive Plan, the existing land use and physical facts do not support the requested zoning. Office zoning on the subject tract has been denied on numerous occasions in the past and the OL buffer zoning located east across Sheridan north of this area, should not be considered as a precedent for granting this application. This case is submitted with a companion PUD which proposes to spread the office uses across the entire tract which has an east/west depth of approximately 234 feet. This tract has access from the residential area to the west and offers the owners the option of developing a cul-de-sac on the east end of East 54th or extending East 54th through to Sheridan; neither of these options requires upgrading the existing zoning to RM-1. Numerous examples of single-family homes on cul-de-sac streets backing to Sheridan Road exist in this particular mile between 51st and 61st Streets. In addition, if approved, the Commission would be setting a precedent for similar uses on all of the frontage lots located north and south of the subject lots.

Therefore, the Staff recommends DENIAL of RM-1 and expresses nonsupport for the companion PUD #400 for which this underlying zoning was requested.

Note: If the TMAPC recommends approval of zoning, this recommendation should be less and except any FD zoning.

Staff Recommendation -- PUD #400:

The PUD, and the companion Case Z-6061 was heard by the TMAPC and recommended for Denial 6-0-0 on June 26, 1985. The case was referred back to the TMAPC by the City Commission on August 20, 1985 to allow the applicant time to make revisions to the PUD. These revisions are consistent with the Staff's "Suggested" Development Standards.

The subject tract has a gross area of approximately 2.6 acres and is located south of the southwest corner of East 53rd Street South and South Sheridan Road. The Staff is not supportive of the requested RM-1 underlying zoning and, therefore, is not supportive of the PUD as proposed. The owner/developer of this tract has the option of constructing a cul-de-sac on the east end of East 54th and developing this tract for uses consistent with that of existing development to the

west and north -- this option is recommended. A further consideration is the need to extend East 54th Street through to Sheridan (East 54th is proposed to be a dead-end at the west boundary of the PUD). The TAC indicated support of this option if it was also selected by the TMAPC. However, TAC also indicated they could support development of this location without this extension. The PUD is requested for an office development with underlying zoning of RM-1 on the east 140 feet of the subject tract. The concept of the development is to construct the office buildings in such a manner that they will have a residential appearance with landscaped yards to reduce the impact upon adjacent residential uses.

A total of 18,550 square feet of floor area is proposed in four buildings. The Outline Development Plan indicates that parking areas will be constructed in front of, and north and south of the two buildings on Sheridan. Two other buildings will back into the adjacent single-family residential area. The rear building setback is 20 feet. The applicant is proposing a high-pitched gable roof for the buildings, with approval of office areas on the second floor - no windows are to be permitted on the rear or west side of the building roofs that abut the residential area. The Plan indicates that two points of access are proposed on Sheridan. One of these two points will be shared access with possible developments to the south. The Staff recommends that no shared access be permitted with adjacent RM-T development. Property to the south of this area is zoned RM-T and to the north is zoned RS-2. The proposed parking is adequate for general office uses only.

In summary, the Staff is not supportive of the requested RM-1 zoning per Z-6061 and is therefore, not supportive of the proposed PUD. Therefore, the Staff recommends DENIAL of PUD #400. If the TMAPC is supportive of the requested RM-1 zoning and associated PUD, the following development standards are suggested:

1. That the applicant's Outline Development Plan be made a condition of approval, as revised herein.

2. Development Standards:

Land Area (Gross): 111,486 sf 2.56 acres
(Net): 91,686 sf 2.10 acres

Permitted Uses: Restricted to general office uses only within Use Unit 11, requiring one parking space per each 300 square feet of gross floor area, excluding funeral homes and drive-in bank facilities.

Maximum Floor Area Ratio: 18,550 sf

Maximum Building Floor Area:

Building A 6,800 sf
Building B 5,250 sf
Building C 3,928 sf
Building D 2,572 sf

Maximum Building Height: 26 feet; no office space shall be permitted above the 1st floor level.*

Minimum Landscape Area: 35%**
Minimum Off-Street Parking: One space per each 300 sq. ft. of gross floor area.

Minimum Building Setbacks:
From Centerline of Sheridan 85 ft
From North Boundary 100 ft
From South Boundary 20 ft
From West Boundary 20 ft

Signs: As permitted by Section 1130.2(b) of the Zoning Ordinance.

- * Maximum height shall be limited to 1-1/2 stories (roof line beginning at top plate of first story, and total building height to ridge shall not exceed 26 ft.); provided that the second level be fully contained within the roof line, except for windows facing Sheridan Avenue and that no second level windows be permitted on the west, north or south sides.
 - ** A heavily landscaped buffer with trees and a screening fence shall be required where this development abuts an "R" District.
3. Trash and utility areas shall be screened from public view.
 4. That all parking lot lighting shall be directed downward and away from adjacent residential areas.
 5. That a Detail Landscape Plan and Sign Plan shall be submitted to the TMAPC for review and approval prior to issuance of any occupancy permits for landscaping, and prior to installation for signs. Further, that screening fences shall be installed on the north, south and west boundaries as discussed above.
 6. That a Detail Site Plan shall be submitted to the TMAPC for review and approval prior to issuance of a Building Permit, which shall include building elevations. Parking lot access to Sheridan shall not be approved with shared access points between this office development and the RM-T development to the south.
 7. Number of access openings on Sheridan Road shall meet the approval of the City Traffic Engineering Department.
 8. Drainage is critical; therefore, Stormwater Management shall approve drainage plans prior to issuance of any Earth Change or Building Permits.
 9. 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 approval, making the City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

Mr. Robert Nichols, 111 West Fifth, representing John Hausam and Gary Hobbs, presented site plans to indicate changes made in the application. Mr. Nichols stated three reasons why the applicant wished to come back to TMAPC: 1) address the items of concern by Staff (they now agree to the

Staff conditions); 2) they wanted an opportunity to revise their site plan; and 3) some homeowners have now indicated support of their plans. In relation to #3, Mr. Nichols submitted a written statement from Harold Bockelken of 5411 South Oxford, presenting a petition signed by nine homeowners in the area in support of the zoning and PUD.

Mr. Nichols established they were not increasing the amount of RM-1 zoning or floor space, and some confusion might have arisen due to errors on the zoning sign and staff papers. Mr. Nichols went into further detail showing how the RM-1 would, in fact, meet the Comprehensive Plan and reviewed the changes made to comply with what the Staff has recommended.

In reply to a question from Mr. VanFossen, Mr. Nichols clarified the showing of windows on the second level was an architectural feature only. As recommended by Staff, there will be no windows on the second level rear/west side. As suggested by Mr. VanFossen, Mr. Nichols also agreed to adding "... and Building Concept Design" to condition #1 of the PUD relating to the Outline Development Plan and maintaining a residential exterior appearance. Mr. Nichols confirmed for Mr. Connery that the applicant owned the property.

