

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1574  
Wednesday, September 25, 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>
Carnes Connery Draughon Kempe, Chairman Paddock, Secretary VanFossen Wilson, 1st Vice-Chairman Woodard	Higgins Harris Young	Frank Jones Setters	Linker, Legal Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 24, 1985 at 12:35 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 1:34 p.m.

**MINUTES:**

**Approval of Minutes of September 11, 1985, Meeting No. 1572:**

On **MOTION** of **CONNERY**, the Planning Commission voted **7-0-1** (Carnes, Connery, Draughon, Kempe, Wilson, Woodard, VanFossen, "aye"; no "nays"; Paddock, "abstaining"; (Higgins, Harris, Young, "absent") to **APPROVE** the **Minutes of September 11, 1985, Meeting No. 1572.**

**Approval of Amended Verbiage to the Minutes of September 4, 1985:**

On **MOTION** of **PADDOCK**, the Planning Commission voted **8-0-0** (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; "abstaining"; (Higgins, Harris, Young, "absent") to **APPROVE** the **Amended Verbiage to the Minutes of September 4, 1985, Meeting No. 1571.** The changes were made on pages 20 and 21 to more clearly reflect each Commissioner's position on the day care homes issue. Minor corrections were also made to pages three and twelve.

**REPORTS:**

**Chairman's Report:**

Chairman Kempe advised she had sent a memo to Commissioner Metcalf requesting an additional microphone for Legal and requesting repairs be made to the broken chairs.

**Committee Reports:**

Mr. VanFossen advised the **Comprehensive Plan Committee** met Tuesday, September 24, 1985 to discuss the Riverside Corridor Report, and the Citizen's Planning Teams. The Comprehensive Plan Committee recommends favorably that the data of the Riverside Corridor Report be presented to the TMAPC for consideration as input into a special study of the area.

**CONTINUED ZONING PUBLIC HEARING:**

Application No.: **Z-6080** Present Zoning: RS-1  
Applicant: **Spears (Whitstine)** Proposed Zoning: OM  
Location: West of the SW corner of 31st & Harvard

Date of Hearing: September 25, 1985  
Requested Continuance Date: October 9, 1985

On **MOTION** of **WILSON**, the Planning Commission voted **7-0-1** (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstaining"; (Higgins, Harris, Young, "absent")) to **CONTINUE Consideration of Z-6080** until Wednesday, **October 9, 1985** at 1:30 p.m. In the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: **Z-4900-SP-3** Present Zoning: vacant  
Applicant: **Gunderson (Federal Joint Venture)** Proposed Zoning: CO  
Location: NE corner of 73rd & Mingo

Date of Hearing: September 25, 1985  
Requested Continuance Date: October 16, 1985

On **MOTION** of **WILSON**, the Planning Commission voted **7-0-1** (Carnes, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstaining"; (Higgins, Harris, Young, "absent")) to **CONTINUE Consideration of Z-4900-SP-3** until Wednesday, **October 16, 1985** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: **Z-6057** Present Zoning: Various  
Applicant: **City of Tulsa (Red Fork/Cooley Creek)** Proposed Zoning: FD

Chairman Kempe advised it was erroneously reported that the TMAPC would be hearing the various FD zoning requests from the City of Tulsa. There were no interested parties in attendance and the Commission voted to continue this case.

On **MOTION** of **WILSON**, the Planning Commission voted **8-0-0** (Carnes, Connery, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Higgins, Harris, Young, "absent") to **CONTINUE Consideration of Z-6057** until Wednesday, **October 23, 1985** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

**ZONING PUBLIC HEARING:**

Application No.: **Z-5537-SP-1** Present Zoning: vacant  
Applicant: **Spradling (Union School)** Proposed Zoning: CO  
Location: 7606 South Garnett Road  
Size of Tract: 70 acres, more or less

Date of Hearing: September 25, 1985  
Presentation to TMAPC by: Jack Spradling, 1023 West 23rd, Tulsa

**Staff Recommendation:**

The subject tract has an area of approximately 70 acres and is located north of the northwest corner of South Garnett Road and East 81st Street. The east boundary of this tract is the corporate limits between Tulsa and Broken Arrow. The proposed use of the tract is for an intermediate high school for the Union Public School System. The site design includes the school building which is located adjacent to the north property boundary in the middle portion of the tract. The site includes 2,185 parking spaces, soccer, baseball and softball fields, a football practice field, football field and tract, handball courts and other accessory uses. Abutting areas are presently vacant. A service drive is planned along the north side of the building with a service court in the rear. The proposed use and design layout encompasses the majority of the site. The extreme west portion of the tract will be utilized for the proposed Mingo Valley Expressway. The Staff review of the proposed Corridor Site Plan indicates that it is:

- 1) Consistent with the Comprehensive Plan;
- 2) In harmony with the existing and expected development of surrounding areas;
- 3) A unified treatment of the development possibilities of the site;
- 4) Designed in a manner that provisions have been made for proper accessibility, circulation and functional relationships of uses;
- 5) Consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Ordinance.

Therefore the Staff recommends **APPROVAL** of Z-5537-SP-1, subject to the following conditions:

- 1) That the submitted Corridor Site Plan and Text be made a condition of approval, unless modified herein.
- 2) **Development Standards:**  
Land Area (Gross): 70.91 acres

Floor Area Ratio:	.13 FAR
Maximum Building Coverage:	30%
Minimum Building Setbacks:	
from Centerline of South Garnett	380'
from North Boundary	50'
Maximum Building Height:	36'

- 3) That all trash, utility and equipment areas shall be screened from public view.
- 4) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
- 5) That a Detail Site Plan shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit.  
**NOTE:** This should not be a requirement of this process as the Corridor Site Plan is a substitute for the Detail Site Plan. Therefore, this condition is eliminated.
- 6) 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 City of Tulsa beneficiary to said Covenants.

