

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1607
Wednesday, June 11, 1986, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Draughon	Carnes	Frank	Linker, Legal
Kempe	Doherty	Jones	Counsel
Selph	Paddock	Setters	Reynolds, DSM
VanFossen	Parmele	Lasker	
Wilson, 1st Vice- Chairman	Crawford		
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, June 10, 1986 at 10:58 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of Minutes of May 28, 1986, Meeting #1605:

On **MOTION** of **WOODARD**, the Planning Commission voted **5-0-1** (Draughon, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Kempe, "abstaining"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE** the **Minutes of May 28, 1986, Meeting #1605**.

Approval of Correction to the Minutes of March 26, 1986, (pg 8):

On **MOTION** of **KEMPE**, the Planning Commission voted **6-0-0** (Draughon, Kempe, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford "absent") to **APPROVE** the **Correction to the Minutes of March 26, 1986, Meeting #1597, (page 8)** in regard to Z-6104 Johnsen.

REPORTS:

Director's Report:

CONSIDERATION OF CANCELLING THE CONTINUED PUBLIC HEARING PORTION OF THE MAJOR STREET AND HIGHWAY PLAN PREVIOUSLY SCHEDULED FOR JULY 30, 1986 AS RELATES TO THE 126th STREET ALIGNMENT OF THE CREEK EXPRESSWAY AND RELATED ITEMS

Mr. Lasker stated the recommendation was to cancel the public hearing scheduled for July 30, 1986 to review the above mentioned item since the 126th Street route is no longer under consideration in any of the plans. Mr. Lasker updated the Commission on activity involving the Creek Expressway. Ms. Wilson inquired as to the status of studies requested at the previous public hearing. Staff would note these studies were not to be performed by INCOG. Mr. Draughon asked if the July 30th meeting was to be held just for the 126th route, or was it to include other items. Mr. Lasker stated the 126th alignment was the only item left for the Major Street and Highway Plan, and since it is no longer under consideration, the public needs to be advised there will be no public hearing to discuss this.

TMAPC ACTION: 6 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE** the **Cancellation of the Continued Public Hearing Portion of the Major Street and Highway Plan Scheduled for July 30, 1986 as Relates to the 126th Street Alignment of the Creek Expressway.**

DISCUSSION OF A REQUEST FOR A ZONING LETTER ON PROPERTY LOCATED EAST AND SOUTH OF THE SOUTHEAST CORNER OF NORTH LEWIS AVENUE AND EAST ARCHER STREET, BEING LOTS 1 - 9 OF THE SCHLUMP ADDITION.

Staff Analysis:

The Schlump Addition is located at the southeast corner of North Lewis Avenue and East Archer Street. It contains 24 lots and has a total area of 3.79 acres. The entire addition is presently zoned CH, Commercial Heavy.

History:

- 1) The earliest zoning maps that cover the subject tract, 1957 through 1970, designate Lots 1 - 9 as U-1C, Residential Single-Family and Lots 10 - 24 as U-3E, Commercial Heavy.
- 2) When the present CH zoning classification was advertised and adopted on June 2, 1970 and June 26, 1970, the entire addition was approved for CH, Commercial Heavy.
- 3) A "Zoning Letter" was issued on April 1, 1986 which affirmed the CH zoning.

Director's Report - Cont'd

Conclusion: Examination of the records reveals that Lots 1 - 9 were previously zoned residential, but subsequently zoned CH by Ordinance No. 11815 adopted June 26, 1970. The Comprehensive Plan designation for the area is Medium Intensity - No Specific Land Use which makes the commercial zoning consistent with the Plan. The Staff is reluctant to support rezoning Lots 1 - 9 to RS-3 at this point in time for the following reasons:

- 1) The majority of the block has always been zoned commercial.
- 2) The present CH classification, which is the official zoning, has been in place for 16 years.
- 3) The present CH zoning is consistent with the Comprehensive Plan.
- 4) Substantial monies have been expended based upon reliance on the present CH zoning, i.e. building plans, etc.