Ms. Wilson asked Mr. Nichols what purpose was being served in changing the roof angle of Building "B". Mr. Nichols replied it breaks up the roofline and is purely for aesthetic purposes. Ms. Wilson also inquired as to the kind of agreement the applicants had with the homeowners. Mr. Nichols stated the intent was to give the homeowners a chance to review the signage and site plans. Mr. Nichols added the owners (Mr. Hausam and Mr. Hobbs) would be the initial tenants. In a discussion with Mr. Paddock regarding shared access, Mr. Nichols stated agreement with Staff recommendation. Mr. VanFossen suggested a condition of having the owners occupy at least 50% of the property for at least five years to assure homeowners of good intent by the owners. Mr. Linker advised, upon Chairman Kempe's request, that this would be beyond zoning considerations. Mr. Nichols, again, stated the intent was that both owners would be moving their businesses into these offices. Mr. Paddock commented on the story and a half construction, and Mr. Nichols verified there would be no office space above the first floor. Mr. Nichols agreed with Staff recommendation and verified, for Mr. VanFossen, that the space would be used for storage only.

Comments & Discussion:

Mr. Draughon asked Legal to comment on the agreement made with the adjacent homeowners, by the applicant, to review the final site plan, and what the recourse would be if the homeowners disagreed. Mr. Linker advised the homeowners could have an enforceable legal agreement with the owners. After further discussion, the final conclusion was that any agreements made outside would not be applicable to the TMAPC/City, unless it was specifically set out as a PUD condition of approval. Mr. Nichols assured that they would review with the homeowners, before coming to the Commission, the site plan or any other plans.

Interested Parties:

Mr. Blaine Smith	Address: 5278 South Joplin Place
Mr. Charles Small	5908 South 68th East Avenue
Ms. Patty Smith	5278 South Joplin Place
Ms. Rona Frantz	5331 South Joplin
Mr. Norman Morrissey	6818 East 55th
Ms. Dorothy Bockelken	5411 South Oxford

Mr. Blaine Smith commented on the agreement with the nine adjacent owners and stated the entire neighborhood would be effected. Mr. Smith further stated that, at a meeting of the homeowners association, a vote was taken on the proposed changes and the results were 33 in favor and 44 opposed. Mr. Smith discussed the creek in the area with Mr. Draughon and Mr. VanFossen. When asked if flooding were not an issue with the homeowners, would they be in favor of the proposed changes, Mr. Smith replied "no" because the homeowners did not agree with commercial, except on corners. Mr. Smith requested denial.

Mr. Charles Small, suggested several reasons why this request should be denied, most specifically, that it was spot zoning and would set a bad precedent.

Ms. Patty Smith made a plea to avoid strip zoning and requested holding up on rezoning until the Stormwater Management feasibility study is completed.

Mr. Norman Morrissey submitted a list of parties opposed to the proposed change and gave a detailed description of the area in relation to past flooding and potential future flooding.

Ms. Dorothy Bockelken, represented her husband who submitted the letter in favor of the project. Ms. Bockelken stated she felt "between a rock and a hard place" and asked if there was not a statute of limitations on cases such as this so residents can avoid having to reappear at hearings. In summary, she stated confusion, but felt this project was the least objectionable alternative of those that had been presented thus far for this location.

Comments & Discussion:

Mr. Woodard requested comments from Mr. Charles Hardt, Hydrologist, regarding flooding conditions in this area. Mr. Hardt advised the creek in the area is a tributary of Joe Creek. He further stated there is no way to meet zero change in the flood conditions or cause zero impact. Mr. Paddock asked Mr. Hardt his opinion, in view of the development sensitive nature of this area, as to what would be good land use to avoid flooding. Mr. Hardt stated, that whatever land use is made (residential, offices, etc.), the requirement is that you detain the increased run-off and have an increase of no greater than what occurred on the existing land use.

Mr. VanFossen asked if, on a tract of land this size, it continued as it is presently zoned (RS-2), whether detention would be required for houses in this area. Mr. Hardt replied there is no restriction to acreage or type of use for detention requirements; they have to be met, regardless of size or use. In reply to a question from Mr. Draughon, Mr. Hardt explained the speed versus quantity situation in relation to water run-off. Mr. Connery asked Mr. Hardt if he felt there was sufficient room, on the subject tract, for detention to accomodate the proposed development. Although he had not done a complete study, Mr. Hardt stated he felt there was enough undeveloped land to provide the detention storage requirement.

Applicant's Rebuttal:

Mr. Nichols advised that, after the protestant's comments, Mr. Hausam would agree to no use of the second floor. He further stated this is a piece of land that has been passed around for 20 years, and suggested their proposal is the most appropriate use as he considered it very low intensity (less than 16%). In reply to Ms. Higgins, Mr. Nichols stated the flood plain did have some impact on the low intensity planning.

Additional Comments & Discussion:

Chairman Kempe stated support of Staff recommendation in their conclusion that the existing land use and the physical facts do not support the requested zoning. Mr. VanFossen commented this was an excellent project and would be voting it, more for the project than basic zoning. Ms. Higgins stated agreement with Mr. VanFossen and feels the project would enhance the neighborhood more than what could be there. Ms. Wilson agreed with the Staff recommendation of denial and emphasized zoning is the issue, not the project itself. Mr. Paddock also stated support for the Staff recommendation due to the develop sensitive nature of the area and incompatible use. Discussion, between Ms. Higgins, Staff and Mr. Paddock, followed on the use and intent of zoning and accompanying PUD's.

TMAPC ACTION: 9 members present

On **MOTION** of **WILSON**, the Planning Commission voted **6-3-0** (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; Carnes, Higgins, VanFossen, "nay"; no "abstentions"; (Harris, Young, "absent") to **DENY Z-6061 for RM-1 & FD**, as recommended by Staff.

On **MOTION** of **WILSON**, the Planning Commission voted **6-3-0** (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, "aye"; Carnes, Higgins, VanFossen, "nay"; no "abstentions"; (Harris, Young, "absent") to **DENY PUD #400**, as recommended by Staff.

Application No.: Z-6077 Present Zoning: RM-2
Applicant: Johnsen (Akdar Temple) Proposed Zoning: OH
Location: SW corner of 21st and Boston (Amended to OM at the meeting)

Date of Hearing: September 11, 1985 (cont'd from 8/28/85)
Size of Tract: 1.3 acres, more or less
Presentation to TMAPC by: Roy Johnsen, 324 Main Mall

Relationship to the Comprehensive Plan:

The District 7 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 1.3 acres in size and located on the southside of 21st Street, between Main Street and Boston Avenue. It is non-wooded, flat, contains the Akdar Shrine Temple and parking facility and is zoned RM-2.

Surrounding Area Analysis: The tract is abutted on the north by a city park zoned RM-2 and a small office zoned OL, on the east by multifamily dwellings zoned RM-2, on the south by two large single family dwellings zoned RM-2 and RS-2, on the west by an office building (Jaycees Headquarters) zoned OM and OH.

Zoning and BOA Historical Summary: There is a mixture of zoning districts in the area ranging from low and medium intensity residential to heavy commercial.

Conclusion: Office zoning and development is consistent with the 21st Street frontage tracts in this area. However, OH (Office - High Intensity) is not consistent with the Comprehensive Plan and is too intense for surrounding development. Therefore, the Staff recommends DENIAL of OH zoning.

