

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1667
Wednesday, **September 23, 1987**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Paddock	Gardner	Counsel
Draughon	Rice	Setters	
Kempe			
Parmelee, Chairman			
VanFossen, Secretary			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 22, 1987 at 9:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmelee called the meeting to order at 1:35 p.m.

MINUTES:

Approval of Minutes of September 9, 1987, Meeting #1665:

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Parmelee, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Paddock, Rice, "absent") to **APPROVE** the **Minutes of September 9, 1987, Meeting #1665**.

REPORTS:

Chairman's Report:

Chairman Parmelee announced that five TMAPC members had advised they would be out of town on October 14, 1987. Therefore, due to lack of quorum, all business would need to be carried forward one week. He asked that Staff advise the applicants accordingly.

RESOLUTIONS:

CONSIDER **RESOLUTION 1662:642** ADOPTING THE **COAL CREEK MASTER DRAINAGE PLAN**, AND CONSIDER ADOPTION OF THE FOLLOWING RESOLUTIONS AMENDING THE DISTRICT PLAN MAP AND/OR TEXT, AS LISTED BELOW, INCORPORATING THE COAL CREEK MASTER DRAINAGE PLAN:

Resolution No. 1662:643	District 2 Plan Text
Resolution No. 1662:644	District 3 Plan Map & Text
Resolution No. 1662:645	District 4 Plan Map & Text
Resolution No. 1662:646	District 5 Plan Text
Resolution No. 1662:647	District 16 Plan Map & Text

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Kempe, Paddock, Rice, "absent") to **APPROVE** the Above Listed Resolutions adopting the Coal Creek Master Drainage Plan and amending the stated District Plan Maps and/or Text, as recommended by Staff.

ZONING PUBLIC HEARING:

Application No.: **Z-6151**

Applicant: **Peoria Office Park**

Location: **NE/c of East 56th Street & South Peoria**

Size of Tract: **.78 acres, more or less**

Present Zoning: **OL**

Proposed Zoning: **OM**

Date of Hearing: **September 23, 1987 (continued from September 9, 1987)**

Presented to TMAPC by: **(Applicant not in attendance or represented)**

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - No Specific Land Use/Linear Development Area (LDA).

According to the Zoning Matrix, the requested OM District is not in accordance with the Plan Map unless a PUD is filed.

Staff Recommendation:

Site Analysis: The subject tract is approximately .78 acres in size and located on the northeast corner of South Peoria Avenue and East 56th Street South. It is partially wooded, flat, contains an office building and is zoned OL.

Surrounding Area Analysis: The tract is abutted on the north across East 55th Place by an office building zoned OL, on the east by a vacant lot zoned RS-3, on the south across East 56th Street by an apartment complex zoned RM-2, and on the west across South Peoria by a children's day care center zoned RS-3.

Zoning and BOA Historical Summary: Office Light zoning has been permitted along Peoria in this area. Although the property to the south is zoned RM-2, it is developed at RM-1 Intensity.

Conclusion: Based on the Comprehensive Plan Map and Text designating the subject tract as being included in a Medium Intensity LDA which requires a PUD to develop at medium Intensity, this application is not in accordance with the Plan. The BOA previously granted a .324 FAR on the subject tract, and BOA relief could be given up to .40 under a Special Exception for OL. Staff would consider this type of relief more appropriate and protective of adjacent residential uses than would be rezoning from OL to OM without a PUD.

Therefore, Staff recommends **DENIAL** of the requested OM zoning unless a PUD is filed for review and approved by the Commission.

July 8, 1987: This application was initially presented for a public hearing for rezoning from OL to OM on March 25, 1987 and was continued by the applicant twice since then, pending final action on a study being conducted by the TMAPC Staff of areas within the City and County in which (based on amendments to the Development Guidelines, Comprehensive Plan and District Plan Map and Text) increased densities or intensities could be considered. This particular tract is located in District 18 in which District Plan Map and Texts amendments were considered by the TMAPC on June 24, 1987.

The TMAPC was generally supportive on June 24, 1987 of designating this area along South Peoria as a Medium Intensity Special Consideration Area in which PUD's would be required to develop at medium Intensity; however, final action was continued until July 8, 1987. OM zoning would be in accordance with the recommendation to designate this area as a Medium Intensity Special Consideration Area if a PUD was filed. The recommendations of the TMAPC have yet to be finally adopted by the City and County Commissions.

Discussions with the applicant, based on the June 24, 1987 TMAPC public hearing, indicated a request would be submitted to continue this case until August 12, 1987.