Based upon these facts, Staff seeks a determination from the TMAPC that CH zoning is, in fact, the official zoning classification for the subject tract and should remain so in its present configuration. Subject to granting this confirmation by the TMAPC, a revised zoning letter will be issued this date affirming the CH zoning based upon TMAPC action.

Comments & Discussion:

In reply to Ms. Wilson, Staff confirmed the applicant was wanting the additional assurance of the TMAPC that there is no question about the zoning. Ms. Kempe asked if this might be a result of an error during new mapping. Staff advised that, at the time of the new mapping, some of these areas were squared up in zoning, and this appears to be the case. Mr. Draughon stated puzzlement that CH would be designated directly across from a school.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE** the Confirmation of CH Zoning on the property located East and South of the SE/c of North Lewis Avenue and East Archer Street, being Lots 1 - 9 of the Schlump Addition.

ZONING PUBLIC HEARING:

Application No.: Z-6110 & PUD 357-B

Present Zoning: RM-1

Applicant: Presley (Valley Bend)

Proposed Zoning: CS

Location: South & East of SE/c 71st & Quincy Avenue

Size of Tract: 2.5 acres, more or less

Date of Hearing: June 11, 1986 (continued from 5/28/86)

Presentation to TMAPC by: Mr. Bland Pittman, 10828 East 45th

(665-8800)

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation: Z-6110

Site Analysis: The subject tract is approximately 2.5 acres in size and located south of the southeast corner of East 71st Street and South Quincy. It is vacant and is zoned RM-1/PUD 357-A.

Surrounding Area Analysis: The tract is abutted on the north by a developed shopping center in PUD 357-A zoned CS, on the east by vacant property zoned RM-1, on the south by a single-family residence zoned RS-2, and on the west by vacant property, which is a part of PUD 357-A with underlying RM-1 zoning.

Zoning and BOA Historical Summary: Medium intensity uses have been granted along East 71st Street and the intersection of the Riverside Parkway, Peoria and East 71st Street has been consistently treated as a Type II Node (10 acres of CS) south of East 71st Street.

Conclusion: The subject tract presently has underlying RM-1 zoning with PUD 357-A. The depth of commercial zoning in this area, south of East 71st Street, has been limited to a maximum of 350' from the centerline of the street outside of the Type II Node. CS zoning to the west of Quincy allowed within the Node includes a 75' buffer of "P" zoning on the south. The nature of this request would be a 285' depth encroachment extending CS zoning further toward the interior of the section than even the south boundary of the "P" District west of Quincy. Based on this request not being in conformance with the Comprehensive Plan and Development Guidelines, and being inconsistent with the established zoning patterns of adjacent areas, Staff recommends **DENIAL** of any additional CS zoning on the subject tract.

Z-6110 & PUD 357-B (Valley Bend) - Cont'd

NOTE: It was determined that this request must be readvertised, due to an incorrect legal description submitted by the applicant, and the applicant also wanted the zoning case heard on June 11, 1986 with the companion PUD 357-B. The legal description for PUD 357-B was also found to be incorrect.

Staff Recommendation: PUD 357-B:

The applicant is requesting a major amendment to PUD 357-A and additional CS zoning per Z-6110 to allow the development of a mini-warehouse complex on the south end of a shopping center which is in the final stages of construction. The present underlying zoning of the subject tract is RM-1 and office uses have been approved for this area under PUD 357-A. Staff is not supportive of the requested underlying CS zoning and is therefore, not supportive of PUD 357-B. Further, the requested use (a mini-warehouse) is a Use Unit 17 which is a special exception use in CS and permitted use in CG.

Staff recommends **DENIAL** of PUD 357-B as it is: (1) inconsistent with the Comprehensive Plan; (2) not in harmony with the existing and expected development of surrounding areas; (3) not a unified treatment of the development possibilities of the site and, (4) inconsistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Applicant's Comments:

Mr. Bland Pittman represented the applicant and reviewed this application for zoning with the related PUD. Mr. Pittman presented drawings indicating the landscaping, fencing, etc. of the proposed uses for office, commercial and mini-storage. As to the mini-storage area, Mr. Pittman stressed there would be no exterior entrances or exits and the proposed masonry wall that circles the area would provide a good buffer to the surrounding neighborhood.