Alternatives which could be considered:

1. Approval of OM zoning on the entire tract, which would be in accordance with the Comprehensive Plan.
2. PUD and existing RM-2 zoning which equates to OM intensity and which is also in accordance with the Comprehensive Plan.
3. PUD and a portion OMH, which is a "may be found" in accordance with the Comprehensive Plan.

Applicant's Comments:

Mr. Roy Johnsen, representing Mr. Jim Barlow, stated that under the Matrix, OMH is a "may be found" in accordance with the Comprehensive Plan and indicated they would be amending to OMH/OM. Mr. Johnsen reminded the TMAPC that 21st Street is a primary arterial and gave a description of OH, CH, OM and residential zonings in the area. Mr. Johnsen advised that he had discussions with the Maple Ridge Association representatives and with Mr. Boswell, and if the application was changed to OM, they would not be objecting. Mr. Johnson further stated that since they did not have definitive development proposals at this time, they would amend to the OM designation. Mr. Johnsen added the record should reflect their amending to OM with the proviso that there may be a day, when they have definitive development proposals, and that they may be back and would argue/defend it at that time as to appropriate intensities. Mr. Johnson clarified, with Staff assistance, for Mr. Paddock that 21st Street, in its entirety, was a primary arterial.

Interested Parties:

Mr. Grant Hall	Address: 1202 East 18th
Ms. Bernadine Jones	6 East 22nd
Ms. Flora Owens	2301 South Boston

Mr. Hall stated support of the application with the OM designation.

Ms. Jones inquired if this is a purchase that has already changed hands or is it contingent on getting the zoning. Mr. Johnsen advised they had a zoning contingency in the contract and they had not closed. Ms. Jones stated she was representing Woodward Terrace Condominiums and requested denial of office zoning.

Ms. Flora Owens, requested denial of the zoning request to preserve one of Tulsa's older neighborhoods.

Chairman Kempe read letters from Lee and Kristine L. Newcomer, 2403 South Boston, requesting denial of zoning and from Mr. Robert S. Boswell, 11 East 22nd. Mr. Johnsen advised that Mr. Barlow and Mr. Boswell have met and Mr. Boswell does not object to the OM zoning. Mr. Johnsen added he felt most of the objections were to the previous request of OH zoning. Chairman Kempe agreed that the letters reflected OH zoning only, not OM.

Comments & Discussion:

Upon Mr. Paddock moving for approval of OM zoning, Mr. VanFossen added the purchasers should take heed that the Commission is not condoning anything greater than OM. Mr. Johnsen stated he understood, but requested that the matter be left open for a fair review at any future hearings.

TMAPC ACTION: 9 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **8-0-1** (Draughon, Connery, Higgins, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Carnes, "abstaining"; (Harris, Young, "absent") to **APPROVE Z-6077 for OM**, as a recommended alternative by Staff.

Application No.: **Z-6078**

Applicant: **Ryan (Cox)**

Location: NE corner of 66th & Mingo Road

Present Zoning: RS-3

Proposed Zoning: CO

Date of Hearing: September 11, 1985

Size of Tract: 11 acres, more or less

Presentation to TMAPC by: Ellen Ryan, 12802 East 31st, Tulsa

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, Corridor.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 11 acres in size and located on the east side of Mingo Road between 64th Street and 66th Street. It is partially wooded, flat, contains several single family dwellings on large lots and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by scattered single family dwellings on large lots zoned RS-3, on the east by a football field and single family dwellings zoned RS-3, on the south by vacant property zoned CO, on the west by single family dwellings zoned CO and OL and an existing apartment complex zoned RM-1 and PUD.

Zoning and BOA Historical Summary: Several rezoning cases have been approved to allow CO zoning between Mingo Road and the proposed Mingo Valley Expressway.

Conclusion: From the case map and report, it can be seen that the area is in transition from Agriculture/Residential to higher intensity land use. The proposed rezoning would not isolate any dwellings with residential zoning and would be considered orderly.

Therefore, based on the Comprehensive Plan and existing physical facts, the Staff recommends APPROVAL of the requested CO zoning.

Applicant's Comments:

Ms. Ellen Ryan, representing the owners, requested the CO zoning based on the zoning of the surrounding properties. Mr. VanFossen asked if the owners realized that CO zoning does not specifically permit anything other than what is in the Comprehensive Plan for that area. Ms. Ryan advised she had discussed it with the owners, and they have nothing proposed for the property at this time.

Interested Parties:

Ms. Helen Ferguson	Address: 6348 South 103rd East Avenue
Ms. Jan Colvin	6427 South 102nd East Avenue

Ms. Ferguson asked the Commission to give careful consideration to this case, as her main concern was property devaluation due to the proposed expressway and future commercial zonings. Ms. Ferguson stated residents in the area were also concerned about the lack of a sewer system and the effect of future development. Chairman Kempe defined for Ms. Ferguson Corridor (CO) zoning. Mr. VanFossen commented that surrounding CO zoning could increase her property value, not decrease it. In reply to a question from Mr. Draughton, Ms. Ferguson commented about flooding in the area and the way water drains from Catfish Creek.

Ms. Jan Colvin asked the Commission for a careful definition of Corridor zoning. Staff explained the purpose design of CO zoning for Ms. Colvin.

Comments & Discussion:

Based on the definition given by Staff from the code book, Mr. Draughton and Mr. VanFossen commented on areas of confusion as to the application of Corridor zoning. Mr. Linker commented that the Legal Department has consistently stated that, when the Commission recommends Corridor zoning, it does not imply obligation to high intensity use in the CO designation, as the physical facts in the area must be considered. Mr. VanFossen stated further that the definition used in the zoning book might need to be reviewed to clarify it as to intensity uses. Mr. Draughton asked Staff and Legal if their experiences with CO had shown it to become more than single family residences, once it had been established Corridor. Mr. Frank and Mr. Linker both stated that the consideration of the physical facts dictated the use designation.

TMAPC ACTION: 9 members present

On **MOTION** of **WOODARD**, the Planning Commission voted **6-1-2** (Carnes, Connery, Higgins, Kempe, Wilson, Woodard, "aye"; Draughton, "nay"; Paddock, VanFossen, "abstaining"; (Harris, Young, "absent") to **APPROVE Z-6078 for CO**, as recommended by Staff.

Legal Description:

All of Lots Four (4) through Ten (10), Block Seven (7), UNION GARDENS ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Application No.: Z-6079 & PUD 128-D

Present Zoning: RM-2, AG, FD

Applicant: Norman (Riverside Company)

Proposed Zoning: CS, OMH, RM-2

Location: South & East of 71st Street, East of Arkansas River

Date of Hearing: September 11, 1985

Size of Tract: 91.8 acres, more or less

Presentation to TMAPC by: Charles Norman, 909 Kennedy Building

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the entire subject tract Development Sensitive; Low Intensity - No Specific Land Use/Public on the northerly portion, and the southerly portion Medium Intensity - No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested zoning's relationship to the Comprehensive Plan is as follows: CS - not in accordance; OMH - not in accordance; and OMH and RM2 - not in accordance on the north and in accordance on the south portion. The Development Sensitive classification would address the possible need for FD zoning. (Note: Stormwater Management is recommending that FD zoning ordinance be repealed.)