September 9, 1987: The TMAPC and City Commission have adopted revisions to the Metropolitan Development Guidelines and amendments to the District 18 Plan Map and Text which include the subject tract in a Medium Intensity Linear Development Area (LDA). One of the development policies in this LDA is that a PUD will be required to develop at medium Intensity, which according to the Zoning Matrix, OM is treated as medium Intensity. Staff

could be supportive of Z-6151 for OM zoning only if a PUD was filed in accordance with the Plan. The development policies of this LDA have been provided to the applicant in advance of the September 9th TMAPC public hearing.

Comments & Discussion:

Staff advised that letters had been sent to the applicant to encourage attendance at this hearing, as the application had been continued several times offering the applicant ample opportunity to present this case. Mr. Frank commented that he had spoken with the applicant and informed him that this item would likely be stricken from the agenda should no one appear to present the application. Therefore, Staff suggested striking Z-6151 from the agenda. It was pointed out that, should the applicant wish to bring this before the TMAPC in the future, he would need to reapply and pay the required filing fees.

TMAPC ACTION: 8 members present

On MOTION of DOHERTY, the TMAPC voted 8-0-0 (Carnes, Doherty, Draughon, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Paddock, Rice, "absent") to STRIKE Z-6151 Peoria Office Park, as recommended by Staff.

* * * * *

Application No.: Z-6174 Present Zoning: RS-3
Applicant: Albery (Heidinger) Proposed Zoning: C0
Location: NW/c of East 81st Street and the Proposed Mingo Valley Expressway
Size of Tract: 8 acres, approximate
Date of Hearing: September 23, 1987
Presented to TMAPC by: Mr. Wayne Albery, 4325 East 51st, #115 (492-6691)

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, Potential Corridor and Development Sensitive.

According to the Zoning Matrix, the requested C0 District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately eight acres in size and is located at the northwest corner of East 81st Street South and the proposed Mingo Valley Expressway. It is partially wooded, gently sloping, contains a single-family dwelling, several detached accessory buildings, and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north and west by vacant property, zoned RS-3; on the east by vacant property, zoned AG; and on the south across East 81st Street South by the Tulsa Junior College Southeast Campus, zoned AG.

Zoning and BOA Historical Summary: Commercial and corridor zoning has been approved in the area. Commercial zoning has been restricted to the node and the majority of the mile section of land located between South Mingo Road and South Garnett Road, and between 71st and 81st Streets is zoned Corridor (CO).

Conclusion: Based on the Comprehensive Plan and the extensive corridor zoning in the area, Staff can support the requested CO rezoning even though the City has not instituted a land acquisition program in this immediate area.

Therefore, Staff recommends **APPROVAL** of CO zoning for Z-6174.

NOTE: The amended Development Guidelines state, "Within areas previously zoned as corridors, but within which the expressway right-of-way has not been acquired, the intensity of a proposed development may be limited to low or medium intensity, based on the anticipated scheduling of right-of-way acquisition and evaluation of existing land use and site conditions."

Comments & Discussion:

In reply to Chairman Parmele, the applicant stated agreement to the Staff recommendation. Mr. Albery confirmed, for Mr. VanFossen, that he understood Staff's comment regarding low or medium intensity development. Staff noted that expressway right-of-way had been acquired to a point one-half mile south of 71st Street.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Paddock, Rice, "absent") to **APPROVE Z-6174 Albery (Heldinger) for CO zoning**, as recommended by Staff.

Legal Description: CO

A parcel of land in the E/2 of the SW/4 of Section 7, T-18-N, R-14-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government Survey thereof, more particularly described as follows: BEGINNING at a point on the south line of said Section 7, 157.50' west of the southeast corner of the E/2 of the SW/4; thence in a northeasterly direction to a point, said point being 534.00' north and 51.00' west of the southeast corner of the E/2 of the SW/4; thence west a distance of 639.00' to a point; thence south a distance of 534.00' to a point; thence east a distance of 532.50' to the POB, less and except the south 24.75' for roadway purposes on East 81st Street.

* * * * *

Application No.: PUD 432 Present Zoning: RM-2, RS-3, OL
Applicant: Norman (Hillcrest) Proposed Zoning: Unchanged
Location: South of the SE/c of East 12th Street & South Utica Avenue
Size of Tract: 4.5 acres, more or less
Date of Hearing: September 23, 1987
Presented to TMAPC by: Mr. Charles Norman, 909 Kennedy Building (583-7571)

Staff Recommendation:

The subject tract has an area of approximately 4.5 acres and is located south of the southeast corner of East 12th Street and South Utica. It is bounded on the north by East 12th, on the south by East 13th, on the west by South Utica and on the east by South Victor. No change in the RM-2, RS-3 and OL zoning is being requested. The applicant is asking for approval of only office use in the RM-2 District as an exception under PUD 432. The tract which is located at the intersection of East 12th Street and South Utica (presently being used for a house and parking lot) is not included in PUD 432.