Mr. Pittman reviewed the development standards, in response to Mr. Draughon, indicating the building height, fence height, entrances/exits, etc. Ms. Kempe remarked the applicant stated the request was being made because of the availability of office space, and questioned if the applicant checked into the availability of mini-storage space. Mr. Pittman stated mini-storage space is available, but not as available as office space, and added the applicant did studies on this and found there appeared to be a need for mini-storage space in the subject area.

Comments and Discussion:

Mr. VanFossen inquired as to the setback requirements of the PUD. Staff and applicant advised the setback was 60' along Quincy, and along the south property line it would normally be 20'. Mr. Frank reviewed the history of this location and the original PUD.

Z-6110 & PUD 357-B (Valley Bend) - Cont'd

First Vice Chairman Wilson asked if there were any interested parties or protestants, but there were none in attendance. Ms. Kempe read a letter from the District 18 Citizen Planning Team Chairman requesting denial of the requested zoning. Mr. VanFossen advised he would be abstaining from the vote on this application.

TMAPC ACTION: 6 members present

On **MOTION** of **KEMPE**, the Planning Commission voted **5-0-1** (Draughon, Kempe, Selph, Wilson, Woodard, "aye"; no "nays"; VanFossen, "abstaining"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **DENY Z-6110 and the Related PUD 357-B (Valley Bend)**, as recommended by Staff.

* * * * *

Application No.: **Z-6111**
Applicant: **Moore (CEI Inc.)**
Location: North of the NW/c of 15th & Utica
Size of Tract: .2 acres, more or less

Present Zoning: OL
Proposed Zoning: CS

Date of Hearing: June 11, 1986
Presentation to TMAPC by: Ms. Marcy Moore, Phillips Petroleum Company,
101 North Robinson, Oklahoma City

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - No Specific Use.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately .2 acres in size and located north of the northwest corner of 15th Street and Utica Avenue. It is nonwooded, contains a structure which has been converted from a residence to an office use and is zoned OL.

Surrounding Area Analysis: The tract is abutted on the north by an office building zoned OL, on the east by an office building zoned CS, on the south by a gasoline service station zoned CH and on the west by dwelling units zoned RM-2.

Zoning and BOA Historical Summary: Medium intensity zoning has been granted in this area, however, an OL buffer has been established south of East 14th Place.

Conclusion: Based upon the existing zoning patterns in the area and the CS zoning across Utica Avenue from the subject tract, Staff can be supportive of the requested CS zoning if the lot is to be combined with the commercial lot to the south. It is recognized that CS zoning should not be allowed to strip out along Utica to the north and should be confined to the major intersection. If the Commission is supportive of the requested change, it will be necessary to amend the Comprehensive Plan. Therefore, Staff recommends **APPROVAL** of the CS zoning as requested if it is an expansion of the node, but denial if it is to be a separate business.

Applicant's Comments:

Ms. Moore submitted a booklet to the Commission showing the plans to renovate the existing service station and expand it for new car wash and convenience store facilities. In reply to Mr. VanFossen's questions as to the positioning of the station and car wash on the subject tract, Ms. Moore deferred to Mr. Fred Patterson, the Construction Engineer for Phillips.

Mr. Patterson advised they plan to remove the existing building and install new pumps with the new building, similar to other Phillips stations in the Tulsa area. Mr. Patterson stated the plans do meet the setback requirements. Mr. VanFossen stated strong concerns as to the noise level generated by the car wash. Mr. Patterson informed there is a car wash currently on the site, but the new facility would be a separate building from the main station and would be located on the north end of the site, which abuts OL. The noise would be reduced by a retaining wall around the entire property and landscaping would be provided to assist in buffering the noise level. In reply to Ms. Wilson, Mr. Patterson reviewed the time frame for construction.

Interested Parties:

Address:

Mr. Jim Rand

2019 East 14th Place, Tulsa

Ms. Joyce Clapper

1779 East 14th Place, Tulsa

Mr. Rand stated the trend in this area of Tulsa with older homes seems to be getting away from residential. Mr. Rand commented he would rather see these homes renovated for OL use as opposed to leaving them vacant and run down. But he did have strong concerns about the traffic increase caused by commercial. Ms. Clapper agreed with the comments by Mr. Rand and stated other residents were also concerned about maintaining the nature of their neighborhood.