Staff Recommendation - Z-6079:

Site Analysis: The subject tract has an area of approximately 91.82 acres and is located at the southwest corner of the proposed Riverside Parkway and East 71st Street South. The parkway will form the east boundary of this tract and the Arkansas River, the west boundary. The tract is comprised mainly of ground that has been reclaimed by filling the east bank of the River. It is abutted on the north by East 71st Street and the intersection of the Parkway, Peoria and East 71st Street. It is basically flat, non-wooded, vacant and zoned a mixture of RS-3, RM-1 and CS on the north; RS-2 on the interior, RM-2 on the southern portion and AG/FD on the southwesterly portion bounded by the Arkansas River.

Surrounding Area Analysis: The tract is abutted on the north by the intersection of East 71st Street and Peoria and property zoned CS, on the east by property zoned CS, RS-2, RM-1 and RM-2, on the south by the Joe Creek Channel, zoned FD and on the west by the Arkansas River zoned AG and FD.

Zoning and BOA Historical Summary: The Riverside Expressway was initially planned in this area and, subsequently, downgraded to be Riverside Parkway. Although the zoning classifications are mixed in this general area, recent zoning cases have been medium intensity in nature.

Conclusion: Although the Comprehensive Plan, as adopted, does not support medium intensity at the intersection of the proposed Riverside Parkway and East 71st, this classification was more of a reflection of the arterial's previous designation as an Expressway with no land on the west near 71st or access roads. The present Parkway could be considered a Primary Arterial, which is the classification of East 71st Street. The eminent construction of the Parkway causes the Staff to be supportive of nodal type development; however, supportive only to the point of recommending enough medium intensity zoning to accomplish what is planned in the companion PUD and confined to a ten acre node.

The "public" designation on the north portion of the Low Intensity - Development Sensitive area, was for the purposes of supporting a park type development along the narrow strip of land west of the proposed expressway, which is no longer the case. The proposed plans, however, provide public access along the river and the applicant has donated additional land to the River Parks Authority. The present zoning and Comprehensive Plan (southern portion) does recognize medium intensity development west of the Parkway in this area provided the area meets all of the City and Federal Flood Regulations.

Therefore, the Staff recommends APPROVAL of 3.9 acres of CS on the north with 5.6 acres of OMH on the south portion of the ten acre node, consistent with the Development Guidelines, less and except any area needed for the alignment of the Riverside Parkway, less and except any FD zoning, as needed and with RM-2 zoning on the balance. The applicant will be responsible for corrected legal descriptions.

If the Commission supports this recommendation, the Staff further recommends that the subject tract will be redesignated in the Comprehensive Plan to Medium intensity - No Specific Land Use, with the Development Sensitive designation as needed to support possible FD zoning.

PUD #128-D - Background:

This request is described as a Major Amendment to PUD #128, which adds land to the original PUD, deletes approved development standards from Development Areas 29, 30, 31, 32 and 35, and formulates new development standards for these areas under PUD #128-D. Development Area 29 was the original 300' wide corridor for the Riverside Expressway, which has been reduced to 150' wide and will be built as the Riverside Parkway. This reduced the original area of the Parkway from 16.8 acres to 13 acres (more or less), which has been conveyed to the City. Development Areas 30, 31 and 32 were originally 64.3 acres and allocated 2,572 dwelling units - 2,296 units from PUD #128-A, and 276 units transferred from the PUD #128-B. These development areas would be: (1) abandoned by the approval of PUD #128-D and reestablished per the new Development Standards for Areas A through G, (2) underlying zoning would be retained, (3) the dwelling units allocated to the subject area of PUD #128-D would be reduced from 2,572 units to 700 units, and (4) land would be added to the PUD which, subject to commercial and office zoning, would be partially converted to floor area for office space.

PUD Review:

The subject request is a major amendment to PUD #128(A-C) that would facilitate construction of 700 units of multifamily development, 85,000 square feet of retail/commercial development and 1,850,000 square feet of office development. The site has approximately 500' of frontage on East 71st and 4,400 feet along the Riverside Parkway. The subject tract has an area of 91.82 acres and is located on the east bank of the Arkansas River, south of East 71st, west of the proposed Riverside Parkway, and north of the Joe Creek Channel. The Staff is supportive of the underlying zoning requested to the extent of limiting the medium intensity CS and OMH zoning to the ten acre node at East 71st and the proposed Parkway, and as discussed under Z-6079. The proposed development will be divided into Development Areas A through G as discussed under the Development Standards. The height profile of the development at 71st and the Riverside Parkway is proposed to be four to five stories, increasing to approximately twelve stories in the middle portion (increased height is requested with approval of the Federal Aviation Authority and Detail Site Plan), and decreasing in height on the south. The 175' building setback proposed in the Text from the centerline of Riverside will cause the present residential structures on the east to be approximately 300' away.

The design and intensity of the development will require structured parking throughout the development; however, an average of 25% of landscaped open space is proposed per Development Area. Development Area "F", 13.42 acres, will be devoted solely to open space. Open space will also include a dedicated pedestrian trail along the Arkansas River and a link connecting the south end of Harbour Pointe along the Joe Creek Channel to Kensington Park. A park site is also proposed along the riverbank south of the Joe Creek Channel which will be donated by applicant. The Parkway design will allow access to the various Development Areas along Riverside; however, this access will be granted only with approval of the City of Tulsa Traffic Engineer. The design of the proposed Parkway presently indicates that traffic on Riverside south of 71st will not be able to directly access the southwest corner of 71st and Riverside due to the roadway being divided by a raised median for several hundred feet south of 71st. Four points of access are proposed from Riverside with an internal street system running the length of the tract, cul-de-saced on the north. The proposed internal street will have a 48 foot wide paving section. Drainage from the site will be directed to the abutting Arkansas River.

The Staff has reviewed the proposed major amendment and finds it 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 Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #128-D, subject to the following conditions:

- (1) That the applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
- (2) Development Standards: (NOTE: Due to the length of this documentation, the Staff recommends these be made a matter of record via "Exhibits" by the TMAPC if and/or as adopted.)

STATISTICAL SUMMARY: (Attached as an Exhibit)

DEVELOPMENT STANDARDS: (Attached as an Exhibit)

- (3) That a Detail Landscape Plan shall be submitted for each Development Area for review and approval by the TMAPC and installed prior to issuance of an Occupancy Permit for any units within said area. The 175' setback along the west side of the Riverside Parkway shall be used to provide a generous landscaped area which will include berms, treed areas, and shrubbery areas with a variety of landscaping materials.
- (4) That Detail Site Plan approval shall be required by the TMAPC for each Development Area prior to issuance of a Building Permit.
- (5) That all equipment and utility areas shall be screened from public view.
- (6) Subject to review and conditions of the TAC, including approval of all access points and traffic concerns by the City of Tulsa Traffic Engineer.
- (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 PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.
- (8) That the process for granting additional height in the various areas be established as by processing of a minor amendment via the TMAPC and subject to Federal Aviation Administration approval.

Applicant's Comments:

Mr. Charles Norman, representing the applicant, gave a thorough background description and the intention of uses in each of the proposed areas (A through G). Mr. Paddock asked for clarification of the proposed height in Areas B, C and D, and inquired if there were any plans for a pedestrian overpass over Riverside Parkway that might connect the development. Mr. Norman stated the building height proposals had been reviewed by the FAA and he did not know of any planned pedestrian overpasses.