Comments & Discussion:

Mr. Draughon asked Staff if there was a zoning case number and a site plan when there is usually one number. Staff advised, in this case, it is because the request is for Corridor. Staff further advised the drainage report indicated there were no drainage problems within one-quarter mile of this site, but onsite detention would be required as a Master Drainage Plan for this area has not been developed. Mr. VanFossen commented that, while not opposed to the project, he would be abstaining as this is a Corridor issue and he is waiting a reply from Legal regarding Corridor zoning. Mr. Linker stated that he has dictated the letter which will advise that TMAPC may consider the fact that the expressway is not there in making determinations on intensity. Mr. VanFossen further questioned Legal and was advised that the way these cases have been handled is correct. At that point, Mr. VanFossen said he had no problem continuing with this case.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the Planning Commission voted **7-1-0** (Carnes, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; Connery, "nay"; no "abstentions"; (Higgins, Harris, Young, "absent")) to **APPROVE Z-5537-SP-1**, subject to the conditions as recommended by Staff.

Legal Description:

North one-half, Southeast one-fourth, Section 7, T-18-N, R-14-E, less and except the west 300', Tulsa County, State of Oklahoma,

Application No.: Z-5722-SP & PUD 405  
Applicant: Norman (Langenkamp)  
Location: SW corner of 91st & Memorial  
Size of Tract: 171 acres, more or less

Present Zoning: Vacant  
Proposed Zoning: CS, CO, AG

Date of Hearing: September 25, 1985  
Presentation to TMAPC by: Charles Norman, 909 Kennedy Building

Staff Recommendation:

The Development Standards are attached as an Exhibit as they number 17 pages in length. Mr. Frank advised that Staff is requesting approval of the Corridor Site Plan for Area 1-A only, and recommends the Commission approve "in concept only" the development standards, as proposed, in Areas 1 B-F and Areas 2 - 8. Therefore, the applicant would be required to come back before the TMAPC.

The subject tract has an area of approximately 170 acres located at the southwest corner of 91st Street and South Memorial Drive, and is bounded on the south by the planned Creek Freeway. The major Street and Highway Plan classified 91st as a Secondary Arterial and Memorial as a Primary Arterial. The underlying zoning of the tract is as follows: CS (10 acre node) at the intersection of 91st and Memorial; AG on the freeway right-of-way and a tract at the extreme northwest corner of the area; CO on the major portion of the tract which has frontage on 91st and Memorial; and the planned Creek Freeway. CO zoning has been approved to the east of Memorial to a depth of 1,320' and multi-family development (Sunchase Apartments) has been approved at RM-2 intensity. Commercial zoning and a commercial PUD #360 is also approved at the northeast and northwest corners of 91st and Memorial, respectively. The applicant is not requesting additional underlying zoning with this application, but can accomplish the desired development on the tract utilizing a PUD. The status of the Creek Freeway at this location continues to be an unknown with studies underway to consider moving the freeway further south.

The Staff is generally supportive of this PUD proposal as it can be developed based on medium intensities already existing in this general area, but not CO intensities. The existing 10 acres of CS commercial zoning and consideration of RM-2 and OM intensities on a portion of the CO zoned tract to a depth of 1,320' from Memorial consistent with the east side, plus RS-3 densities on the balance of the tract will accomplish the development with reductions in densities as outlined in the revised/modified Text as recommended by the Staff. The recommended intensities can be accomplished by assigning RS-3 density (5.2 units/acre) to the area presently zoned AG and to the freeway area.

The proposed "Development Concept" (see attached "Area" map) is to divide the tract into eight development areas, as follows:

	# of Acres	General Use	Intensity/FAR
#1	43.731	Auto Sales, Office, and Retail	.36 *
#2	5.044	Stormwater Detention	--
#3	2.492	Office	.79
#4	44.215	Apartments	866 units; 19.6/acre
#5	17.511	Apartments	344 units; 19.6/acre
#6	6.351	Office	.35
#7	21.483	Apartments	308 units; 14.3/acre **
#8	29.708	Expressway R/W	

\* The Staff recommends that commercial floor area be reduced to 217,800 square feet, as would be accommodated by the existing ten acre CS Node.

\*\* The Staff recommends this area to be reduced to 203 units.

Specific "Development Standards", with Staff Recommendation for modifications or additions are attached to this report. Development Area #1 will be subject to Corridor Site Plan Review and approval; however, the applicant has requested that other development areas be subject only to Detail Site Plan Review by the TMAPC if the PUD is approved by the City Commission. Development area boundaries are generally defined by the street system and drainageways, and will be subject to refinement at the Subdivision and Site Plan stage. The internal street system will be a public collector network accomplished by a collector along the west boundary of Development Area 1 connecting 91st and Memorial, extension of 93rd Street as a collector from the west to intersect the above collector, and also a north/south collector serving the northwest portion of the development from 91st to 93rd Streets. The Staff recommends that the connection between the extension of 93rd and its intersection with the west boundary of Area 1 to be offset to eliminate a "straight shot" from the residential to the commercial area.