Applicant's Rebuttal:

Mr. Patterson advised the renovation would cause the service station use to be different than the existing operation as Phillips plans to also add convenience store services. In response to Mr. Draughon, Mr. Patterson stated the proposed configuration could not be altered and still meet the setback requirements.

Ms. Kempe questioned if there was any way to insure the applicant would install the landscaping proposed. Staff emphasized that no such controls or conditions could be placed on a zoning application. Commissioner Selph commented that, due to concerns about positioning, landscaping, fencing, etc., a PUD might be appropriate. Mr. Patterson commented on the other Phillips locations in the Tulsa area and the high standards Phillips sets for these facilities.

Mr. VanFossen commented that, under the zoning application, he would be voting against it as there were no controls. Under a PUD, he could only vote in favor if there were restrictions to close the car wash at approximately 7:00 p.m. Mr. Frank reviewed, for Mr. VanFossen, what would be necessary to have a PUD presentation as to cut-off times and what the applicant would need to submit. Mr. Frank recommended this application be continued to August 13, 1986 if a PUD was to be submitted. Mr. VanFossen stated he did not believe Phillips could do anything to satisfy his concerns as to controls on the noise. Mr. Draughon confirmed there was already a car wash on the site. Mr. Patterson stated the type of car wash planned could be installed with or without the blower-type dryer.

Mr. Draughon asked the applicant if they preferred a continuance to allow time for a PUD presentation or if they preferred the TMAPC vote on the case today. Ms. Moore stated that, due to the options on the subject tract of land, they preferred a vote be taken at this meeting. Commissioner Selph reiterated that the chances would be better for a vote of approval with a PUD.

TMAPC ACTION: 6 members present

On **MOTION** of **WOODARD**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **CONTINUE Consideration of Z-6111 Moore (CEI Inc.)** until Wednesday, **August 13, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center, to allow the applicant time to present a PUD with the zoning application.

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Application No.: Z-6112
Applicant: Childers (Crosstown Ventures)
Location: SW/c Denver and Archer Avenue
Size of Tract: 2.2 acres, more or less

Present Zoning: IM
Proposed Zoning: CBD

Date of Hearing: June 11, 1986
Presentation to TMAPC by: Mr. Steve Childers, 6 East Fifth (583-2617)

Relationship to the Comprehensive Plan:

The District 1 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Commercial, Light Industrial, Parking/Medium High Intensity.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 2.2 acres in size and located at the southwest corner of Archer Street and Denver Avenue. It is nonwooded, flat, contains a warehouse and a parking lot and is zoned IM.

Surrounding Area Analysis: The tract is abutted on the north by the Salvation Army Center zoned IM, on the east by warehouses zoned IL, on the south by warehouses and railroad tracks zoned IL and on the west by warehouses zoned IM.

Zoning and BOA Historical Summary: Recent action by the TMAPC allowed CBD zoning within the Industrial area of downtown on a tract several blocks to the east of the subject tract. Also, past action included a massive rezoning of the downtown area to CBD in order to more properly accommodate the existing land uses and development in that area. The Board of Adjustment, by special exception, allowed a community service center in the Industrial area.

Conclusion: Noting the Comprehensive Plan and the existing uses and functions in the immediate area of the subject tract, the Staff does not feel the requested CBD zoning would encroach into or be incompatible with the existing Industrial uses. It is noted that a community service center (in the form of the Salvation Army) is in operation across the street from the subject tract. Therefore, based upon the existing land uses and the Comprehensive Plan, Staff recommends **APPROVAL** of the CBD zoning as requested.

Z-6112 Childers (Crosstown Ventures) - Cont'd

Applicant's Comments:

Mr. Childers reviewed the intended uses for this tract and stated agreement with the Staff recommendation for approval.

Ms. Kempe inquired as to the parking requirements in a CBD District and Mr. Frank stated that, basically, there were none.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE Z-6112 Childers (Crosstown Ventures) for CBD**, as recommended by Staff.