Comments & Discussion:

Mr. Draughon stated he would be opposed to any high-rise buildings along the entire river front. Mr. Draughon inquired as to a flood plain determination. Mr. Norman stated they had received flood plain development permits from the City of Tulsa (issued 3/17/84). Chairman Kempe advised the hydrology reports arrived late and Staff had the flood plain information at the meeting. Mr. Carnes complimented the project but voiced concern over the high-rises being in the Jones/Riverside Airport flight area. Chairman Kempe informed that condition #8 required FAA approval. Discussion and debate followed among the Commission, Legal and Mr. Norman as to the high-rise limits, FAA approval and notification to the Tulsa Airport Authority. It was suggested changing item #8 of the PUD to set a maximum building height of 199' in areas B, C and D; and making it a jurisdiction of the Tulsa Airport Authority. Mr. Paddock voiced objections to recognizing the Tulsa Airport Authority's jurisdiction, as he felt FAA approval would be adequate.

Interested Parties:

Mr. Almond Allen	Address: 7731 South Trenton Avenue
Mr. David Henderson	7756 South Trenton Avenue

Mr. Allen stated, after seeing and hearing the proposals, he feels this is a well planned project. Mr. Allen did, however, voice concerns over future traffic on Trenton Avenue.

Chairman Kempe read a letter from Mr. Henderson voicing oppositions to the proposed rezoning.

Additional Comments & Discussion:

Mr. Norman stated support of the homeowners concerns and added efforts would be made to meet the potential traffic problems pointed out by homeowners in this area. Ms. Wilson suggested sending Mr. Henderson's letter to Commissioner Metcalf to advise him of the street/traffic concerns in the Trenton area. Mr. Paddock offered his compliments to Mr. Norman on this project and the Commission, as a whole, applauded the efforts made by Mr. Norman and the Riverside Company.

TMAPC ACTION: 9 members present

On MOTION of CARNES, the Planning Commission voted 7-1-0 (Carnes, Connery, Higgins, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; Draughon, "nay"; no "abstentions"; (Harris, Young, "absent")) to APPROVE Z-6078 as recommended by Staff, and APPROVE PUD #128-D, with item #8 to be amended, and the addition of item #9 as follows:

- (8) Maximum building heights shall be subject to the jurisdiction of the FAA and the Tulsa Airport Authority and the process for granting additional height for development areas B, C and D up to a maximum of 199' be established as by processing of a minor amendment via the TMAPC and subject to FAA approval.
- (9) Due to the length of the Development Standards, these Standards shall be made a matter of record via attachments as Exhibits to these minutes.

Legal Description:

A part of Section 7, T-18-N, R-13-E, and a part of Section 12, T-18-N, R-12-E, Tulsa County, Oklahoma being more particularly described as follows: Commencing at the northeast corner of said Section 12 as the point of beginning. Thence, along the centerline of the proposed Riverside Parkway $S9^{\circ} 27' 33''$ East a distance of 977.67' to point of curvature; thence along a 1,273.24' radius curve to the left having a central angle of $20^{\circ} 20' 00''$ for an arc distance of 651.85' to a point of tangency; thence $S38^{\circ} 47' 33''$ East a distance of 39.01' to a point of curvature; thence along a 44,864.56' radius curve to the right having a central angle of $1^{\circ} 01' 18''$ for an arc distance of 800.00' to a point of tangency; thence $S37^{\circ} 46' 15''$ East parallel with Block 8, Kensington II amended a distance of 1,933.42' to a point on the northerly line of Block 20, Kensington; thence $S41^{\circ} 06' 06''$ West along the boundary of said Block 20 a distance of 435.96' to a point; thence along a 521.28' radius curve to the right having a central angle of $69^{\circ} 00' 00''$ for an arc distance of 627.77 feet to a point of tangency; thence $N69^{\circ} 53' 54''$ West a distance of 157.40' to a point of curvature; thence along a 1,100.00' radius curve to the right having a central angle of $43^{\circ} 30' 00''$ for an arc distance of 835.14' to a point of tangency; thence $N26^{\circ} 23' 54''$ West a distance of 1,157.22' to a point of curvature; thence along a 599.98' radius curve to the right having a central angle of $13^{\circ} 49' 13''$ for an arc distance of 144.72'; thence $N12^{\circ} 34' 41''$ West a distance of 2,376.43' to a point which is 125.00' South of the North Section Line of Section 12, T-18-N, R-12-E, thence $N0^{\circ} 01' 20''$ East a distance of 125.00' to a point on the north Boundary of said Section 12; thence $S89^{\circ} 58' 40''$ East along said north boundary a distance of 565.25' to the northeast corner of said Section 12 which is the point of beginning.

Said tract containing 3,999,906.57 square feet or 91.825 acres, more or less. Legal description of Riverside tract to centerline of adjacent streets using State plane bearings.

Application No.: CZ-139 Present Zoning: AG
Applicant: Weigand (Citizens Security Bank) Proposed Zoning: CH
Location: East of Highway 64 and 171st Street South

Date of Hearing: September 11, 1985
Size of Tract: 6.28 acres
Presentation to TMAPC by: Mr. Charles Norman, 909 Kennedy Building

Relationship to the Comprehensive Plan:

The District 20 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area does not cover the subject tract.

Staff Recommendation:

Site Analysis: The subject tract is 6.28 acres in size and located at the intersection of Oklahoma State Highway #64 and 171st Street South. It is partially wooded, gently sloping, contains three large propane tanks, a metal commercial building, a residence with dog runs (K-9 College) and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by vacant property zoned AG, on the east by a single family dwelling zoned AG, on the south by vacant property zoned AG, and on the west by scattered single family dwellings zoned AG.

Zoning and BOA Historical Summary: A home occupation welding shop was permitted by the County Board of Adjustment in 1981. The welding shop is located abutting the residential area to the west, north of Highway #64.

Conclusion: Since the Major Street Plan designated both 171st Street South and 145th East Avenue as 120' Primary Arterials, a Type III Node (808.5' xx 808.5') could be considered at this intersection. However, due to the location of State Highway #64 and the condition of 145th East Avenue, the Node physically exists at the intersection of Highway #64 and 171st Street South. Although the Staff cannot support CH zoning of the subject tract, the Staff can support commercial zoning based on the existing uses on the land, the major intersection and the Development Guidelines. The location of the railroad tracks and highway would make the tract suitable for light industrial or general commercial zoning. IL zoning would accommodate the existing uses of kennel and propane storage that presently occur on the subject tract, but IL zoning has not been advertised. The Staff could also support CG zoning on the subject tract which would allow the kennel by right and the propane storage by special exception with County Board of Adjustment approval. CG zoning would also allow light manufacturing with Board of Adjustment approval.

Based on the above information, the Staff recommends DENIAL of the requested CH zoning and APPROVAL OF CG zoning in the alternative, except OL zoning on the east 275' for a buffer.

Applicant's Comments:

Mr. Charles Norman stated he had no difficulty with the Staff recommendation, except the east 275' and requested a reduction of the OL designation to something less than 275'.

