

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1690
Wednesday, **March 23, 1988**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT

Carnes
Doherty
Draughon
Kempe, Chairman
Paddock, 2nd Vice-
Chairman
Parmele, 1st Vice-
Chairman
Wilson
Woodard

MEMBERS ABSENT

Crawford
Coutant
Harris

STAFF PRESENT

Frank
Gardner
Setters
Wilmoth
Lasker

OTHERS PRESENT

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 22, 1988 at 10:18 a.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 1:30 p.m.

MINUTES:

Approval of Minutes of March 9, 1988, Meeting #1688:

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-1** (Carnes, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Doherty, "abstaining"; Coutant, Crawford, Draughon, Harris, "absent") to **APPROVE** the **Minutes of March 9, 1988, Meeting #1688**.

REPORTS:

Chairman's Report:

Chairman Kempe asked Mr. Parmele to report on the Budget & Work Program Committee. He advised this Committee had met yesterday to review items for the work program, ongoing activities, new projects, etc. Mr. Parmele stated a consensus of the Committee was to issue a letter soliciting input from the District Planning Team Officers, the City and County Commissioners, the Metropolitan Tulsa Chamber of Commerce, the Metropolitan Board of Realtors, the Tulsa Builders Association, Southeast Tulsa Homeowners Association, and the National Association of Industrial & Office Parks (NAIOP). The Committee has scheduled a follow-up meeting to review this input on April 12th.

Committee Reports:

- a) Mr. Carnes advised the **Comprehensive Plan Committee** would be meeting on Wednesday, April 6th at noon, to review amendments to the Comprehensive Plans for District 8 and District 11, which are set for public hearing on April 13th.

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- b) Mr. Paddock advised the **Rules & Regulations Committee** had met this date to consider the draft of the proposed changes to the Subdivision Regulations and the City Ordinance relating to development of subdivisions utilizing individual septic systems. As a result of this meeting, Mr. Paddock stated the Committee recommends to the TMAPC that the draft of the amendments be approved as submitted by Staff, and he added that some form of "grandfather clause" may need to be considered at the public hearing, which was suggested for April 20th. Mr. Paddock then moved for approval of the Committee's recommendation.

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **SET a Public Hearing for Wednesday, April 20, 1988**, to consider the proposed amendments to the Subdivision Regulations relating to development of subdivisions utilizing individual septic systems, as recommended by the Rules & Regulations Committee.

CONTINUANCE(S):

Application No.: **PUD 436** Present Zoning: **RS-1**
Applicant: **Norman (Lashley)** Proposed Zoning: **Unchanged**
Location: **East of the NE/c of South Columbia & 44th Place**
Date of Hearing: **March 23, 1988**
Continuance Requested to: **April 6, 1988**

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **CONTINUE Consideration of PUD 436 Norman (Lashley) until Wednesday, April 6, 1988 at 1:30 p.m.** in the City Commission Room, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No.: Z-6188

Present Zoning: RS-1

Applicant: Pittman

Proposed Zoning: IL

Location: West of the SW/c of East Admiral Place & South 177th East Avenue

Date of Hearing: March 23, 1988 (Cont'd from 2/24/88 to readvertise for OL)

Presentation to TMAPC by: Mr. Harlan Pinkerton, PO Box 1409 (587-7221)

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as a Linear Development Area - Medium Intensity (PUD required) for the north 330' and Low Intensity - No Specific Land Use on the balance.

According to the "Zoning Matrix" the proposed IL District would not be in accordance with the Plan Map for the north portion due to the lack of a companion PUD and is not in accordance with the Low Intensity - No Specific Land Use portion.

Staff Recommendation:

Site Analysis: The subject tract is 2.55 acres in size and is located west of the southwest corner of East Admiral Place and South 177th East Avenue. It is partially wooded, gently sloping, contains a single-family dwelling with three large accessory buildings and is zoned RS-1.

Surrounding Area Analysis: The tract is abutted on the north, across East Admiral Place, by an industrial use zoned IL; on the east by vacant property zoned RS-1; on the south by vacant property zoned AG; and on the west by a church zoned RS-1.

Zoning and BOA Historical Summary: Industrial zoning has been approved on the north side of East Admiral Place in a Special District.