The first phase of the development will be Area 1 which is partially planned for an auto sales park wherein six new car dealerships will be clustered. A single consolidated car sales area and single gasoline station are proposed as supporting uses, and setbacks will control auto display areas locational relationship to the public and internal streets. Area 1 is also divided into sub-areas "A - F", with uses as proposed in the Development Standards. An accessory retail service area is also

proposed in Area 1. The exterior of buildings in Area 1 shall be concrete or masonry. The intensity of the overall development will be buffered by existing zoning patterns outside the PUD on the west in which RD and a multi-family PUD have been previously approved. Development Area 6 for offices is the lowest intensity area (.35 floor area ratio) of nonresidential development and abuts the residential and church uses on the north side of 91st. The multifamily area, Area 7, is also the lowest requested intensity of these areas (14.3 units per acre) and abuts similar development (existing and proposed) on the west. The Landscape and Open Space Concept designates a minimum of 7% of the net retail and office development area be landscaped. This will also include a minimum 5' wide landscaped area adjacent to street frontage right-of-ways plus landscaping of the unpaved areas abutting street right-of-ways and natural drainageways. The Text indicates that landscaping and plant materials will be installed prior to issuance of an Occupancy Permit.

The Staff review of the proposed Outline Development Plan and, with modifications, finds it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site and (4) that provision has been made for proper accessibility, circulation, and functional relationships of uses; and (5) that proposed development is consistent with the stated purposes and standards of the PUD Chapter of the Zoning Ordinance.

Therefore, the Staff recommends APPROVAL of Z-5722-SP and PUD #405 as follows:

- 1) That the applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
- 2) **Development Standards:** See attached Development Standards and recommended conditions from Staff for Development Areas 1 A - F, and Areas 2 through 8.
- 3) That Development Area 1 be subject to Corridor Site Plan review and approval by the TMAPC and City Commission, and that all other areas be subject to a Detail Site Plan review and approval by the TMAPC pursuant to approval by the Commission. Elevation drawings shall be included with Corridor Site Plan submissions. See note 14.
- 4) That all sign standards be as outlined in the Development Standards and subject to Detail Sign Plan review and approval by the TMAPC prior to installation.
- 5) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit.
- 6) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
- 7) That all trash, utility and equipment areas shall be screened from public view from 91st, Memorial and other internal streets.

- 8) That the connection from East 93rd Street extended to the east be offset and curvilinear with the north/south connection from 91st between Development Areas 6 and 7, and a "T" intersection with the street extended to Development Area 1.
- 9) 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 City of Tulsa beneficiary to said Covenants.
- 10) That the Staff's calculations of maximum intensity and density be recognized as follows:

Land Area (Gross):	170.533 total acres
<b>Less:</b>	
Freeway Area 8	29.708 acres
CS zoned Area *	10.00 acres = 217,800 sf Floor Area *
Office Area @ RM-2	29.993 acres = 653,260 sf Floor Area @ .5 FAR.
Multifamily @ RM-2	23.636 acres = 858 units **
RS-3 @ 5.2 units/acre	77.196 acres = 401 units **
<b>Plus:</b>	
Freeway credit @ 5.2 units/acre	29.708 acres = 154 units **

\* The Staff recommends that the requested 225,450 sf of CS floor area be reduced to 217,800 sf, as would be accommodated by the existing ten acre CS Node.

\*\* Total units which could be allowed by zoning RM-2 and RS-3 duplex densities (1,529) is reduced to 1,413 as recommended per an approved PUD condition.

- 11) Reduce commercial building in Area 1C from 21,700 sf to 14,050 sf.
- 12) Reduce dwelling units in Area 7 from 308 to 203.
- 13) That the Outline Development Plan shall be completed for the west approximately one-half of the subject area.
- 14) Detail Site Plan review and approval for Development Areas 2 - 8 shall be required by the TMAPC and City Commission and meet the public notice requirements of the Zoning Code, as applicable to a Corridor Site Plan review.

Comments & Discussion:

Ms. Wilson asked why not require Corridor Site Plan review for the entire 171 acres. Mr. Frank advised this is consistent with the way Corridor zoning has been reviewed previously, and would give the applicant some guidance from the Commission on how to prepare the Development Plan and what standards the TMAPC/City find suitable. In reply to Mr. Draughton, Staff advised the hydrology reports require onsite detention.

Applicant's Comments:

Mr. Charles Norman, representing Mr. Langenkamp, presented a description of the subject property and the surrounding areas. Mr. Norman detailed the proposed uses and layout of the eight development areas on the 171 acres. Mr. Norman also presented a revised collector street layout, which he believes would be more acceptable to the Heatheridge neighborhood.

Mr. Norman replied to Mr. VanFossen that Area 1-C is to be considered along with Area 1-A today. In reply to Mr. Carnes and Mr. VanFossen, Mr. Norman stated they were prepared to accept all of the Staff recommendations. Mr. Norman stated further the only questions they have relate to the procedural matters of the future administration of the combined PUD and site plan, as a development of this size will take several years to develop. Mr. Norman clarified for Ms. Wilson the type of Import car dealerships that were to be in the auto mall.

Interested Parties:

Mr. Brad Keller	Address: 6744 East 93rd
Mr. Larry Henry	6541 East 89th
Mr. John Bates	9225 South 70th East Avenue
Ms. Gay Sanwick	9361 South 67th East Avenue

Mr. Brad Keller proposed the Commission approve the concept as illustrated on the drawings and reviewed the discrepancies between the text and drawings. Mr. Keller asked the Commission to approve the drawings or have the applicant make adjustments to the text and stated he felt the PUD was being used to circumvent the requirements of the guidelines. Mr. VanFossen stated to Mr. Keller the Commission is being asked to review the Corridor Site Plan in Area 1A - 1C, but the rest of the area is being reviewed for concept, which will come back to the Commission for review of the site plans when established.