Although there is no requested change in zoning, only the most westerly portion of PUD 432 is designated in the District 4 Plan as a Special District for Hillcrest Hospital. Properties fronting East 13th Street and South Victor are not presently included in the Special District. Therefore, Staff is supportive of PUD 432 which will require extending the Special District - Hillcrest Hospital boundaries to coincide with the boundaries of PUD 432.

PUD 432 is divided into Development Area A, being the west portion abutting South Utica, and Area B, which abuts South Victor. Area A is planned for 75,000 square feet of floor area with buildings having a maximum height of 52' with a 15% minimum landscaped open space requirement. Staff support of the requested height if the buildings were stair-stepped from two to three, and then to four stories with progressively increasing setbacks from East 13th Street. Area B is planned for off-street parking and parking structure uses with a maximum height of 8' in the south half and 15' in the north. The property slopes downward from the south on East 13th to East 12th and only the northern half will appear to be two stories. The proposed parking use for Area B will have access to both East 12th and 13th, which Staff recommends be conditioned upon extending the landscape concept (Exhibit B of the PUD 432 Text) to include the area north of East 13th Street from Victor to Utica. A further condition of Staff support would be that the building setback along South Victor be increased from 33' to 35' which would allow the internal landscaped buffer shown on Exhibit B of the PUD text to be increased from 8' to 10' to achieve a minimum dimension within which a "living screen" can be achieved, and the 10' setback is the minimum building setback for a parking structure in an RM-2 District.

PUD 432 Norman (Hillcrest) - Cont'd

Based on Staff's conditions of support, expressed above, Staff would find PUD 432 to be: (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 would recommend **APPROVAL** of PUD 432 subject to the following conditions:

- 1) That the applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein. Further, that the Special District - Hillcrest, be amended to include all of the area described in PUD 432.

2) **Development Standards:**

Development Area A

Land Area (Gross): 108,464 sf 2.49 acres
Permitted Uses: Medical and Office related uses (Use Unit 11 only) as permitted by an OM exception in the RM-2 District, excluding funeral homes, banking and financial institutions.

Maximum Building Height:
55' to less than 85' from centerline of East 13th 2 stories maximum or 26'

85' to less than 110' from centerline of East 13th 3 stories maximum or 39'

110' or more from centerline of East 13th 4 stories maximum or 52'

Maximum Building Floor Area: 75,000 sf

Minimum Off-street Parking: As required by the applicable Use Units

Minimum Building Setbacks:
from centerline of South Utica 50'
from centerline of East 13th 55'
from west boundary of Area B 0'
from north boundary 10' plus 2' additional for each 1' of building height above 15'

Minimum Landscaped Open Space: 15% *

* Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. The landscape concept, shown in Exhibit B of the PUD Text, will be applied to the PUD boundaries north of East 13th Street from Victor to Utica.

Signs: Two ground identification signs which shall not exceed 8' in height or 48 square feet in display surface area to be of a pedestal design to be consistent with other signage in this Special District.

Development Area B

Land Area (Gross): 88,862 sf 2.04 acres
Permitted Uses: Off-street parking & parking structures

Maximum Building Height: *
South building setback lines of Area B 8'
North boundary of the south half of Area B 15'
Within the north half of Area B 15'

Minimum Building Setbacks:
from centerline of East 13th 55'
from centerline of South Victor 35'
from centerline of East 12th 40'
from west boundary of Area A 0'

Minimum Landscaped Open Space: 12.5% **

* Area B slopes from the south to the north with an elevation change of approximately 25'. The variable maximum building heights within Area B are established to accommodate the changes in site elevations. The Detail Site Plan for a parking structure shall include the building elevations.

** Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. Minimum landscaping along East 13th Street and South Victor shall be in accordance with Exhibit B of the PUD 432 Text; a 10' wide minimum landscape planting strip shall be provided along these frontages, including berming along South Victor, and extending the landscape concept to include land north of East 13th Street.

Signs: Two ground identification signs which shall not exceed 6' in height or 24 square feet in display surface area is permitted at the entrance to the parking area.