Legal Description:

All of Block 63, ORIGINAL TOWNSITE, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

* * * * *

Application No.: **Z-6113 & PUD 379-A**

Applicant: **Norman (Tulsa-Adams)**

Location: North of the NW/c of 71st & Memorial

Size of Tract: 1 acre, more or less

Present Zoning: P

Proposed Zoning: CS

Date of Hearing: June 11, 1986

Presentation to TMAPC by: Mr. Charles Norman, 909 Kennedy Building (583-7571)

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation: Z-6113

Site Analysis: The subject tract is approximately 1 acre in size and located in the 6800 Block of South Memorial Drive. It is nonwooded, sloping and abutted by a shopping center which is under construction. The tract is zoned "P" Parking District and PUD 379.

Surrounding Area Analysis: The tract is abutted on the north by property under construction for a shopping center zoned P/PUD 379, on the east by the Woodland Hills Shopping Mall restaurant area zoned AG and OM, on the south by vacant property zoned CS/PUD 379, and on the west by land under construction for a shopping mall zoned P/PUD 379.

Zoning and BOA Historical Summary: A recent zoning decision on the subject tract essentially doubled the amount of CS floor area in conjunction with PUD 379. An AG buffer has been put in place east across Memorial in conjunction with OM medium intensity office zoning.

Conclusion: The Staff has consistently maintained a position of nonsupport of additional CS retail commercial zoning in this area, because of the intensity already zoned, in the process of being developed, and developed. We believe Memorial Drive serves as a very important north-south traffic artery and was not designed to serve only the commercial traffic generated by zoning in this area. However, the additional CS footage requested on the Memorial Drive frontage (55 ft) pales in comparison to the vast amounts already zoned commercially. The northward extension of CS zoning would then align with 68th Street, a logical termination point for approved commercial intensity at this location. The proposed intensity, if approved, would increase from .237 to .255 the floor area ratio.

Therefore, Staff recommends APPROVAL of CS zoning as requested and recommends the Plan be amended to align the medium intensity designation with 68th Street.

Staff Recommendation: PUD 379-A Major Amendment

The subject tract is presently zoned CS, P and PUD 379 and abutting areas are being developed for a retail/commercial shopping center (see attached "Concept Plan"). The applicant is requesting CS zoning to permit an additional 24,500 square feet of commercial floor area. The applicant is specifically requesting that restaurants, presently permitted only in the south 400' of the east 750', be permitted as a principal use when located only in the east 400' of Lot 1, Block 1 and in Block 2 of The Village at Woodland Hills. This request will continue to have the restaurant area in PUD 379-A correspond to the "restaurant area" east across Memorial Drive and Staff is supportive of this concept. All other development standards for PUD 379 would continue to be unchanged and in effect for PUD 379-A.

Staff review of the requested Major Amendment indicates that the proposal is: (1) consistent with the Comprehensive Plan as recommended to be amended; (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.

Z-6113 & PUD 379-A Norman (Tulsa-Adams) - Cont'd

Therefore, with all other development standards under PUD 379 to continue in effect, Staff recommends **APPROVAL** of PUD 379-A as follows:

- 1) That the applicant's submitted, "Concept Plan" and Text for Block 2, The Village at Woodland Hills, be made a condition of approval and all approved Development Standards for PUD 379 shall remain in effect, unless modified herein.

2) **Development Standards:**

Land Area (Gross):	1,433,995 sf	32.92 acres
	1,349,489 sf	30.98 acres

Zoning Summary: Present per Z-6011/PUD 379

CS - Commercial Shopping	640,420 sf	14.70 acres
P - Parking	793,780 sf	18.22 acres

Zoning Summary: Proposed per Z-6113

CS - Commercial Shopping	689,000 sf	15.82 acres
P - Parking	744,780 sf	17.10 acres

	<u>PUD 379</u>	<u>Recommended/PUD 379-A</u>
Maximum Floor Area:		
Lot 1, Block 1	214,850 sf	214,850 sf
Lot 2, Block 1	77,150 sf	77,150 sf
Block 2	<u>28,000 sf</u>	<u>52,500 sf</u>
Total	<u>320,000 sf</u>	<u>344,500 sf</u>

- 3) That the floor area allocation for lots in Block 2, The Village at Woodland Hills, will be accomplished at the time of submission of the Detail Site Plan on the various lots.
- 4) That the uses permitted under PUD 379 shall be amended to permit restaurants as a principal use only in the east 400' of Lot 1, Block 1, and in Block 2, only in the east 400' of Lot 1, Block 1, and in Block 2, The Village at Woodland Hills.