Mr. Linker stated the recommendation of the Staff is to not lock in the use at this point in areas other than 1A and 1C, as it is strictly concept. At a later date, if they come in with a plan, TMAPC has the latitude to change uses. As there was some confusion among Commission members, Mr. Linker stated there was no problem in overlaying a PUD over CO as long as the requirements of the CO are met. Mr. Draughon stated puzzlement at approving a "concept" as he thought the Commission was being asked to approve a site plan. Mr. Frank stated this is the only way that Staff feels they can preserve the Code, and give the applicant some guidance on the balance of the acreage. Mr. Frank further stated the requirements of a Corridor Site Plan are more exact, detailed and are subject to TMAPC review and City Commission review. A detail site plan is subject only to TMAPC review. Mr. Frank advised the applicant is requesting Corridor review only in Areas 1A and 1C and Detail Site Plan review in the remaining areas; Staff is not in support of this request. Chairman Kempe confirmed this is why condition #14 of the Staff recommendations for this PUD require TMAPC and City Commission approval of the site plan, as applicable to Corridor review.

Mr. Larry Henry, representing Chimney Hill Homeowner's Association, requested efforts be made to insure the setbacks on 91st are appropriate, as 91st may become a six lane street. Mr. VanFossen asked Mr. Henry if he was opposed to the concept of the plan in areas west of the creek. Mr. Henry stated the plans were too vague and he could not state whether he was for or against.

Mr. John Bates, representing Heatheridge, presented a petition protesting the vagueness of the concepts in Areas 2 - 7. He requested these areas be deferred pending location of the proposed expressway and specific plans. Mr. Bates added, if the case is approved today, they request that any development be conditioned upon the binding of street locations and drainage plans.

Ms. Gay Sanwick, a Heatheridge resident, objected to 93rd being made a major access into Sheridan and requested any changes made be legally binding to assure safety in the neighborhood.

#### Applicant's Rebuttal:

Mr. Norman stated concern over comments made by Staff and Legal, because any project of this size cannot proceed without certain approvals. Mr. Norman advised he had discussed with Mr. Gardner the procedure to follow, which was consistent with previous CO district applications and previous procedures the TMAPC and City have followed. Mr. Norman again stated their request for CO District Site Plan approval of the entire tract, subject to, in every instance, a Detail Site Plan approval and subject to a subdivision plat being submitted for review and approval. Mr. Norman stated the critical nature of having these concepts reviewed and approved in order to be able to proceed with this project. He stated that the confusion seemed to be coming from what is required under the Corridor District Chapter as compared to the PUD Chapter in the submission of a Corridor Site Plan. This is most important in projects of this size because, if as Mr. Linker stated, land use or intensity is not being approved today, then no one can contract to buy this much property without some assurances as to how it will be permitted to be used. Also, they would have to come back time after time for specific approval. Mr. Norman, referring to the Zoning Codes, stated there was no difference in the language of what has to be submitted in a PUD application and a Corridor District Site Plan, with respect to the first two elements.

Ms. Wilson asked Mr. Norman to respond to some of the comments made by Mr. Keller. Mr. Norman stated he had met with their group and their attorneys on two occasions in the past, but did not have the benefit of hearing any of Mr. Keller's suggestions until this meeting. In regard to the proposed used car areas, Mr. Norman advised this area should not exceed two acres and shall not be subject to the automobile display limitations if located at least 200 feet from the arterial street right-of-way. Mr. Norman reviewed the excess drainage plans for Mr. Woodard.

### Additional Comments & Discussion:

Mr. VanFossen felt the Commission needed to decide first what can be dealt with and asked Legal to clarify. Mr. Linker first pointed out that Section 850.1 of the Zoning Code states because of the potential adverse effect on public services, etc., it is a requirement to put property in a Corridor District through the site plan approval process. Section 850.2 states very clearly what is to be submitted in the site plan. This is not identical to the PUD provisions. Specifically, paragraph C is not in the PUD process. Mr. Linker stated he did not know of any zoning code provision that would permit approval "in concept". It has been done in the PUD process, but it was done without asking approval of the City Attorney's office.

Mr. Norman agreed with Mr. Paddock's statement that he would argue in favor of what might be termed "phased" development, requiring the submission of a site plan for each particular development area as it becomes ready for development. Mr. Paddock then asked what differences were still outstanding between the Staff recommendations and Mr. Norman's application as amended this date. Mr. Norman replied that he disagreed with the "T" intersection, as the applicant is now proposing a complete separation of the collector street system from Heatheridge. Mr. Norman further discussed with Mr. Paddock the collector street (93rd Street) and, although deviating from the subdivision regulations, Mr. Norman hopes that his proposal will be accepted rather than the Staff's, which is for the "T" intersection.

Mr. Carnes complimented the ideas of this projects but, based on the protestant's comments, felt the concept drawings should be made a part of what has to be done. Mr. Norman commented the size of Area 1A could vary according to the final approved drainage plan. Mr. Frank stated the Staff believed they had enough information to recommend Corridor Site Plan approval for Areas 1A and 1C only. Subsequent to review by this Commission and City Commission final review and approval, Mr. Frank did not see any review beyond that for Areas 1A and 1C. However, for the balance of the areas, Staff is not recommending Corridor Site Plan approval, as there is not enough information. Mr. Frank then asked if Mr. Norman's intent was to have TMAPC review only on the future Detail Site Plans, or have TMAPC and City review this plan. Mr. Norman stated he felt the review should be of the subdivision plat and the Detail Site Plan by TMAPC, unless there is a substantial change, in which case it would have to be approved by both TMAPC and City.