- 3) That all trash, mechanical and equipment areas shall be screened from public view.
- 4) That all parking lot lighting shall be directed downward and/or away from adjacent residential areas. Light standards shall be limited to a maximum height of 12' in the south 300' of Development Area A or B, except light standards on the top deck of the parking structure in Area B shall not exceed 8' in height and the maximum height for light standards in the balance of Areas A and B for freestanding lights shall not exceed 18'.

PUD 432 Norman (Hillcrest) - Cont'd

- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code and as limited herein.
- 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. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit and be in accordance with Exhibit B of the PUD Text along East 13th Street and South Victor in Area A and B.
- 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
- 8) That a Detail Site Plan, including building elevations, shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit. The design of the parking structure in Area B shall restrict lighting from vehicles on the top deck, or lighting from the first level of the parking area or garage from spilling over into adjacent residential areas. No exterior wall mounted lights or signs are permitted on the south and east building facades in Areas A or B.
- 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 City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

Mr. Charles Norman, representing Hillcrest, commented on the changing use of medical facilities to accommodate more outpatient services. He reviewed the PUD text as to development standards for Areas A and B, as well as the landscaping plan for each area. He commented that the applicant was agreeable to Staff's suggestions for landscaping north of 13th Street. Mr. Norman also stated that, based on requests from the neighborhood, evergreens would be included in the landscaping proposed along Victor. Mr. Norman briefed the Commission on the proposed access from 12th and 13th Streets, which was preferred by the Traffic Engineering Department, as opposed to access off Utica Avenue. He pointed out that there would be no access from Victor Avenue. Mr. Norman stated the project would be limited to low intensity use as the buildings would be occupied by doctors and, possibly, administrative offices for the Hillcrest Medical Center.

In response to a question from Mr. VanFossen regarding a setback for the parking garage, Mr. Norman advised that the parking structure and the two buildings have not yet been designed, so this particular setback was only conceptual. He pointed out that the setback for Area A was keyed to the existing single-family dwelling, and any office building would be over 100' away from this structure. Mr. Norman clarified, for Mr. Doherty,

PUD 432 Norman (Hillcrest) - Cont'd

that the existing single-family structure (second lot from the northeast corner) had not been acquired as a part of this PUD. Mr. Norman explained further that, should the applicant acquire this lot, it was his intent to incorporate the lot as an amendment to the PUD, as this was a very logical location for a third medical building.

Mr. Carnes inquired if any thought had been given to widening 13th Street east of Utica to align with the west side. Mr. Norman stated that 13th Street was presently more than two lanes wide; therefore, the applicant had no proposals for widening or realigning 13th Street.

Interested Parties:

Address:

Mr. Jim Sicking	1724 East 13th Street	74104
Ms. DeeAnne Short	1720 East 13th Street	"
Mr. Larry Black	1804 East 13th Street	"

Mr. Jim Sicking, representing several property owners in this area, stated the residents were proposing an amendment to the minimum setbacks from 13th Street: 65' - 2 stories; 120' - 3 stories; and 150' - 4 stories. Mr. Sicking also requested that the signs in Area A be restricted to 16 square feet, with external ground level lighting only (no backlighting). He reiterated the request for the evergreen trees along with the mentioned deciduous trees in the landscape buffer for 13th and Victor.

Ms. DeeAnn Short commented that, from the drawing submitted for the landscape and screening plan, it looked as if the PUD area went over into a paved portion of 13th Street. In regard to the parking structure, Ms. Short remarked that the ramp to the parking garage should be included as a part of the structure when measuring setbacks. Ms. Short stressed the desire of the homeowners to preserve the residential atmosphere of the neighborhood, and she hoped that through buffering and screening this could be achieved.

Mr. Larry Black requested copies be made available of the Traffic Engineer's report indicating no access be allowed off of Utica. He stated a preference for eliminating access off 13th Street, and requested this be considered. Mr. Gardner commented that the Technical Advisory Committee (TAC) had reviewed this application; however, as the applicant did not submit a proposal showing access along Utica, the TAC did not have this under consideration. Mr. Gardner stated that, in the past, the Traffic/Transportation staff have favored fewer points of ingress and egress along Utica due to the existing traffic congestion problems.

Applicant's Rebuttal:

Mr. Norman commented that notices and copies of the landscaping plan were mailed to property owners within 300' and he felt that, overall, this was well received, as no one was present from Victor Avenue. He stated no objection to having a portion of trees to be evergreens (10' in height) as requested by the interested parties. In regard to the sign limitations on

13th Street, Mr. Norman pointed out that Staff had reduced the signage, but the 16 square feet limit, as suggested by Mr. Sicking, might be acceptable. He commented that the access from 13th Street was proposed as a safety measure, due to the current traffic problems along Utica, and due to the fact that 13th Street was four laned.