Conclusion: Although the Comprehensive Plan supports industrial zoning for the area north of East Admiral Place, Staff cannot support the request due to the tract's location in a Linear Development Area. Section 3.4.1 of the District 17 Comprehensive Plan requires the filing of a Planned Unit Development in order to minimize the impact of the underlying zoning on adjacent non-industrial uses and also in order to develop at medium intensity.

Therefore, Staff recommends **DENIAL** of the requested IL zoning due to no PUD being filed. In the alternative, Staff would support a continuance of the application in order to give the applicant time to file a PUD.

Note: The proposed use, "automobile storage", is not clearly defined in the zoning code and possibly should be clarified in order to determine the exact zoning classification needed for the intended use.

March 23, 1988:

The subject application was continued from 2/24/88 in order to allow the applicant time to readvertise for OL - Office Light zoning. OL zoning is in accordance with the Medium Intensity Linear Development Area, and is a may be found in accordance with the Low Intensity - No Specific Land Use portion.

Therefore, based on the Comprehensive Plan and zoning patterns in the area, the staff recommends APPROVAL of OL zoning as requested.

Comments & Discussion:

In reply to Chairman Parmele, the applicant confirmed agreement to the Staff recommendations.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **APPROVE Z-6188 Pittman for OL Zoning**, as recommended by Staff.

Legal Description:

OL Zoning: The west 168.32' of the east 932.26' of Lot 7, LESS the north 40.0' for right-of-way, Section 2, T-19-N, R-14-E, City of Tulsa, Tulsa County, Oklahoma.

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Application No.:	Z-6192	Present Zoning:	AG & RS-3
Applicant:	Norman (Sampson)	Proposed Zoning:	CG & CO
Location:	NE/c of East Admiral Place & North 129th East Avenue		
Date of Hearing:	March 23, 1988		
Presentation to TMAPC by:	Mr. Charles Norman, 909 Kennedy Building (583-7571)		

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - Corridor.

According to the Zoning Matrix the requested CO District is in accordance with the Plan Map, and the proposed CG District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is 17.2 acres in size and is located at the northeast corner of East Admiral Place and North 129th East Avenue. It is partially wooded, gently sloping, contains a mixture of residential and agricultural uses, and is zoned AG and RS-3.

Surrounding Area Analysis: The tract is abutted on the north by the I-244 Expressway, zoned RS-3; on the east by a vacant commercial building previously used for furniture sales and a bar, zoned CG; on the south, across East Admiral, by commercial uses including a pawn shop and plumbing store, zoned CS; on the west, across North 129th East Avenue, by vacant property, a single-family dwelling and mobile home park, zoned AG, RS-3 and RMH.

Zoning and BOA Historical Summary: A variety of zoning classifications and uses have been approved in the area.

Conclusion: The subject tract is designated Corridor. Based on existing zoning and development patterns, the typical nodal zoning pattern would be appropriate for the subject tract. With the other corners of the intersection being zoned CS, IL and RS-3, the requested CG zoning, if approved to a depth from East Admiral Place to line up with the abutting CG zoning to the east would be merited. Recognizing the character of existing development and zoning patterns west of North 129th East Avenue, CO zoning would be appropriate on the balance of the subject tract considering that a Corridor Site Plan would be required prior to development. If approved, an amendment to the Comprehensive Plan is also recommended for the tract.

Therefore, Staff recommends **APPROVAL** of CG zoning to a depth consistent with the abutting CG zoning and **APPROVAL** of CO zoning on the balance, subject to amendment of the Comprehensive Plan.

Comments & Discussion:

Mr. Paddock inquired why this was in accordance with the corridor, but not with the Plan Map. Mr. Gardner stated that the Plan Map should have recognized this as a commercial type node, which was the basis of Staff's recommendation. In reply to Chairman Kempe, Mr. Norman stated agreement to the CG zoning depth as suggested by Staff, with CO zoning on the balance.

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **APPROVE Z-6192 Norman (Sampson) for CG/CO zoning**, as recommended by Staff, and subject to amendment of the Comprehensive Plan.