Interested Parties:

Mr. Terry West of Leonard, submitted petitions objecting to the proposed changes, and requested denial of the application. Mr. West answered questions from the Commission establishing his ownership of the adjacent 19 acres and stated he would prefer not to have a commercial/industrial business next to his property. Commission asked Staff to explain the commercial zoning designations for clarification of the uses.

Comments & Discussion:

After discussion among the Commissioners, Mr. Carnes stated he was in agreement with Mr. VanFossen's statement that, while the area might accept light commercial, it did not seem ready for light industrial. Further discussion followed on the possible use of AG, CG, CS, etc. and the division of these uses on the tract. It was determined the kennels had been out of business for the past five years and the propane business required BOA special exception approval in the recommended CG District. Mr. VanFossen stated he would not vote for CG at all and asked if Mr. Norman might accept CS. Mr. Carnes motioned for denial of the staff recommendation. Mr. Paddock then asked what the status would be if a vote for denial was taken without a replacement recommendation. After advice from Legal, Mr. Carnes changed his motion to a motion for denial of the application. Based on a question by Ms. Higgins, it was suggested by Legal, that another motion could be made if the application was denied. Mr. Paddock stated he was in favor of recommending an alternative. Legal suggested proceeding with the vote on the motion rather than amending.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted 5-3-0 (Carnes, Draughon, Wilson, Woodard, VanFossen, "aye"; Higgins, Kempe, Paddock, "nay"; no "abstentions"; (Connery, Harris, Young, "absent") to **DENY** the application for CH zoning per **CZ-139**.

On **MOTION** of **DRAUGHON**, the Planning Commission voted 8-0-0 (Carnes, Draughon, Connery, Higgins, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Harris, Young, "absent") to **APPROVE CZ-139** for **CS**, except the east 150', which is to remain AG.

Legal Description:

Lots 1 through 6, Block 31 and all of Block 30, TOWN OF WEALAKA, being in the South half of the SE/4 of Section 28-T17N-R14E, Tulsa County, State of Oklahoma; AND All of Blocks 27, 28, 29, WEALAKA, Tulsa County, Oklahoma, according to the plat thereof; LESS a strip, piece or parcel of land lying in Lots 1, 2, and 3, Block 27 of the Original Townsite of

Wealaka in Tulsa County, Oklahoma, said parcel of land being described as follows: All of Lots 1, 2 and 3 of said Block 27, containing 0.41 acres, more or less; and LESS a strip or parcel of land lying in Lot 1, Block 28 of the original townsite of Wealaka in Tulsa County, Oklahoma, said parcel of land being described as follows: All of Lot 1 of said Block 28, containing 0.38 acres, more or less.

SUBDIVISIONS:

Final Approval and Release:

Southeast Square (183) SE corner of 61st & Memorial (CS)

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

On **MOTION** of **PADDOCK**, the Planning Commission voted 7-0-0 (Carnes, Draughton, Higgins, Kempe, Paddock, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Harris, Wilson, Young, "absent") to **APPROVE** the final plat of **SOUTHEAST SQUARE** and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD 350-1 Charles Norman South of 91st Street, mile of Yale
(RS-3)

Staff Recommendation - Minor Amendment to Setback

The subject tract is a single family subdivision for which the Technical Advisory Committee and TMAPC have recommended approval of the Preliminary Plat subject to it meeting all conditions of the approved PUD. The applicant is requesting the following amendments:

1. Front yard building setbacks revised from 25' to 18', except as noted on cul-de-sacs and streets entering a cul-de-sac where a 15' setback is requested.
2. Side yard building setbacks will be 15' on corner lots.
3. Back yard building setback revised from 20' to 17' except where noted and 15' is requested at those locations except where a 17.5' utility easement exists.
4. Easement revisions as noted on the Plan.

The streets in this addition will be 50' rights-of-ways with a 26' curb and gutter paving section. This will provide 12' of unpaved area between the curb and property line for pedestrian circulation and open views of the residents entering or leaving the private driveways.

The Staff finds that the general nature of this request is minor in nature considering that the streets will be public and parking in front of the residences will not typically be on the public right-of-way. Further, the density of this development has been reduced from 260 units per the approved PUD to 223 units under the amended Plan. The Staff research indicates that most rear easements have been reduced from 17.5' to 11', based on availability of land for easements on abutting property.

Therefore, the Staff recommends APPROVAL of Minor Amendment to PUD #350-1 with the following conditions and DENIAL of those portions of the request not in compliance with these conditions:

1. Front yard building setbacks for Lots 14-30 of Block 1, and Blocks 2 - 14 be amended from 25' to 18' minimum.
2. Rear yard setbacks for Lots 14-30 of Block 1 and Blocks 2-14 be amended from 20' to 17' minimum, except no building shall be permitted on rear yard easements greater than 17'.
3. That if relief beyond these amendments be requested, said relief shall be subject to, on a lot-by-lot basis, a Detail Site Plan submitted for review and approval by the TMAPC prior to issuance of a Building Permit.
4. That the total number of dwelling units under this PUD be reduced from 260 to 223.

On **MOTION** of **CARNES**, the Planning Commission voted 7-0-0 (Carnes, Draughon, Higgins, Kempe, Paddock, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Harris, Wilson, Young, "absent") to **APPROVE** the **Minor Amendment to Setbacks for PUD 350-1**, as recommended by Staff.

PUD 278 Berry

SW corner of 55th & South Lewis (OL)

Staff Recommendation - Detail Landscape Plan & Detail Sign Plan

The subject tract is platted as Lots 6 and 9, of the Pecan Tree Park Addition, which has underlying zoning of OL and is being developed as an office park. Lots 6 and 9 are located in the southwest corner of the development and were given Detail Site Plan approval by the TMAPC on May 1, 1985.

Detail Landscape Plan: The subject building will be surrounded on the west and south boundaries by sodded areas. These areas will have Dogwood trees planted on the west, and Crape Myrtle shrubs on the south. Small shrubs will be planted on the interior areas of the buildings adjacent to the common parking area. Bradford Pear trees will also be planted in this general area. The Staff review of the Detail Landscape Plan indicates that the Plan meets the PUD requirements as submitted and includes a detailed listing of plant types, sizes, and design layout. Therefore, the Staff recommends APPROVAL of the Plan as submitted. NOTE: The approved PUD conditions will require installation of a 25' landscape buffer along South Lewis Avenue when those lots are developed.

Detail Sign Plan: The signs will be constructed as small "directory" signs to be located on the building adjacent to the entrances per the attached sketches. The Staff's review of these signs and the proposed Plan indicates that it is in conformance with the approved PUD. Therefore, the Staff recommends APPROVAL of the Detail Sign Plan as submitted.

On **MOTION** of **WOODARD**, the Planning Commission voted 7-0-0 (Carnes, Draughon, Higgins, Kempe, Paddock, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Harris, Wilson, Young, "absent") to **APPROVE** the **Detail Landscape Plan & Detail Sign Plan for PUD 278**, as recommended by Staff.