In response to Mr. Doherty, Mr. Norman reviewed the setbacks for the two buildings. Mr. VanFossen inquired if any thought had been given to placing the parking deck at zero grade on the south end instead of 8'. Mr. Norman stated that this, technically, could be done with additional excavation. Mr. Norman pointed out that the 8' deck was back beyond the single-family setback line. Ms. Kempe inquired if Hillcrest had a long-range plan for property acquisition or expansion. Mr. Norman stated he was not aware of a plan unless it might be some of the properties on the east side of Victor.

Review Session:

Mr. VanFossen stated concerns as to the parking garage/deck and suggested a zero grade restriction on the south end of the deck height, and moved for approval of the Staff recommendation with this modification to the deck, and amend the landscape requirements to 50% of the trees to be of an evergreen variety at least 10' tall. In reply to Ms. Wilson, Mr. VanFossen agreed to amend his motion to include a 16 square foot maximum on each sign in Area B, with no backlighting. Mr. Norman expressed concerns that this might present a view obstruction problem. Discussion followed on the signage for this project, with Mr. VanFossen stating the signage would be limited to 16 square feet, but no limit was being placed on height.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Paddock, Rice, "absent") to **APPROVE PUD 432 Norman (Hillcrest)**, as recommended by Staff, with the following modifications:

- Zero grade on the south end of the parking deck height in Area B
- 50% of the landscaping shall be of an evergreen variety at least 10' tall.
- Signage shall be limited to a maximum of 16 square feet with no limit on height.

Legal Description:

A tract of land that is part of Block 2 of RIDGEDALE TERRACE ADDITION, an addition to the City of Tulsa, Tulsa county, Oklahoma, said tract of land being described as follows, to-wit: Beginning at a point that is the northeast corner of Lot 1 in Block 2; thence westerly along the northerly line of Lot 1 for 140.0' to the northwest corner of Lot 1; thence southerly along the westerly lines of Lot 1 and 2 in Block 2 for 100.0' to the northeast corner of Lot 21; thence westerly along the northerly line of Lot 21 for 137.34' to the northwest corner of Lot 21; thence southerly along the westerly line of said Block 2 for 479.88' to a point that is 20.12' northerly of the southwest corner of Lot 14 of Block 2; thence southeasterly to a point on the southerly line of said Lot 14, said point being 20.12' easterly of the southwest corner thereof; thence easterly along the southerly line of Block 2 for 257.22' to the southeast corner of Block 2; thence northerly along the easterly line of Block 2 for 600.0' to the POB of said tract of land.

* * * * *

Application No.: Z-6175 Present Zoning: RM-1
Applicant: Miggins Proposed Zoning: CS
Location: NW/c of East 5th Street and South Utica Avenue
Size of Tract: .33 acres, approximate
Date of Hearing: September 23, 1987
Presented to TMAPC by: Mr. John Miggins, 1622 East 35th Street (835-5685)

Relationship to the Comprehensive Plan:

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District - Industrial.

According to the Zoning Matrix, the requested CS District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately .33 acres in size and is located at the northwest corner of East 5th Street South and South Utica Avenue. It is partially wooded, flat, contains single-family dwellings, and is zoned RM-1.

Surrounding Area Analysis: The tract is abutted on the north by a single-family dwelling, zoned RM-1; on the east across South Utica Avenue by a strip commercial center and single-family dwelling, zoned CG; on the south across East 5th Street South by a parking lot, zoned IM; and on the west by single-family dwellings, zoned RM-1.

Zoning and BOA Historical Summary: Medium Intensity Industrial and commercial zoning has been approved in the area.

Conclusion: It should be noted the subject tract and surrounding area are in transition from residential to a higher intensity land use. Although the subject tract is designated for industrial development, its location on a major street and adjacent to existing commercial zoning support the request. Staff supports the ultimate industrial development for the interior properties in accordance with the District 4 Plan.

Therefore, Staff recommends **APPROVAL** of the requested CS zoning based on the Comprehensive Plan and the existing zoning and development in the area.

Comments & Discussion:

Staff advised that the owner of Lot 5 indicated they did not want to rezone their property; therefore, the application should be for Lots 4 and 6 only.

Mr. John Miggins, the owner of Lot 6, confirmed that the owner of Lot 5 (the middle lot) did not want the CS zoning. He commented the application for all three lots was mainly done for convenience, and he had worked with the owner of Lot 4 on this request. Mr. Miggins submitted photos of the three lots.