Legal Description:

CG Zoning: A part of Government Survey Lot 4, Section 4, T-19-N, R-14-E, Tulsa County, Oklahoma described as follows: Beginning at the SW/c of Lot 4; thence east 572.41'; thence north 475.8'; thence east 100.0'; thence north 200.0'; thence west along the north line of Lot 4 for 672.41' to the NW/c of Lot 4; thence south along the west line of Lot 4 to the POB; and

CO Zoning: That part of the SW/4 of the SW/4 lying to the south and west of the Interstate Highway 244 right-of-way, Section 33, T-20-N, R-14-E, Tulsa County, Oklahoma.

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Application No.: CZ-165 Present Zoning: RS
Applicant: Knigge Proposed Zoning: CG
Location: North of the NW/c of East 56th Street North & North Peoria Avenue
Date of Hearing: March 23, 1988
Presentation to TMAPC by: Mr. W. Knigge, Collinsville (1-371-2896)

Relationship to the Comprehensive Plan:

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District - Commercial.

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

Staff Recommendation:

Site Analysis: The subject tracts are 1.51 acres in size and located north of the northwest corner of East 56th Street North and North Peoria Avenue. Each is partially wooded, flat, contains what appears to be two single-family dwellings on the north tract and four single-family dwellings on the south tract, and is zoned RS. A lot containing one single-family dwelling zoned RS splits the subject tract in approximately half.

Surrounding Area Analysis: The tracts are abutted on the north by mixed industrial uses, zoned RS; on the east, across North Peoria by industrial uses and vacant land, zoned CH and AG; on the south by vacant property, zoned IL; and on the west by vacant property zoned RS.

Zoning and BOA Historical Summary: The area is zoned and developed in a mixture of commercial and industrial uses which meets the purposes of the Development Guidelines for consideration of CG zoning.

Conclusion: Based on the Comprehensive Plan, Development Guidelines and existing zoning and development, Staff can support the requested CG zoning, however, only on the southern two lots at this time. The isolation of a single-family dwelling and lot between two commercial tracts is not an orderly transition of land uses. Ideally, the remaining lot between the two should seek rezoning simultaneously, and be considered as one application.

Therefore, Staff recommends **APPROVAL** of the requested CG zoning on only the south portion and **DENIAL** of CG zoning or any less intense zoning in the alternative for the north portion.

Comments & Discussion:

Mr. Parmele confirmed that Staff's recommendation for denial of CG on the two north lots was due to a residential dwelling on the lot separating the two subject tracts. Mr. Doherty inquired if any communication had been received from the property owner of this middle lot. Chairman Kempe

advised receipt of a letter from Ms. Flora Campbell Johnston (5810 North Peoria Avenue) whose property abuts the applicant's lots, whereby Ms. Johnston wrote that she has had her fence and house damaged by traffic between these lots on a roadway that had once been a driveway. Therefore, she was "opposed to any heavy activity, or anything that would be heavier traffic".

Applicant's Comments:

Mr. Knigge advised he was requesting the zoning change to accommodate a mobile home parts and supply business. He stated that he, basically, concurred with Staff's recommendation. Mr. Knigge pointed out the manufacturing plant abutting his property, and other commercial projects in the RS zoned area.

Ms. Wilson inquired if the applicant anticipated any type of repairs to be done on the premises, or if the business would be limited mobile home parts sales. Mr. Knigge replied there would be some repair work done.

Review Session:

Mr. Parmele commented that he was more inclined to reverse the lots from what Staff was suggesting, as CG would be more appropriate across from CH zoned property (on the north); however, he was not opposed to rezoning the both tracts CG. In reply to Mr. Paddock, Mr. Gardner clarified that there were industrial uses in this RS zoned area, and this was also part of the Turley business community. He added that Staff could have easily supported this application if it had included the middle lot. The reason for Staff's recommendation for CG on the southern lot was its location abutting IL zoning on the south.

Discussion followed as to the industrial and commercial uses, and the problem with the middle lot remaining residential in this transitional area. Mr. Gardner stated that physical facts supported CG zoning, and Staff would not be supporting CG if it were not already present in the area. He added that the Commission's position was to determine if the physical facts outweighed the unfortunate, last remaining residential dwelling on the middle lot.