In further discussion regarding approval(s), Staff suggested revising Item #14 of the Staff recommendation to include Areas 1 B, D, E, and F, as well as Areas 2 - 8, for Site Plan review and approval by TMAPC and City. To clarify for Mr. VanFossen, Mr. Linker explained that Legal had no problem with processing the PUD and the Corridor at the same time as long the requirements of the most restrictive are met. Mr. VanFossen stated he was still not sure how the Commission would approve this case. In reply to Mr. Norman, Mr. Frank stated that the other developments areas (Areas 1 B, D, E, F, and Areas 2 - 8) have to be subject to

Corridor Site Plan review by TMAPC and the City Commission. Mr. Frank added that Staff is also recommending to the Commission, that on the SP, without endorsing the use, they endorse the general development standards and the concept. Additional conversation among Commission members followed as to what actually was being asked and what actually could be done. Mr. Linker stated Mr. Frank's comment "without endorsing the use", seemed to conflict with Mr. Norman's need to get the use and approximate intensity locked in at this time. Mr. Norman said he felt he had met Section 850.2 and it was up to Staff and the Commission to determine if that requirement had been met.

At this point, Mr. VanFossen stated he was in favor of the project but was disturbed by the confusion relating to this case, and recommended a continuance until this gets settled. Ms. Wilson suggested that it should be voted on today for approval or denial, considering the time element involved in a development of this size. Mr. Draughon stated he did not feel comfortable with this situation and, referring to Section 850.3(c)(d) of the Zoning Code, stated the tract should be treated as a whole and would vote for denial of the application. Mr. Connery stated he did not feel an auto mall was the best land use for this tract and disagreement with the way the Bankruptcy Judges and Courts have handled this situation. For these reasons, Mr. Connery stated he would be against this proposal.

At this point, Mr. Paddock asked Staff if they would be willing to change condition #8 of the recommendation to the concept illustration of the 93rd Street extension. Mr. Frank said Staff would be agreeable, subject to approval by the Traffic Engineer. Mr. VanFossen again stated his favor of the project from a planning standpoint, but had a problem with the detail of the legal aspects that TMAPC is permitted. On the basis that there was too much that was not taken care of, Ms. Wilson moved for denial of the PUD and the site plan. Mr. VanFossen stated he was strongly opposed a denial motion. Mr. Paddock felt there were not sufficient facts, but did not feel a denial was appropriate and proposed a continuance. Chairman Kempe commented she would oppose a motion for denial and would be in favor of a continuance. Because he felt it was a good project, Mr. Carnes stated he would be voting against a denial. Mr. Woodard favored a continuance. Mr. Connery commented that several people in attendance, including Commission members and Legal, noted this to be a confusing issue and in view of this, would support a continuance, but vote against a denial. Based on the input from the Commission members, Ms. Wilson withdrew her motion for denial.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-1-0** (Carnes, Connery, Draughon, Kempe, Paddock, Woodard, VanFossen, "aye"; Wilson, "nay"; no "abstentions"; (Higgins, Harris, Young, "absent") to **CONTINUE Consideration of Z-5722-SP-1 and PUD 405** until Wednesday, November 6, 1985 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: PUD-260-A  
Applicant: Johnsen (Anderson Properties)  
Location: NE corner of 71st & Yale  
Size of Tract: 10 acres, more or less

Present Zoning: CS, OMH & OM  
Proposed Zoning: Unchanged

Date of Hearing: September 25, 1985  
Presentation to TMAPC by: Roy Johnsen, 324 Main Mall

Staff Recommendation:

The subject tract has an area of approximately ten acres and is located at the northeast corner of the intersection of 71st Street and Yale Avenue, which are both designated as Primary Arterials. The site is presently zoned a combination of CS, OM and OMH and no change in the underlying zoning is being requested. The portion of the PUD which includes Development Areas A - D is zoned CS and OMH and proposed uses are as follows: Area A - Office (120,000 square feet); Area B - Restaurant (12,000 square feet); Area C - Restaurant (12,000 square feet); and Area D - Restaurant (12,000 square feet). The total floor area proposed under PUD #260-A is 156,000 square feet with a floor area ratio of .358. The design concept of the PUD is a central boulevard which will have ingress and egress from 71st and Yale and divide the development approximately in half. Some of the parking will be provided in a common area in the center of the tract with "onsite parking" also within the various development areas. Landscaped open areas will comprise 10% of the net land area and include landscaped areas along 71st Street and Yale Avenue. The remaining portion of the original PUD #260 will not be included under PUD #260-A, and the original PUD conditions will be abandoned and underlying OM zoning is requested to be retained. The Staff is supportive of abandoning the original conditions for PUD #260 and retaining OM zoning in this area.