Mr. VanFossen pointed out that, with the middle lot remaining residential, it would impose restrictive setbacks on the abutting CS lots. Mr. Doherty inquired if the owners of the four residential lots came in for rezoning individually, would this be considered spot zoning. Mr. Gardner advised that it would not in this particular instance, as the residential lots were spot zoning since everything else was either commercial or industrial. Mr. Carnes moved for approval of CS on Lots 4 and 6. Ms. Kempe stated that she would feel more comfortable if the owner of Lot 4 would confirm the request for CS on this tract.

Ms. Peggy Brotherton (436 South Utica), a real estate agent, stated she was representing the owner of Lot 4. Ms. Brotherton confirmed that the owner was in agreement with the rezoning to CS.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Paddock, Rice, "absent") to **APPROVE Z-6175 Miggins for CS zoning on Lots 4 and 6**, as recommended by Staff.

Legal Description: CS

The east half of Lot 6, Block 5; and the east half of Lot 4, Block 5, of the HACKATHORN ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma.

SUBDIVISIONS:

FINAL PLAT APPROVAL & RELEASE:

Cedarcrest III (1783) East 89th Street & South Delaware Avenue (RS-2)

Burning Tree Duplexes (PUD 112)(183) East 65th & South 83rd East Avenue (RS-3)

Alko Addition (3294) (formerly UPSI-1) East 58th & South 118th East Ave (IL)

On **MOTION** of **CARNES**, the TMAPC voted **7-0-1** (Carnes, Doherty, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Crawford, Paddock, Rice, "absent") to **APPROVE** the Above Listed Final Plats, and release same as having met all conditions of approval.

REQUEST FOR WAIVER (Section 260):

Canyon Creek (PUD 285-A)(383) N/side of East 68th Street @ South Canton (OL)

On 9/16/87 the TMAPC approved an application to abandon a portion of PUD 285, retaining the underlying OL zoning. In discussion at that time it was questioned whether an abandonment of a PUD required replatting and/or if the provisions of Section 260 of the Code had already been met. To clarify the records, the Commission agreed to consider a waiver of Section 260 at the next meeting since it had not specifically been posted as an agenda item for 9/16/87. The Commission also agreed to review the request without TAC review since the property is already platted.

Based upon the discussion at the TMAPC meeting of 9/16/87, and the fact that the land is already platted and contains easements, stormwater detention, etc., Staff recommends that the request be **APPROVED**, subject to a condition that the revised PUD conditions, based upon the partial abandonment of the PUD, be filed of record by separate instrument.

TMAPC ACTION: 8 members present

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-1** (Carnes, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; VanFossen, "abstaining"; Crawford, Paddock, Rice, "absent") to **APPROVE** the **Waiver Request for Canyon Creek**, subject to the condition as recommended by Staff.

OTHER BUSINESS:

PUD 179-N-1: SW/c of East 71st Street and South 85th East Avenue

Staff Recommendation: Minor Amendment and Detail Sign Plan

The subject tract is located at the southwest corner of South 85th East Avenue and East 71st Street. The TMAPC approved a Detail Site Plan for an automobile service and tire store at this location on 7/29/87. The proposed Detail Sign Plan includes a wall sign on the east and west building elevations with a display surface area of approximately 90 square feet (upper case letters 48" tall, and lower case letters 32" tall), and a 25' tall pylon ground sign with a display surface area of 173 square feet. Development Standards for PUD 179 would permit display surface areas for wall signs to be a maximum of 130 square feet (based on the length of this building wall) and ground signs to be 25' tall, having a maximum display surface area of 140 square feet.

In the process of approval of the Detail Site Plan, Staff concerns about signage were discussed with the applicant and the initial sign request was significantly reduced. The present proposal is considered a minor change to the Development Standards considering that the intent of limiting sign area in this general location is being met overall.

Therefore, Staff recommends APPROVAL of PUD 179-N-1, Minor Amendment and Detail Sign Plan, per the submitted plans, noting that no portion of the ground sign is permitted to extend into or over the public right-of-way and that no signs shall be flashing and illumination shall be by constant light.

NOTE: If the ground sign is to be installed on a public or private utility easement, prior approval and concurrence of the subject utility is required in advance.

Comments & Discussion:

Mr. Doherty commented that 173 square feet seemed to be rather large for a sign. Mr. Frank stated there were other comparable signs of this size, and larger, in this particular area.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Paddock, Rice, VanFossen, "absent") to **APPROVE** the **Minor Amendment and Detail Sign Plan for PUD 179-N-1**, as recommended by Staff.