Mr. Parmele made a motion of approval of CG zoning on both tracts based on the manufacturing facility on the north, the high intensity CH to the east, and the IL to the south. However, the motion died due to lack of a second.

In response to Mr. Doherty, Ms. Kempe stated that the Commission has done similar zoning around elementary school tracts. Mr. Carnes confirmed the applicant had no objection to having CG on the north tract, instead of the south tract. Mr. Doherty commented that he could support CG on one tract, with CS on the others. Mr. Carnes moved for CG zoning on the north tract and denial of zoning on the south tract, which was a reversal of Staff's recommendation. Mr. Parmele offered an amendment to Mr. Carnes' motion for CG on the northern tract, and CS on the southern tract. In response to Ms. Wilson, Mr. Parmele explained his reasoning for the amended motion

CZ-165 Knigge - Cont'd

was that he felt the zoning patterns indicate a use other than residential, and CS on the south tract might provide a transition from the abutting IL and CG zoning. Mr. Doherty agreed that residential was no longer an appropriate use, as this area was in a special district indicating that it will develop commercial. Therefore, due to his concern that it not develop too intensely, he felt CS was appropriate for a portion of the application, in lieu of total CG zoning.

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **APPROVE CZ-165 Knigge** for CG zoning on the north tract and CS zoning on the south tract.

Legal Description:

CG Zoning: Beginning 200' south of the NE/c of the SE/4 of the SE/4 of Section 1, T-20-N, R-12-E, Tulsa County, Oklahoma, thence west 341.0'; thence south 100.0', thence east 341.0', thence north 100.0' to the POB; and

CS Zoning: Beginning on the east boundary line of the SE/4 of the SE/4 of Section 1, T-20-N, R-12-E, Tulsa County, Oklahoma, and 400.0' south of the NE/c of said tract, thence west 291.0', thence south 50.0', thence east 291.0'; thence north 50.0' to the POB; AND Beginning at a point 350.0' south of the NE/c of the SE/4 of the SE/4 thence west 341.0', thence south 50.0'; thence east 341.0'; thence north 50.0' to the POB.

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Application No.: **Z-6193 & PUD 437** Present Zoning: RS-3
Applicant: **Johnsen (Tulsa Heart Center)** Proposed Zoning: OL
Location: East of the Intersection of East 14th Place & South Utica Avenue
Date of Hearing: March 23, 1988
Presentation to TMAPC by: Mr. Roy Johnsen, 324 Main Mall (585-5641)

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 - Residential, Area D.

According to the Zoning Matrix the requested OL District is not in accordance with the Plan Map.

Staff Recommendation: Z-6193

Site Analysis: The area requested for OL zoning is described as the west 25' of Lot 8, Block 3 and the west 25' of Lot 24, Block 5 of the Terrace Drive Addition. The subject tract is approximately .2 acres and is located east of the intersection of South Utica and East 14th Place being both north and south of East 14th Place. It is presently developed for single-family detached residences (one on each lot), and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north and east by single-family residences, zoned RS-3; on the south by a duplex, zoned OL; and on the west by office uses, zoned CS and OL.

Zoning and BOA Historical Summary: Nonresidential zoning has been limited along the east side of Utica Avenue to those properties having frontage on Utica.

Conclusion: OL zoning in the area has been limited to a depth of two lots by the Comprehensive Plan; also, the established zoning and land use patterns have limited nonresidential zoning and development to only those properties having frontage on Utica Avenue. The residential and nonresidential zoning is delineated at the west boundary of the subject tract in a manner keeping with good zoning practice. To approve the request would be to encourage encroachment of nonresidential uses into a relatively stable residential area.

Therefore, Staff recommends **DENIAL** of OL zoning on the west 25' of Lot 8, Block 3, and the west 25' of Lot 24, Block 3, Terrace Drive Addition.

NOTE: Considering that Staff is not supportive of OL zoning per Z-6193, nonsupport of the companion PUD 437 is also expressed in a separate recommendation.