Applicant's Comments:

Mr. Norman reviewed the PUD and past zoning action at this location, and advised the applicant has applied for a traffic signal to be installed at 68th Street, at their own expense. Mr. Norman requested approval of the Staff recommendation and commented that he has discussed this with Mr. Ken Adams of the Shadow Mountain Homeowners Association, and no objections have been submitted by Mr. Adams or the Association.

TMAPC ACTION: 6 members present

On **MOTION** of **WOODARD**, the Planning Commission voted **5-0-1** (Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE Z-6113 and PUD 379-A Norman (Tulsa-Adams) for CS**, as recommended by Staff.

Legal Description: Z-6113

A strip of land containing 1.0631 acres in part of Lot 1, Block 1, THE VILLAGE AT WOODLAND HILLS, and parts of Lots 1 and 2 of Block 2, THE VILLAGE AT WOODLAND HILLS, additions to the City of Tulsa, located in part of the SE/4 of Section 2, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma, said strip of land being more particularly described as follows, to-wit: Commencing at the Southeast corner of Lot 2, Block 1, THE VILLAGE AT WOODLAND HILLS; thence S 0°05'05" E, parallel to and 60' West of the East line of said Section 2 for 23.00' to the POB; thence continuing S 0°05'05" E for 40.00' to the Northeast corner of Lot 2, Block 2, THE VILLAGE AT WOODLAND HILLS; thence continuing S 0°05'05" E for 15.00'; thence due West for 219.97' to a point on the west line of said Lot 2; thence continuing due West for 210.02' to a point on the West line of Lot 1, Block 2, THE VILLAGE OF WOODLAND HILLS; thence continuing due West for 412.01'; thence N 0°05'05" W for 55.00'; thence due East for 842.00' to the POB of said strip of land.

Legal Description: PUD 379-A

All of Block 2, THE VILLAGE AT WOODLAND HILLS, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

OTHER BUSINESS:

PUD 207-3: 6321 East 98th Place, Lots 9 & 10 Block 7
Mill Creek Pond Addition

Staff Recommendation: Minor Amendment

The subject tract is a large lot which contains one large single-family dwelling. The dwelling was constructed around 1968 with the subject tract and surrounding property being platted in 1979. It is presently zoned a combination of RS-1, RS-2 and PUD. The subject tract is abutted to the north, south and west by smaller single-family lots and to the east by unplatted property. Presently, the subject tract has access via a private street, as are all the streets in the subdivision, but also has approximately 140 feet of frontage along Sheridan Road with the north 40 feet being approved on the subdivision plat as an access point. The applicant is requesting a minor amendment to the PUD to allow a home occupation, photography studio, within PUD 207. Notice of the application was given to all property owners within a 300 foot radius of the subject tract.

Normally, such a request would be heard by the Tulsa Board of Adjustment, but due to the subject tract being located within an approved planned unit development, the TMAPC has jurisdiction in the matter.

Based on conversation with the applicant, Staff notes the following:

- a) There will be a maximum of 25 customers per day coming to the residence. Although this will be an occasional occurrence, Staff feels this is a much more intense use than the typical home occupation.
- b) The applicant desires to make use of an existing 40 foot access point to Sheridan, approved on the plat. Although this would lessen the traffic impact to the surrounding single-family neighborhood, the subject tract is an integral part of the subdivision and the proposed use would violate the residential character. This is in conflict with typical home occupations, since no alterations can be made which would take away from the residential character.
- c) The applicant's past business activities have been at such a level that if they were to be resumed, Staff would have a question of what is the principal use of the structure, residential or business.