PUBLIC HEARING:

CONSIDER APPROVAL OF AMENDMENTS TO PART OF THE COMPREHENSIVE MASTER PLAN, BEING THE DISTRICT PLAN MAP AND/OR TEXT FOR DISTRICT 4 (TU SPECIAL DISTRICT) TO INCLUDE THE TULSA UNIVERSITY MASTER PLAN AND RELATED MATTERS.

Comments & Discussion:

Ms. Dane Matthews presented the Staff's recommendation for approval and confirmed this was in accordance with the Comprehensive Plan. She added that this proposal also had the support of the District 4 Citizen Planning Team, with three suggested amendments dealing with the issues of protection of public lands near the acquisition area, preservation of open space along the east side of Harvard Avenue, and the proper location of institutional uses relating to a university. Ms. Matthews commented on an additional modification that was suggested by Ms. Wilson during the Comprehensive Plan Committee meeting that would further tie the linear park open space concept into existing goals and objectives of the Plan.

Mr. Charles Norman, representing the University of Tulsa (TU), expressed appreciation of the efforts extended by the citizens of District 4, the Staff and Commission during this year long process. He commented this type of land use planning required an institution to take a careful look at itself as to goals and objectives for the future, and was very beneficial to TU in this regard. Mr. Norman stated that one issue that had come out of the study sessions and public forums dealt with the closings of streets within the campus area. He advised that the private property owners, particularly of the institutional uses (i.e. the Baptist Student Center, the Wesley Center, etc.), had concerns about possible relocation. He stated that it was not the University's intent to dislocate these institutions, and any relocation would be done by mutual consent after long discussions. In regard to street closings, Mr. Norman advised that the City Commission would not consider the closing of a public street unless there was 100% consent of the property owners along both sides.

Mr. Steve Carr of MPI, planning consultants for the TU Master Plan, spoke in support of the four suggested amendments to the Plan as these were in keeping with the goals and policies of the TU Master Plan. Mr. Carr reviewed the land use and circulation plan proposal relating to housing, open space, academic areas, etc.

Interested Parties:

Mr. Wade Paschal (5660 South 88th East Avenue), representing the Wesley Foundation, requested that 5th Street between Gary and Florence, remain open. Mr. Carr confirmed that 5th Street, from College to Florence, was planned to remain open. He reiterated that any type of street closure would be subject to approval of all the adjoining property owners, as well as the City Commission.

PUBLIC HEARING: TU Master Plan - Cont'd

Mr. Garnet Cole (710 South College), representing the Tulsa Baptist Association, advised this was the location of a headquarters office for the county. Therefore, he requested that any traffic circulation plans provide for 8th Street to remain open from Delaware to Harvard, and College to remain open from 8th Street to 11th Street. Mr. Doherty commented that, according to the most current plans, 8th Street would remain open, but might possibly be realigned slightly. He stated that the area Mr. Cole seemed concerned with was outside the special study area.

In regard to the concerns expressed about street closings, Chairman Parmele pointed out that the TMAPC was not involved in any street closings at today's hearing, but was merely reviewing a proposed plan that might require action in the future. He reiterated that, whatever was decided regarding street closings, would require review and approval of the City Commission.

Ms. Helen Freeman (3745 East 3rd Street), representing the United Methodist Church, stated concerns regarding Evanston from 3rd Street to 4th Street, the corner of 5th Street & College, and any street closings proposed for these areas. Mr. Carr reviewed the streets proposed for closing based on the latest circulation plan. Ms. Freeman commented that a closing at 4th Street would be very detrimental to their church and their parking lot access.

Mr. Doherty advised that the Planning Team and several others involved in the review process looked very closely at the street closings issue. Ultimately, it was the consensus to not submit an amendment to the Plan, the main reason being the number and types of streets involved. Further, the public hearing process through the City Commission would offer the opportunity for all those concerned to provide input and present their arguments for or against a closing in a particular area.

Mr. Ray Freeman (3745 East 3rd) voiced concerns as to keeping in mind the requirements for access of emergency vehicles. He suggested that the north/south streets remain open to provide for emergency access.

Ms. Evelyn Fulkerson (2331 East 5th Place), representing Kendall-Whittier Ministry, spoke in support of the TU Master Plan as she felt the proposed expansion would benefit the University, the surrounding neighborhoods, and the citizens of Tulsa.

Ms. Sherry Hawk (324 South Florence) stated concerns as to why the area along Florence was not included in the proposals. She commented on the parking problems in her area due to inadequate parking on the campus.