Staff Recommendation: **PUD 437**

The subject tracts have a combined area of approximately one acre and are located east of the intersection of East 14th Place and South Utica Avenue. The tract to the north of East 14th Place is planned for parking for the expanded medical office building which presently exists at the southeast corner of South Utica and East 14th Place; this parking area will have access to South Utica and East 14th Place. The tract to the south of East 14th Place will have access to South Utica and East 14th Place. An existing 2950 square foot general office building which has frontage on East 15th Street is also included in PUD 437. The medical office building is planned for an 11,650 square foot expansion. The PUD Text indicates that the general office building which has frontage on East 15th Street will be retained at this time. The difference in elevations of the medical and general office buildings would make vehicular integration of the two sites difficult. The maximum building height of the proposed expansion of the medical office building is three stories above ground with a basement. Elevations should be included in the Outline Development Plan to evaluate any east facing windows on the second and third floors.

Staff is not supportive of the requested OL zoning per Z-6193; therefore, recommends **DENIAL** of PUD 437. If the Commission is supportive of OL zoning per Z-6193, Staff suggests the following Development Standards:

Z-6193 & PUD 437 Johnsen (Tulsa Heart Center) - Cont'd

- 1) That the applicant's Outline Development Plan (to include elevations) and Text be made a condition of approval, as modified herein.
- 2) Development Standards:
 - Land Area (Net): 44,204 sf 1.01 acres
 - Permitted Uses: As permitted by right in an OL District, excluding drive-in banks and funeral homes
 - Maximum Building Height Above Ground Level: 2 stories *
 - Maximum Building Floor Area:
 - General office 2,950 sf
 - Medical office 18,400 sf
 - TOTAL 21,350 sf
 - Minimum Off-Street Parking: **
 - Medical office building 1 space/250 sf of gross floor area
 - General office building 1 space/300 sf of gross floor area
 - Minimum Building Setbacks:
 - from residential property line 45'
 - from Utica 65'/BOA
 - from E. 14th Place C/L 50' *
 - from E. 15th Street C/L 85'
 - Minimum Landscaped Open Space: 10% of net area***

* Three story construction is permitted within an area limited to 105' south of the centerline of East 14th Place and 45' west of the east boundary with no exceptions per Section 220 of the Zoning Code being granted beyond three stories unless OM building setbacks are met as required by the Zoning Code.

** Although the floor area maximums are within zoning and PUD guidelines, it is questionable whether the Outline Development Plan provides the required number of parking spaces (84) in accordance with the Zoning Code. Specifically, the proposed number of compact spaces exceeds the 25% maximum allowable per the Zoning Code. The situation would require adjustments in floor area, plot plans, or variances in order to receive approval of a Detail Site Plan. Standard parking spaces per Chapter 13 of the Zoning Code must meet the following minimums: 7.5' x 15' for compact, and 9' x 20' for standard.

*** 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 landscape buffers, including trees, shall be provided along the residential boundaries and the parking areas. The size of the site would indicate a buffer may need to be provided on adjacent property. The Outline Development Plan indicates no landscape buffer north of East 14th Place between the parking lot and residential lot.

Signs: Signs accessory to the office use shall comply with the restrictions of the PUD Chapter of the Zoning Code and the following additional restrictions:

Ground signage shall be limited to one monument sign, to be located along the Utica frontage, identifying the project, not exceeding 6' in height, and not exceeding a display surface area of 32 sf, and one monument sign to be located along the 15th Street frontage identifying the general office building or tenant therein, not exceeding 6' in height and not exceeding a display surface area of 32 sf. Existing signs, if any, which exceed these requirements are exempt from these standards.

- 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 away from adjacent residential areas. Light standards shall be limited to an 8' maximum height within 45' of the residential boundary and a 20' maximum height on the balance.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code, and as further 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. Buffers shall be provided in accordance with the Development Standards.
- 7) Subject to TMAPC review and approval of conditions, as recommended by the Technical Advisory Committee.
- 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 have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments & Discussion:

Mr. Doherty commented that it appeared the zoning request was basically for about 2/3 of a lot, as the PUD enclosed all of the lot, of which the west 25' was requested for zoning. Mr. Gardner confirmed that 25' would be about half of the lot width, and further clarified that part of the zoning pattern, if approved as requested, would still remain residential, but would permit professional office, parking, etc. per the PUD plan. Mr. Gardner stated that Staff's recommendation was based on the Comprehensive Plan recognizing that the requested OL zoning extended

beyond the indicated office zoning line on the Plan Map. Mr. Parmele confirmed the applicant would need the OL zoning on the two lots to accommodate the building square footage requirements. Mr. Gardner further clarified the applicant needed a portion of the lot to get the square footage, and all of the lot to make the parking and development work. In response to Mr. Paddock regarding the internal circulation of the development, Mr. Gardner commented that the applicant was proposing to keep the office building currently facing 15th Street (on the south lot), but some excavation would be needed to accommodate the parking areas. However, the PUD would not need the southern lot other than to provide potential parking space.