Staff cannot support the requested minor amendment based on the above information. Also, there is no adequate way to place enough safeguards on an approval that would insure the applicant's business level. Therefore, Staff recommends **DENIAL** of the minor amendment.

Applicant's Comments:

Ms. Wilson inquired if this was coming to the TMAPC via Code Enforcement. Staff advised the applicant was currently in a shopping center and was wanting to purchase and relocate, making this their home and photography studio.

John and Linda Gonzales, 8160 South Harvard, advised that 80 - 90% of their business was outside of the building in areas such as Woodward Park, Philbrook and in client's homes. Therefore, there would be minimum traffic in the neighborhood where they are wanting to relocate. Ms. Gonzales advised they have searched for approximately three years to find the appropriate home to relocate the photography business. She also advised they do not intend to change the exterior of the home and would establish an early closing time.

In response to Ms. Kempe, Ms. Gonzales stated they currently meet every requirement as to a home occupation, i.e. no signs and/or employees, etc. Commissioner Selph inquired as to the 40' access point to Sheridan. Ms. Gonzales stated the previous resident asked that that access be blocked. Ms. Kempe commented that most of the other photo studios are in homes in the older areas of Tulsa.

Mr. Frank asked that, if the Commission was supportive of this request, they consider continuing it to June 18th to allow Staff time to review the standards submitted by the applicant.

Interested Parties:

Address:

Mr. Dean Day

6350 East 98th Street

Mr. Ralph Jackson

6342 East 98th Street

Mr. Day, Chairman for the District 26 Citizen Planning Team, stated support of the Staff recommendation for denial. Mr. Day stated the Mill Creek Pond covenants prohibit use of the structure for occupational purposes. Mr. Jackson, whose home abuts the subject property to the north, also stated opposition to this request.

In reply to Ms. Wilson, Mr. Day advised the homes in Mill Creek were built in 1980, and the subject house, which fronts on Sheridan, was built in 1968 and was included in the Mill Creek Pond Subdivision. Ms. Kempe confirmed with Legal that, should the TMAPC approve this request, the homeowners could call in the covenants.

Applicant's Rebuttal:

Ms. Gonzales stated she has previously spoken with both of the interested parties and had no idea that they opposed this request. Ms. Gonzales stressed there is no excessive traffic with the photography studio and they would comply with the requests of the neighborhood.

Comments and Discussion:

Mr. VanFossen stated difficulty with this case as he was acquainted with the applicants on a personal and business level; however, he did feel it was an inappropriate use of the location. Although he did think their business might work out at this location, Mr. VanFossen stated he feared it might set a precedent that would be difficult to deal with in the future. Mr. Draughon commented he thought this represented a major amendment rather than a minor amendment and supported Staff's recommendation for denial.

On **MOTION** of **DRAUGHON**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **DENY** the **Minor Amendment for a Home Occupation on PUD 207-3**, as recommended by Staff.

PUD 417: NW/c of South Victor Avenue and East 17th Place

Staff Recommendation: Detail Site Plan Review - Development Area I

The subject tract is 1.53 acres in size and is located on the northwest corner of South Victor Avenue and East 17th Place. It has been approved by the TMAPC, and the City Commission approval, to be developed for a maximum of 22,000 square feet of general office use excluding drive-in bank facilities and funeral homes. The applicant is now requesting Detail Site Plan approval. In accordance with conditions of approval with the original PUD, notice of this proposal has been given to interested parties that spoke at the original hearing. It should also be noted that the subject tract received Detail Site Plan approval when it was approved as PUD 401, October 1985. The proposed site plan is almost identical to PUD 401 except for a maximum square footage of 22,000 as opposed to 18,000 approved by PUD 401. PUD 417, as approved by the TMAPC, will also grant an additional curb cut at the northeast corner of the subject tract to Victor. Also, consistent with TMAPC approval of PUD 417, required parking may be provided in adjacent existing structured parking facilities. As per TMAPC approval, notice of the application has been given to those interested parties that spoke at the original PUD hearing.

The Staff review of the proposed Detail Site Plan indicates that it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends **APPROVAL** of the Detail Site Plan for PUD 417, subject to the following conditions:

- 1) That the applicant's Detail Site Plan with Elevations and Text be made a condition of approval, unless modified herein.