Ms. Dana Now (3304 East 6th Street) inquired as to the time frame for development of the buffer zone along the east side of Harvard, and how many houses were to be included in the buffer zone.

PUBLIC HEARING: TU Master Plan - Cont'd

Ms. Cheryl Greer (3311 East 4th Place) echoed interest in the buffer zone on the east side of Harvard. Ms. Green voiced concerns as to safety and crime during the transition period, as Harvard was the dividing line for calls to the police department centers (i.e. the calls east of Harvard go to the precinct center at 11th & Mingo).

Additional Comments and Discussion:

Mr. Carr reviewed and further clarified proposed street closings. He pointed out that parking was planned for each of the different development areas, but had not been finalized, as this would be a premature effort at this time. Mr. Carr also reviewed the acquisition boundaries and the screening standards proposed, along with standards for the linear park and open space area along the east side of Harvard. In regard to a time frame, Mr. Carr advised that, in terms of full development of university related uses, it was estimated to be a 15 - 20 year process. In terms of property acquisition, the University was looking at a general time frame of ten years.

Mr. VanFossen inquired if TU was intending to clear the sites as they are purchased, or use them for rental. Mr. Norman advised that TU had not and did not intend to clear sites on a piecemeal basis as they are acquired, but that timing was a factor in acquiring properties together. Ms. Wilson inquired as to the considerations given to the church facilities in this area regarding any street closings. Mr. Norman stated that the existence of these facilities was recognized throughout the Plan goals, objectives and design standards. He remarked that the rationale of the street system was to create an internal loop of traffic within the campus. He added that, although a street might be indicated for closing as a public street, it should not be construed that the street could not continue as a private driveway or turnaround. Mr. Norman echoed statements made regarding that the final street closings were dependent on consent from the City Commission, all property owners affected, etc.

Chairman Parmele mentioned receipt of a letter of protest from K. Nguyen, and a recommendation from the Staff and the TU Special District Planning Team for adoption of the TU Master Plan. Mr. VanFossen, as Chairman of the Comprehensive Plan Committee, advised of a meeting this date whereby the Committee reviewed this Plan and was unanimous in support of the TU Master Plan with the suggested four amendments. Therefore, Mr. VanFossen moved for approval as recommended by the Committee. Mr. Doherty clarified that the amendment to Item 6 (page 6) should read "open space and/or linear park uses". Mr. VanFossen confirmed this was a part of his motion.

Ms. Wilson questioned if it was a state law or a city policy requiring 100% consent of affected property owners to close off a street. Mr. Linker advised that this was dictated through state laws and statutes. He agreed with Mr. Norman that the City Commission would be very reluctant to close a street used and fronted by residents without their consent. Ms. Wilson commented she felt this factor should be emphasized. Mr. Doherty stated this has been a two year process and, as the TMAPC liaison to District 4, he has watched the progress of this Plan and was very pleased to vote for the motion.

PUBLIC HEARING: TU Master Plan - Cont'd

TMAPC ACTION: 8 members present

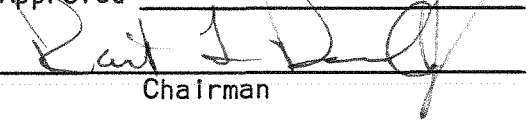
On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Paddock, Rice, "absent") to **APPROVE** the amendments to the District 4 Plan Map and/or Text to include the Tulsa University Master Plan, as recommended by Staff with the following amendments:

- Item 6, pg 1: "To stabilize, protect and enhance the existing sound, viable, attractive neighborhoods, schools and public parks and improve, redevelop and renovate those adjoining areas experiencing blight or deterioration."
- Item 4, pg 6, add: "...Such uses are appropriate for and may be included in any areas within the Special District west of Harvard."
- Item L, pg 11, revise to read: "The University property along the east side of Harvard Avenue from 11th Street to 4th Street."
- Item 6, pg 6, revise to read: "Open space and/or linear park uses..."

There being no further business, the Chairman declared the meeting adjourned at 3:38 p.m.

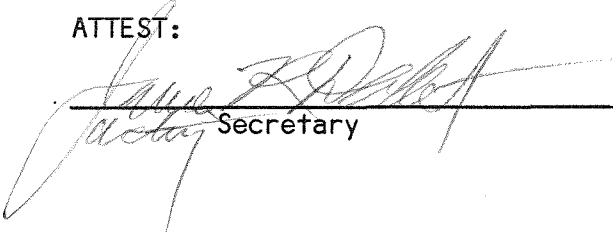
Date Approved

10-7-87



Chairman

ATTEST:


Secretary