Chairman Kempe advised receipt of a letter from Mr. Noel Eden supporting the requested zoning and the proposed PUD.

Applicant's Comments:

Mr. Roy Johnsen stated he was representing Dr. L. Basta and the Tulsa Heart Center, and Mr. Charles Norman would be representing Hillcrest Hospital, which had a direct interest in this application. In regard to the zoning request, Mr. Johnsen stated that enough OL zoning was needed to permit 1,595 square feet of floor area being added to the existing structure, i.e. an additional 13 feet (3,987 square feet) of OL zoning. Mr. Johnsen advised the main service prompting the expansion, in addition to the services already offered by the Tulsa Heart Center, was the opportunity to establish a heart catheterization lab offering services on an outpatient basis. He stressed the importance of the Center's location to the two significant hospital facilities in the area, i.e. St. John's Medical Center and Hillcrest Hospital. Mr. Johnsen added that this facility was efficient from the physician's standpoint and the proximity to the Broken Arrow Expressway provided major regional accessibility.

Mr. Johnsen reviewed the proposed parking and expansion on the Site Plan, pointing out that the two abutting property owners were not objecting to the proposal. He pointed out that the Center has acquired both sides of 14th Street to accommodate these parking and expansion needs, which offered an opportunity for uniformity of landscape treatment at this entrance. Mr. Johnsen circulated photographs indicating the existing Center and the sites of the proposed expansion along Utica, comparing the project to the development of the "medical corridor" between St. John's and Hillcrest Hospital. In regard to the three story structure, Mr. Johnsen stressed the design established significant setbacks from the entry to the single-family properties to the east, and most of the three story structure fell within the CS zoned portion. He further pointed out that the two level structure also exceeded the normal setbacks. Mr. Johnsen reiterated that the existing office building fronting 15th Street would remain at this time.

In regard to the zoning boundaries, Mr. Johnsen advised his research indicated that the existing OL boundary along Utica on the east had 110' frontage, which was among the smallest frontages where office or commercial properties have been permitted. He pointed out that the

frontage on the west side, directly across the street from the subject property, had a standard dimension of 145'. The applicant was proposing the existing 110' of zoning plus an additional 13', which would approximately align with the zoning line established south of 15th Street. Mr. Johnsen remarked that the District Plan merely took existing zoning lines, which had been established by previous owners, and may not necessarily reflect the depth that generally exists in this area. He commented that, if the 15th & Utica intersection was considered as an arterial node with normal depths of zoning, there would be 467' from that intersection zoned in a commercial fashion; and normal transition zoning would offer 300'. Therefore, 160' of use the applicant was requesting was very reasonable, and the amount of zoning was less than that found in the immediate area. Mr. Johnsen stated he felt that what the District Plan contemplated was that, if there was to be change, it should be done with a PUD and assembly of tracts that have frontages on the arterials.

Mr. Johnsen advised that all of the conditions of the Staff recommendation were agreeable to the applicant. Mr. Johnsen spoke on the significance and importance of this medical facility to the City. In response to Mr. Doherty, Mr. Johnsen confirmed that, although they had originally requested zoning on the west 25' of the lot, they could make the project work with 13' of zoning. Mr. Johnsen reviewed the elevations as requested by Mr. Doherty.

Mr. Paddock inquired if there was a contingency sales contract pending for the purchase of the needed properties. Mr. Johnsen stated he had not handled the sales contract, but normal transactions on matters such as this do have contingency contracts. Mr. Paddock asked if the applicant had given any thought to "P" Parking zoning on the eastern 25' of the lots with the west 25' rezoned OL. Mr. Johnsen replied he had not thought of this approach, but it would be acceptable to them.