The Staff has reviewed PUD #260-A and finds that it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site and, (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore Staff recommends APPROVAL of abandoning PUD #260 and retaining OM zoning on that portion outside the boundaries of PUD #260-A and APPROVAL of PUD #260-A, as follows:

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

-- AREA A --

Land Area (Gross):	233,433 sf	5.36 acres
(Net):	215,191 sf	4.94 acres
Permitted Uses:	Uses permitted by right in an OM district and restaurant with accessory bar.	
Maximum Building Height:	160' or 10 stories *	
Maximum Building Floor Area:	120,000 sf/.538 FAR	

Minimum Off-Street Parking: 1 space per 325 sf on tract \*\*  
 Minimum Building Setbacks:  
   from Centerline of Yale & 71st 110'  
   from East Boundary 25'  
   from North Boundary 25'  
   from Internal Boundary 0'  
 Minimum Landscaped Open Space: 10% of net lot area

Signs: Signs shall be limited to the restrictions outlined in the Zoning Ordinance, Section 1130.2(b) as of September 1985, except further limited to two ground mounted monument signs not to exceed 8' in height and with a maximum display area of 64 sf and two wall or canopy signs not to exceed a display surface area of 75 sf for each sign.

\* As measured from mean ground level to peak of roof.

\*\* The parking ratio for "A" has been reduced by reason of offsetting increases in parking to be provided in other parcels. Overall parking requirements shall comply with each applicable Use Unit.

-- AREA B --

Land Area (Gross): 55,481 sf 1.27 acres  
                   (Net): 41,345 sf .95 acres  
 Permitted Uses: Uses permitted by right in an OM district and restaurant with accessory bar.  
 Maximum Building Height: 35' or 2 stories \*  
 Building Floor Area: 12,000 sf/.22 FAR (Maximum)  
                           5,500 sf/.10 FAR (Minimum)  
 Minimum Off-Street Parking: 1 space per 90 sf for restaurant;  
                                   1 space per 250 sf for office \*\*  
 Minimum Building Setbacks:  
   from Centerline of & 71st 110'  
   from North Boundary 5'  
   from Internal Boundary 25'  
 Minimum Landscaped Open Space: 10% of net lot area

Signs: Signs shall be limited to the restrictions outlined in the Zoning Ordinance, Section 1130.2(b) as of September 1985, except further limited to ~~two~~<sup>ONE</sup> ground mounted monument sign~~s~~ not to exceed 8' in height and with a maximum display area of 64 sf and two wall or canopy signs not to exceed a display surface area of 75 sf for each sign.

\* As measured from mean ground level to peak of roof.

\*\* The parking ratio for "A" has been reduced by reason of offsetting increases in parking to be provided in other parcels. Overall parking requirements shall comply with each applicable Use Unit.

-- AREA C --

Land Area (Gross): 82,948 sf 1.90 acres  
(Net): 55,184 sf 1.27 acres  
Permitted Uses: Uses permitted by right in an OM district and restaurant with accessory bar.  
Maximum Building Height: 35 or 2 stories \*  
Maximum Building Floor Area: 12,000 sf/.14 FAR (Maximum)  
5,500 sf/.07 FAR (Minimum)  
Minimum Off-Street Parking: 1 space per 90 sf for restaurant;  
1 space per 250 sf for office \*\*  
Minimum Building Setbacks:  
from Centerline of & Yale 110'  
from Internal Boundary 25'  
Minimum Landscaped Open Space: 10% of net lot area  
Signs: Signs shall be limited to the restrictions outlined in the Zoning Ordinance, Section 1130.2(b) as of September 1985, except further limited to ~~two~~ <sup>one</sup> ground mounted monument signs not to exceed 8' in height and with a maximum display area of 64 sf and two wall or canopy signs not to exceed a display surface area of 75 sf for each sign.

\* As measured from mean ground level to peak of roof.

\*\* The parking ratio for "A" has been reduced by reason of offsetting increases in parking to be provided in other parcels. Overall parking requirements shall comply with each applicable Use Unit.

-- AREA D --

Land Area (Gross): 64,303 sf 1.48 acres  
(Net): 46,123 sf 1.06 acres  
Permitted Uses: Uses permitted by right in an OM district and restaurant with accessory bar.  
Maximum Building Height: 35 or 2 stories \*  
Maximum Building Floor Area: 12,000 sf/.19 FAR (Maximum)  
5,500 sf/.09 FAR (Minimum)  
Minimum Off-Street Parking: 1 space per 90 sf for restaurant;  
1 space per 250 sf for office \*\*  
Minimum Building Setbacks:  
from Centerline & Yale 110'  
from East Internal Boundary 10'  
from Other Internal Boundaries 25'  
Minimum Landscaped Open Space: 10% of net lot area  
Signs: Signs shall be limited to the restrictions outlined in the Zoning Ordinance, Section 1130.2(b) as of September 1985, except further limited to ~~two~~ <sup>one</sup> ground mounted monument signs not to exceed 8' in height and with a maximum display area of 64 sf and two wall or canopy signs not to exceed a display surface area of 75 sf for each sign.

- \* As measured from mean ground level to peak of roof.
- \*\* The parking ratio for "A" has been reduced by reason of offsetting increases in parking to be provided in other parcels. Overall parking requirements shall comply with each applicable Use Unit.

- 3) Subject to review and conditions of the Technical Advisory Committee and City of Tulsa Traffic Engineer on curb cuts and related matters.
- 4) That all trash, utility and equipment areas shall be screened from public view.
- 5) That a Detail Sign Plan shall be submitted to and approved by the TMAPC prior to installation.
- 6) That an association shall be created for purposes of assuring maintenance of common areas, required mutual access agreements, parking and related matters.
- 7) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit.
- 8) That a Detail Site Plan shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit.
- 9) 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 City of Tulsa beneficiary to said Covenants.