PUD 109-A

Amendment to Restrictive Covenants

Staff Recommendation:

The applicant has submitted amended covenants to accomplish the changes approved by the Commission in accordance with PUD 109-A. Staff has reviewed these covenants and determined that they meet the PUD conditions of approval. The City Legal Staff is currently reviewing the covenants for legal form at the publication of this agenda.

Therefore, Staff recommends APPROVAL of the amendments to the restrictive covenants as proposed, subject to approval of the City of Tulsa Legal Staff.

On **MOTION** of **WOODARD**, the Planning Commission voted 7-0-0 (Carnes, Draughon, Higgins, Kempe, Paddock, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Harris, Wilson, Young, "absent") to **APPROVE** the **Amendment to Restrictive Covenants for PUD 109-A**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 7:37 p.m.

Date Approved September 25, 1985

Chery Kempe
Chairman

ATTEST:

AB Pedron
Secretary

PUD #128-D
HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "A"

AREA: 14.21 acres 618,988 SF

PERMITTED USES:

Uses permitted as a matter of right in the OM-Office Medium district and accessory uses customarily incident to a principal use permitted in the OM district, restaurants and private clubs, barber and beauty shops. Restaurants, private clubs, barber and beauty shops which are located within a building having offices as its principal use shall be considered as permitted accessory uses if such restaurants and clubs do not occupy more than 5% of the gross floor area of the building in which located.

MAXIMUM BUILDING FLOOR AREA: 284,000 SF

MINIMUM BUILDING SETBACKS:

From the centerline of Riverside Drive:	175 FT
From the boundary line of Area "B":	0 FT
From the centerline of East 71st Street:	175 FT
From the West Boundary:	Per approved Detailed Site Plan

MAXIMUM BUILDING HEIGHT: 60 FT

OFF-STREET PARKING:

As required by the applicable permitted Use Units

MINIMUM INTERNAL LANDSCAPED OPEN SPACE: 25% 154,747 SF*

*Internal landscaped open space includes arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "B"

AREA: 10.25 acres 446,490 SF

PERMITTED USES:

Uses permitted as a matter of right in the OM-Office Medium district and accessory uses customarily incident to a principal use permitted in the OM district, restaurants and private clubs, barber and beauty shops and convenience goods and services, and shopping goods and services as permitted in Use Units 12, 13 and 14. Restaurants and clubs which are located within a building having offices as its principal use shall be considered as permitted accessory uses and shall not be included in the computation of the maximum floor area permitted for convenience goods and services and shopping goods and services if such restaurants and clubs do not occupy more than 5% of the gross floor area of the building in which located.

MAXIMUM BUILDING FLOOR AREA:

Office:	396,000 SF
Commercial:	12,500 SF

MINIMUM BUILDING SETBACKS:

From the centerline of Riverside Drive:	175 FT
From the boundary line of Area "A":	0 FT
From the boundary lines of Areas "C":	0 FT
From the West Boundary:	Per approved Detailed Site Plan

MAXIMUM BUILDING HEIGHT: (to the top of parapet) 154 FT *

OFF-STREET PARKING:

As required by the applicable permitted Use Units

MINIMUM INTERNAL LANDSCAPED OPEN SPACE: 25% 111,622 SF**

*The maximum building height may be increased subject to the approval of the Federal Aviation Administration and the approval of a Detailed Site Plan by the Tulsa Metropolitan Area Planning Commission.

**Internal landscaped open space includes arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "C"

AREA: 8.52 acres 371,131 SF

PERMITTED USES:

Uses permitted as a matter of right in the OM-Office Medium district and accessory uses customarily incident to a principal use permitted in the OM district, restaurants and private clubs, barber and beauty shops and convenience goods and services, and shopping goods and services as permitted in Use Units 12, 13 and 14. Restaurants and clubs which are located within a building having offices as its principal use shall be considered as permitted accessory uses and shall not be included in the computation of the maximum floor area permitted for convenience goods and services and shopping goods and services if such restaurants and clubs do not occupy more than 5% of the gross floor area of the building in which located.

MAXIMUM BUILDING FLOOR AREA:

Office:	432,000 SF
Commercial:	30,000 SF

MINIMUM BUILDING SETBACKS:

From the centerline of Riverside Drive:	175 FT
From the boundary line of Area "F":	30 FT
From the boundary lines of Areas "B" & "D":	0 FT

MAXIMUM BUILDING HEIGHT: (to the top of parapet) 154 FT *

OFF-STREET PARKING:

As required by the applicable permitted Use Units

MINIMUM INTERNAL LANDSCAPED OPEN SPACE: 25% 92,783 SF**

*The maximum building height may be increased subject to the approval of the Federal Aviation Administration and the approval of a Detailed Site Plan by the Tulsa Metropolitan Area Planning Commission.

**Internal landscaped open space includes arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "D"

AREA: 10.14 acres 441,698 SF

PERMITTED USES:

Uses permitted as a matter of right in the OM-Office Medium district and accessory uses customarily incident to a principal use permitted in the OM district, restaurants and private clubs, barber and beauty shops and convenience goods and services, and shopping goods and services as permitted in Use Units 12, 13 and 14. Restaurants and clubs which are located within a building having offices as its principal use shall be considered as permitted accessory uses and shall not be included in the computation of the maximum floor area permitted for convenience goods and services and shopping goods and services if such restaurants and clubs do not occupy more than 5% of the gross floor area of the building in which located.

MAXIMUM BUILDING FLOOR AREA:

Office:	522,000 SF
Commercial:	30,000 SF

MINIMUM BUILDING SETBACKS:

From the boundary line of Area "F":	30 FT
From the boundary lines of Areas "C" & "E":	0 FT

MAXIMUM BUILDING HEIGHT: (to the top of parapet) 154 FT *

OFF-STREET PARKING:

As required by the applicable permitted Use Units

MINIMUM INTERNAL LANDSCAPED OPEN SPACE: 25% 110,424 SF**

*The maximum building height may be increased subject to the approval of the Federal Aviation Administration and the approval of a Detailed Site Plan by the Tulsa Metropolitan Area Planning Commission.

**Internal landscaped open space includes arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "E"

AREA: 13.05 acres 568,458 SF

PERMITTED USES:

Uses permitted as a matter of right in the OM-Office Medium district and accessory uses customarily incident to a principal use permitted in the OM district, restaurants and private clubs, barber and beauty shops and convenience goods and services, and shopping goods and services as permitted in Use Units 12, 13 and 14. Restaurants and clubs which are located within a building having offices as its principal use shall be considered as permitted accessory uses and shall not be included in the computation of the maximum floor area permitted for convenience goods and services and shopping goods and services if such restaurants and clubs do not occupy more than 5% of the gross floor area of the building in which located.

MAXIMUM BUILDING FLOOR AREA:

Office:	216,000 SF
Commercial:	12,500 SF

MINIMUM BUILDING SETBACKS:

From the centerline of Riverside Drive:	175 FT
From the boundary line of Area "F":	30 FT
From the boundary line of Area "D":	0 FT

MAXIMUM BUILDING HEIGHT: (to the top of parapet) 88 FT

OFF-STREET PARKING:

As required by the applicable permitted Use Units

MINIMUM INTERNAL LANDSCAPED OPEN SPACE: 25% 142,114 SF *

*Internal landscaped open space includes arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "F"

AREA: 13.42 acres 584,575 SF

PERMITTED USES:

Open space, landscaped yards, plazas and pedestrian area, maintenance buildings and driveways.