Mr. Charles Norman, representing Hillcrest, spoke of the high regard Hillcrest Hospital had for Dr. Basta and the Tulsa Heart Center, to the extent that Hillcrest would be an equity partner with the Center. Mr. Norman reiterated the importance of a facility such as this, not only to the St. John's and Hillcrest Hospitals, but to the general public. As the presenter of the PUD's for the St. John's and Hillcrest medical facilities, Mr. Norman stated that the proposed development conformed to the standards approved and established by this Commission for these facilities. Therefore, he supported approval of the request for rezoning and the PUD for the Tulsa Heart Center.

Interested Parties:

Address:

Ms. Betty M. Spencer	1415 South Utica	74104
Mr. Jim Rand	2019 East 14th Place	"
Ms. Cindy Patton	1723 East 15th Street	"
Mr. W.H. Elliott, Jr.	1424 South Utica	"

Ms. Betty Spencer spoke in support of the application, and remarked on the undesirable conditions associated with the empty and dilapidated buildings along Utica. Ms. Spencer mentioned her property on Utica has been for sale for over year, and she felt the proposed project would further enhance the area.

Mr. Jim Rand, representing the Terrace Drive Neighborhood Association, stated the residents felt this development would have a negative impact on the neighborhood. He requested denial based on their feelings that this project was not in accordance with the Comprehensive Plan, and would not harmonize with the existing residential. They also felt the PUD did not preserve open space and they did not agree with the PUD treatment of the parking area. Mr. Rand commented the residents were also concerned this development might create or add to water run-off into the neighborhood.

Ms. Cindy Patton, a landscape architect officing on 15th Street, spoke in favor of the proposed expansion of the Heart Center, but was concerned with the long-range planning for the applicant's structure on 15th Street. Ms. Patton commented that she felt this house was a part of the integrity of 15th Street atmosphere and would reflect a loss to the area if removed. She requested a restriction be made for notification to neighbors along 15th for any alterations to the structure. In reply to Ms. Wilson, Ms. Patton clarified that she did not wish notice for platting, site plan, etc., but notice should the structure be proposed for demolition to accommodate parking.

Mr. W.H. Elliott, Jr., who has maintained an office in this area for 27 years, differed with comments made by some of protestants as to any flooding, as he has never experienced a problem with water run-off. Mr. Elliott acknowledged the traffic problems in this area, but stated that this was through no fault of the applicant, and he felt the proposed development would upgrade this area.

Applicant's Rebuttal:

In regard to Ms. Patton's comments, Mr. Johnsen reviewed the public hearing notification process for a major amendment, as the plan presented shows the house remaining, and would require a major amendment to be removed. To address concerns about water run-off, Mr. Johnsen stated this was subject to Department of Stormwater review at the time of platting.

Mr. Paddock inquired, should the Commission decide to approve the OL zoning on the west 25', if the applicant would be agreeable to "P" zoning on the east 25' with the requirements that contains for landscaping, etc. Mr. Johnsen stated he would be agreeable to the "P" district, and the Commission would determine the landscaping requirement through the PUD. He pointed out that the proposal submitted provided a minimum 10% of net of the entire project; however, he could not commit to 10% within that particular "P" area.

Review Session:

Mr. Carnes spoke in favor of the applicant's proposal as he felt this was an attempt to keep this neighborhood in a healthy condition, and would be an asset to this area. Mr. Doherty asked Staff if removing the office structure on 15th Street would, in fact, be a major amendment, as he wished to ensure notice would be given for demolition or major alteration. Mr. Gardner advised that, as a general rule, removing one structure to add parking would not necessarily be a major amendment. However, in this case, it would be major due to the circumstances along 15th Street.

Mr. Gardner clarified for the Commission that only the west 25' was advertised. He advised that the Commission could consider what was presented at this time and make a recommendation to the City Commission that, if properly advertised, the TMAPC would prefer "P" Parking on the eastern portion, then the applicant could readvertise before the City Commission hearing.

Mr. Carnes made a motion for approval of OL zoning on the west 25', as advertised, with a letter to the City Commission for "P" Parking on the east 25', and for approval of the PUD as presented.