Action Requested:

The amount of the underlying CS zoning pattern on the subject tract resulted from an error in publication. Specifically, 3.6 acres of this tract should be zoned CS with OM zoning on the balance. OMH zoning was assigned for a specific project which is being abandoned and is, therefore, no longer appropriate. The Staff, therefore, recommends that the underlying zoning pattern be changed to 3.6 acres of CS at the intersection and OM zoning on the balance, provided this proposed amendment is approved and that the Staff be authorized to file a zoning application and zone the property accordingly.

Applicant's Comments:

Mr. Roy Johnsen, representing Anderson Properties, presented a background review and description of the subject property and the proposed uses. Mr. Johnsen stated the Staff recommendations were acceptable but some comment was needed regarding the parking. Mr. Johnsen stated the parking requirements for the overall project were being met, but it is not being provided on a per parcel basis. As stated in the submitted text, the office area parking is less than a strict application, but the restaurants exceed the requirements. In regard to condition #6, Mr. Johnsen requested this condition be amended somewhat, as there will be shared parking but it will be done by cross and reciprocal easements. Each parcel will own its own parking areas and will be responsible for that area.

In regard to the "Action Requested" paragraph of the Staff recommendation, Mr. Johnsen advised the applicant will not object to the provision requested if this PUD is approved.

Comments & Discussion:

Mr. Paddock discussed with Mr. Johnsen condition #6 and his statements regarding the shared parking. It was suggested to reword the condition to indicate appropriate provisions would be made assuring maintenance of these areas. Mr. VanFossen asked if the street was a private street, and if so, had the Steak & Ale Association offered assurances of the placements of their restaurants in this area. Mr. Johnsen confirmed it was a private street and Steak & Ale was under contract for the placement of the restaurant.

TMAPC ACTION: 7 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-0** (Connery, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to **APPROVE PUD 260-A**, as recommended by Staff, with condition #6 being amended to read: An association shall be created, or appropriate provisions shall be made, for purposes of assuring maintenance of common areas, required mutual access agreements, parking and related matters.

Legal Description:

All that part of the SW/4 SW/4, Section 3, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the official US Government Survey thereof, more particularly described as follows, to-wit: BEGINNING at the SW corner of Lot 1, Block 2, Burning Hills, an addition in the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat (also the North Right-of-Way line of East 71st Street South); thence along the North right-of-way line of East 71st Street South as follows: N 89° 49' 38" W parallel to and 60.00' from the South boundary of said SW/4 SW/4 a distance of 289.85'; thence N 00° 00' 17" E a distance of 8.00'; thence N 89° 49' 38" W parallel to and 68.00' from the South boundary of said SW/4 SW/4 a distance of 286.20' calculated (mortgage 286.22'); thence N 54° 20' 53" W a distance of 29.29'; thence due North along the East right-of-way line of South Yale Avenue parallel to and 60.00' from the West boundary of said SW/4 SW/4 a distance of 576.02'; thence S 89° 49' 36" E a distance of 599.91' to a point on the West boundary of Lot 1, Block 2, Burning Hills a distance of 601.01' to the Point of Beginning; containing 357,854 square feet or 8.21520 acres, more or less.

Application No.: **CZ-140** Present Zoning: AG  
Applicant: **Deets** Proposed Zoning: CS  
Location: NW Corner of 101st and 193rd East Avenue  
Size of Tract: 2.5 acres, more or less

Date of Hearing: September 25, 1985  
Presentation to TMAPC by: Robert Deets, 4101 South Maple, Broken Arrow

Relationship to the Comprehensive Plan:

The District 19 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract, however, the Development Guidelines are applicable.

Staff Recommendation:

Site Analysis: The subject tract is approximately 2.5 acres in size and located at the northwest corner of 101st Street and 193rd East Avenue. It is non-wooded, gently sloping, contains a mobile home and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north, west and south by vacant property in Tulsa County zoned AG, and on the east by vacant property zoned A-1 in Wagoner County.

Zoning and BOA Historical Summary: None.

Conclusion: Although the Comprehensive Plan does not cover the subject tract, the Development Guidelines, a part of the Comprehensive Plan, designate the intersection as a node. The Staff can support the requested CS zoning due to the tract's location being inside the node and the fact that the other corners are to comitted to a lower intensity use. The subject tract does not appear to be located within the 100 year floodplain, but the Staff would recommend any portion found to be within a Floodway remain zoned AG.

The Staff recommends APPROVAL of CS zoning as noted. Mr. Frank also read a letter from the Broken Arrow Planning Commission recommending approval of this zoning request.

TMAPC ACTION: 7 members present

On MOTION of DRAUGHON, the Planning Commission voted 7-0-0 (Connery, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE CZ-140 for CS, less and except any land in a Floodway, which shall remain AG.

Legal Description:

That it appears from the records of Wagoner County, Oklahoma that the owners of land in Wagoner County which lies within 300' of: A tract of land in the SE/4 of SE/4 of Section 24, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at the SE corner of the SE/4 of SE/4; thence West 208.75'; thence North 523.86'; thence East 208.75'; thence South to the point of beginning.

Application No.: **CZ-141**  
Applicant: **Campbell**  
Location: 7800 North Peoria  
Size of Tract: 18.8 acres

Present Zoning: AG  
Proposed Zoning: IH

Date of Hearing: September 25, 1985  
Presentation to TMAPC by: Mr. Tom Mason, 624 South Denver #205

Relationship to the Comprehensive Plan:

The District 12 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract. However, the map extension does indicate "Development Sensitive".

Staff Recommendation:

Site Analysis: The subject tract is 18.8 acres in size and located north of the northwest corner of 76th Street North and Peoria Avenue. It is partially wooded, rolling, contains an auto salvage and vacant property, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by both vacant property and single family dwellings on large tracts zoned AG, and on the east, west and south by vacant property zoned AG. There is a single family dwelling with detached accessory buildings abutting the subject tract to the southwest.