MINIMUM BUILDING SETBACKS:

From the centerline of Riverside Drive: 175 FT
From the boundary lines of Areas "C", "D", "E" and "G": 10 FT
From the West Boundary: Per approved Detailed Site Plan

MAXIMUM BUILDING HEIGHT: 12 FT

OFF-STREET PARKING:

As required by the applicable permitted Use Units

MINIMUM INTERNAL LANDSCAPED OPEN SPACE: 96% 561,192 SF *

*Internal landscape open space includes arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

HARBOUR POINTE
DEVELOPMENT STANDARDS

AREA "G"

AREA: 22.23 acres 968,339 SF

PERMITTED USES:

Uses permitted as a matter of right in the RM-2 Residential Multi-family district including garden apartments, townhouses and patio homes, clubhouses, recreational facilities, swimming pools other uses which are customarily accessory to multi-family dwellings. The permitted accessory uses shall include commercial accessory uses include in Use Unit 12 and Use unit 13 which shall be designed and located for the convenience of the occupants of the multi-family dwelling units. The commercial accessory uses in Development Area "G" shall not occupy more than 10% of the gross floor area of the building in which located.

MAXIMUM NUMBER OF DWELLING UNITS:
700

MINIMUM BUILDING SETBACKS:

From the boundary line of Area "F": 20 FT
From the West Boundary: Per approved Detailed Site Plan

MAXIMUM BUILDING HEIGHT: 50 FT

LIVABILITY SPACE: 200 SF
per dwelling unit

OFF-STREET PARKING:

As required by the applicable permitted Use Units

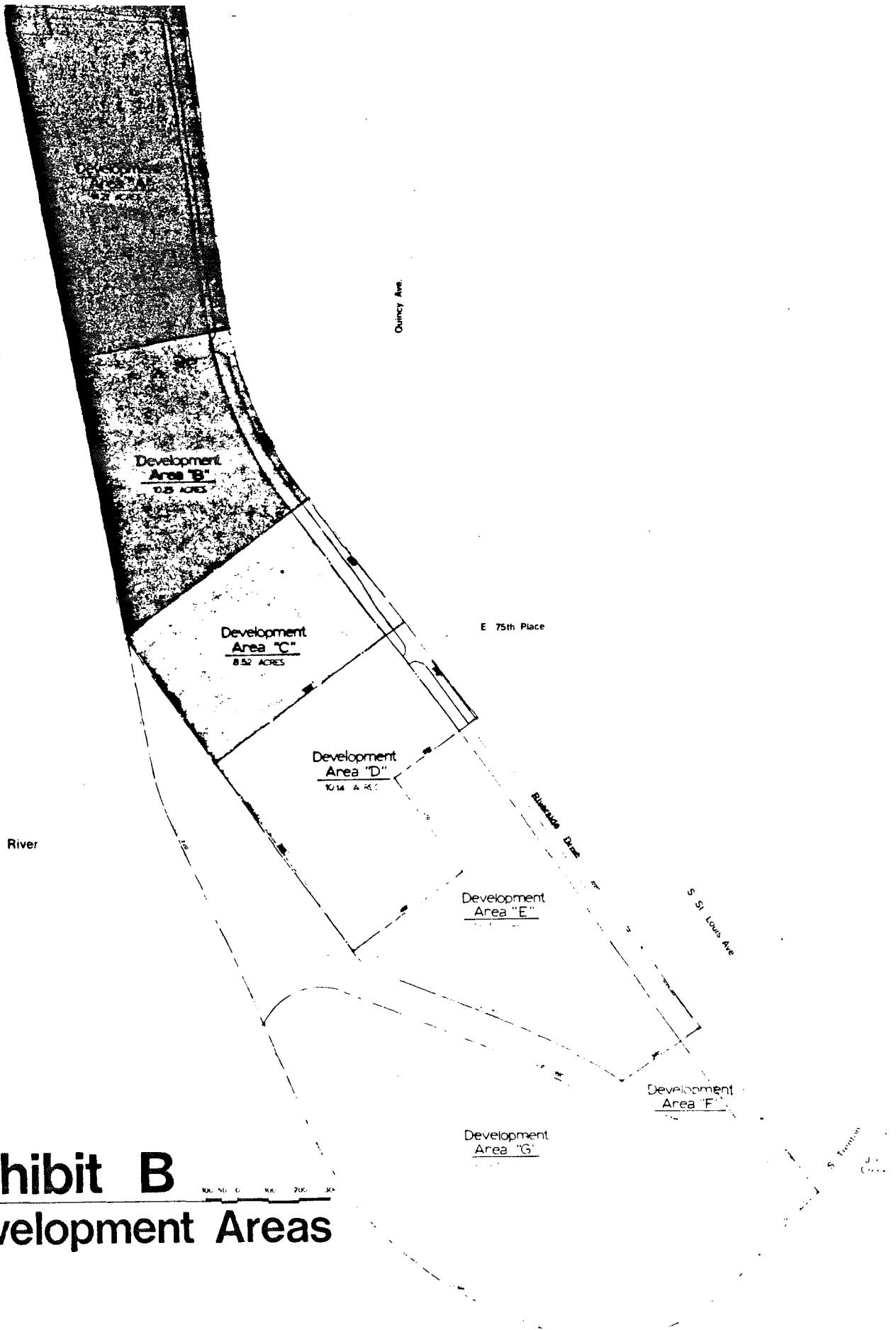


Exhibit B

Development Areas

PUD #128-D

HARBOUR POINTE

STATISTICAL SUMMARY

AREA (acres)	AREA (sq. ft.)	RESIDENTIAL UNITS	MAXIMUM FLOOR AREA COMMERCIAL (sq. ft.)	MAXIMUM FLOOR AREA OFFICE (sq. ft.)	MINIMUM INTERNAL LANDSCAPED OPEN SPACE (%)	MINIMUM INTERNAL LANDSCAPED OPEN SPACE (sq. ft.)	MAXIMUM BUILDING HEIGHT	
AREA "A"	14.21	618,988	---	----	284,000	.25	154,747	60 ft.
AREA "B"	10.25	446,490	---	12,500	396,000	.25	111,622	154 ft. *
AREA "C"	8.52	371,131	---	30,000	432,000	.25	92,783	154 ft. *
AREA "D"	10.14	441,698	---	30,000	522,000	.25	110,424	154 ft. *
AREA "E"	13.05	568,458	---	12,500	216,000	.25	142,114	88 ft.
AREA "F"	13.42	584,575	---	----	----	.96	561,192	15 ft.
AREA "G"	22.23	968,339	700	----	----	--	----	50ft.
TOTALS	91.82	3,999,679	700	85,000	1,850,000		1,172,882	

*The maximum building height may be increased subject to the approval of the Federal Aviation Administration and the approval of a Detailed Site Plan by the Tulsa Metropolitan Area Planning Commission.

Note: Staff recommends that this be accomplished by an advertised Minor Amendment subject to approval by the TMAPC. No building shall exceed 199 feet tall.