2) **Development Standards:**

Land Area (Gross): 67,000 sf 1.50 acres
(Net): 52,500 sf 1.21 acres

Permitted Uses: Principal and accessory uses permitted as matter of right in an OL District, except excluding drive-in bank facilities and funeral homes.

	<u>Approved</u>	<u>Submitted</u>
Maximum Building Height:	26'	25' 8"
Maximum Building Floor Area:	22,000 sf	21,912 sf
Minimum Off-Street Parking:	88 spaces at 1 per 250 sf of gross floor area, or as required by the applicable use unit	60 spaces shown on the site *

	<u>Approved</u>	<u>Submitted</u>
Minimum Building Setbacks:		
From centerline of South Utica	60'	60'
from centerline of South Victor	50'	50'
from centerline of 17th Place	44'	44'
from north boundary	5'	5'
from south interior boundary	50'	50'
from west interior boundary	70'	70'

Signs: Two ground identification signs which shall not exceed 6' in height or 32 square feet in surface area, subject to Detail Sign Plan.

Minimum Landscape Open Space: (Net) 20%* 32% Required **

* The balance of the required parking may be provided in adjacent parking structures in Development Areas G and K for not more than 30 vehicles.

** Landscape open space shall include internal and external landscaped open areas, parking lots, islands, and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.

- 3) That all trash, utility and equipment areas shall be screened from public view and any roof mounted equipment shall also be screened from public view of persons standing on ground level in adjacent residential areas east of Victor Avenue.
- 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation.
- 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit and that a 25' landscape buffer shall be required along the entire eastern boundary. Required landscaping shall be maintained as a continued condition of granting the Occupancy Permit.

Applicant's Comments:

In response to Ms. Wilson, Mr. Randy Heckenkamper, 5155 East 51st, reviewed the existing and proposed fencing. He also reviewed the Detail Site Plan and Landscaping Plan. Mr. Heckenkamper stated the applicant concurred with Staff's recommendation for approval.

In response to Mr. VanFossen, Staff confirmed that the applicant could use other development areas to accommodate day parking. Staff advised that in Area I, the only fencing required is for the screening of trash areas.

Interested Parties:

Ms. Nell Bradshaw, 1628 South Victor, stated the main concern of the neighborhood is the parking and traffic situation. Ms. Bradshaw advised of the parking violations in the area by hospital employees. Legal stated the Planning Commission could set parking requirements, but could not police the parking. Mr. VanFossen suggested she take this matter up with St. Johns' personnel. The applicant commented the Vice President of Physical Facilities at St. Johns advised him they were trying, and would continue to try, to police their hospital employees who do not use the parking facilities.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE** the **Detail Site Plan and Detail Landscape Plan for PUD 417**, as recommended by Staff.

* * * * *

PUD 206-7: 9418 South Norwood Avenue & 6304 East 94th Place South
Being Lots 38 and 39, Block 4 of Sheridan South Addition

Staff Recommendation: Minor Amendment and LNO 16686

This is a request to split a small triangular shaped sliver from the eastern lot and attach it to the abutting western lot because of an encroaching fence on this property.

Staff notes that there are several minor amendments that have been granted in the PUD since it's original approval by the City Commission on 11/29/77. Most of these amendments were for a reduction of the side and rear yard setbacks because of the irregular shaped lots and building envelopes.

The Staff feels that this request is minor in nature and consistent with the original intent of PUD 206. Therefore, Staff recommends **APPROVAL** of the Minor Amendment and LNO 16686 subject to the plot plan submitted, to the conditions listed when PUD 206 was originally approved, and to the application of tie language to be placed on the face of the deed tying these properties together.

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Draughon, Kempe, VanFossen, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Doherty, Paddock, Parmele, Crawford, "absent") to **APPROVE** the **Minor Amendment to Allow a Lot Split (LNO 16686) on PUD 206-7**, as recommended by Staff.

There being no further business, First Vice Chairman Wilson declared the meeting adjourned at 3:55 p.m.

Date Approved 6-25-86
Rant J. DeJef
Chairman

ATTEST:

R. P. Adcock
Secretary