Zoning and BOA Historical Summary: None.

Conclusion: It should be noted that property located south of 76th Street North along Peoria is in transition from residential to industrial and commercial. This development has, however, been limited south of 76th Street North. The subject tract contains an existing auto salvage. With no zoning classifications other than residential north of 76th Street North, the Staff cannot support any industrial zoning.

The Staff recommends DENIAL of IH, IM or IL zoning on the subject tract due to the lack of industrial zoning north of 76th Street North and lack of industrial development in the adjacent and abutting areas, except the subject tract.

In addition, it was discovered that the majority of the subject tract is located in the 100 year floodplain of Delaware Creek. If it is the intention of the TMAPC to approve industrial zoning, the Staff would suggest less and except that portion located in the 100-year floodplain, which is to remain zoned AG.

Applicant's Comments:

Mr. Tom Mason, representing the owner, presented the background information on the subject tract and stated the owner's intentions and reasons for having the property rezoned IM, instead of the requested IH.

Mr. Mason advised of plans to expand a pond to help contain flood waters. Mr. Mason further informed the Commission he had letters from the surrounding property owners indicating no objections to the zoning request. Mr. Mason clarified for Mr. Connery the use of the back portion of the property. Mr. Connery also inquired as to a proposed fence and was advised by Mr. Mason that it would not block any neighbors from their property.

Interested Parties:

Ms. Betty Millsap, 7800 North Peoria, requested the Commission deny the zoning request. Mr. Paddock asked Ms. Millsap's reaction to this request. Ms. Wilson inquired as to the number of operable and inoperable vehicles in the area next to her property.

TMAPC ACTION: 7 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-1** (Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstaining"; (Carnes, Higgins, Harris, Young, "absent") to **DENY CZ-141**, as recommended by Staff.

OTHER BUSINESS:

Z-5498-SP-1-C

7900 South Lewis Avenue (The Directory Hotel)

Staff Recommendation - Minor Amendment to Permit a Day Care Center

The subject property has CO Corridor zoning and a Site Plan has been approved to allow the hotel use. The purpose of the request is to provide day care services to employees of the hotel only. No additional parking would be required and this use would be considered accessory in nature, and consistent with the general criteria for granting a minor amendment.

Therefore, the Staff recommends APPROVAL of a Minor Amendment to Allow a Day Care Center for the Directory Hotel employees as requested, subject to meeting the applicable licensing requirements.

Comments & Discussion:

Mr. Connery inquired as to the limitation of hotel employees only. Mr. Jones advised that anything other than hotel employees would constitute a Use Unit Five, Day Care Facility, which requires an amendment to the CO Site Plan. Mr. Jones further advised it is becoming more common for businesses to provide this service for their employees. Mr. Draughon asked Legal if the applicant is subject to licensing requirements by the State or City. Mr. Linker advised the day care center is subject to State licensing. Mr. Jones stated the CO designation requires this case to come before the TMAPC, but all other cases go before the BOA. Ms. Wilson commented she would like to see more businesses doing this type of action.

On **MOTION** of **WOODARD**, the Planning Commission voted **7-0-0** (Connery, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to **APPROVE** the **Minor Amendment to Permit a Day Center** in the Directory Hotel for hotel employees only, as recommended by Staff.

**PUD #266-1**

Brittany Square Addition, Lot 1, Block 1

**Staff Recommendation - Minor Amendment to Permit an Existing Sign**

The application is requesting approval of a minor amendment to PUD #266 to permit the location of an existing sign on the south side of the street right-of-way at 2340 East 51st Street. The sign is located 44' from the centerline of East 51st Street, which is a designated Secondary Arterial with 50' of half street right-of-way. The sign is a temporary leasing sign and the applicant would be allowed to maintain the sign at the subject location only on a temporary basis, and further, upon recommendation of the TMAPC and final approval by the City Commission. A part of the procedure will require the Board of Adjustment review and approval, and final approval of the City Commission for a removal contract. TMAPC review is necessary in order to permit the sign as an off premise advertising sign via the minor amendment.

The Staff finds this request is minor in nature and recommends approval of the request to place the subject temporary leasing sign at the present location, subject to review by the Board of Adjustment and final approval of a removal contract between the applicant and City of Tulsa.

**Comments & Discussion:**

Ms. Wilson asked why TMAPC was reviewing this. It was determined that because it relates to Code Enforcement and is an amendment to a PUD. Ms. Wilson also inquired if it was necessary to define "temporary", as it relates to a time period. Mr. Jones advised the City had the right to ask the applicant remove the sign at any time. However, it is typically understood that, after the project is leased, the sign would be removed.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **7-0-0** (Connery, Draughon, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to **APPROVE** the **Minor Amendment to Permit an Existing Sign**, subject to review by the Board of Adjustment and final approval of a removal contract between the applicant and City of Tulsa.

Before adjourning, Mr. Paddock suggested, in reference to PUD #405/Z-5722-SP, that Legal use the time allowed due to the continuance, to see whether or not TMAPC might need to consider revising the City Ordinance with respect to the conflict between the Corridor Site Review Plan and the PUD. Mr. Linker stated it is not a legal consideration, but a planning issue.

There being no further business, the Chairman declared the meeting adjourned at 5:35 p.m.

Date Approved October 9, 1985

Cheryl Kempe  
Chairman

ATTEST:

ABP Paddock  
Secretary