Mr. Parmele commented that one of the new projects proposed for the FY 88-89 Work Projects was a Corridor Study along Utica Avenue between Hillcrest and St. John's, which was a good indication that there was increased pressure along this corridor for higher intensity and/or medically-related uses. Mr. Paddock stated that the development proposed could not but help be beneficial to this City, and it was also in line with the mentioned "medical corridor"; therefore, he would be voting in favor of the motion.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-1** (Carnes, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Coutant, Crawford, Harris, "absent") to **APPROVE Z-6193 Johnsen (Tulsa Heart Center)** for OL Zoning on the west 25' as advertised, with a letter to the City Commission recommending "P" zoning on the eastern portion of the PUD, and **APPROVAL of PUD 437**, subject to the conditions as recommended by Staff.

Mr. Johnsen requested a waiver of the customary cut-offs in order to file the application for the recommended "P" zoning, in order to present it to the City Commission at the same time as the OL and PUD application.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-1** (Carnes, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Coutant, Crawford, Harris, "absent") to **APPROVE** a Waiver of the Customary Cut-off in order to file an application for the recommended "P" zoning on the east 25' of Z-6193 & PUD 437 Johnsen (Tulsa Heart Center), as recommended by the TMAPC.

Legal Description:

Z-6193: The west 25' of Lot 8, Block 3, and the west 25' of Lot 24, Block 2, a subdivision of part of Block 5, TERRACE DRIVE ADDITION, to the City of Tulsa, Tulsa County, Oklahoma.

PUD 437: Lot 14, Block 5, less the south 150', TERRACE DRIVE ADDITION; AND the north 54' of the south 194' of Lot 13, Block 5, TERRACE DRIVE ADDITION; AND Lot 8 and Lot 9, Block 3, a subdivision of part of Block 5, TERRACE DRIVE ADDITION; AND Lot 24, Block 2, a subdivision of part of Block 5, TERRACE DRIVE ADDITION, City of Tulsa, Tulsa County, Oklahoma.

SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Church of the Holy Cross, Episcopal (2114) South of the SE/c of East 96th Street North and North 129th East Avenue (AG)

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **APPROVE** the Final Plat of Church of the Holy Cross, Episcopal and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD 349-1: NE/c of South Peoria and East 37th Street

Staff Recommendation: Minor Amendment and Detail Site Plan

The subject tract has underlying CH/OL zoning and is located at the northeast corner of South Peoria and East 37th Street. PUD 349 has been approved for a maximum floor area of 12,192 square feet divided between retail use (8,512 square feet) on the first floor, storage use (3,680 square feet) on the second floor, with uses as permitted by right in a CS District. The applicant is requesting approval of a Minor Amendment and Detail Site Plan to permit a one story addition to the south of the existing building.

BOA 14762 was approved on March 3, 1988 and granted a variance to the required setback from the centerline of East 37th Street from 50' to 37.5', a variance of the parking requirement from 54 to 39, and also a variance to the maximum Floor Area Ratio to permit a 13,962 square foot building. The building setback granted by the BOA is the same as exists for development south of East 37th Street at this location.

PUD 349-1 Minor Amendment - Cont'd

Based on approval of BOA 14762, Staff recommends **APPROVAL** OF PUD 349-1 subject to the submitted Detail Site Plan, and subject to all other conditions and requirements of PUD 349 remaining in effect except as varied by the BOA per 14762.

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, "absent") to **APPROVE** the **Minor Amendment and Detail Site Plan for PUD 349-1**, as recommended by Staff.

* * * * *

PUD 221-1: 13438 East 46th Street South

Staff Recommendation: Minor Amendment of Rear Yard

PUD 221 contains 160 acres (being the northwest quarter of Section 28) and has an underlying zoning of CS, RM-1, RD and RS-3. The subject tract is a residential single-family lot approximately .2 acre in size and located in Lot 11, Block 2 of the Quail Ridge subdivision, which allows 131 single-family lots, 17 duplex lots and 1 office lot. The applicant is requesting a minor amendment of the required 20' rear yard to 15' to permit a greenhouse type addition to the existing dwelling. Property to the south of the subject tract is zoned AG and is vacant. According to the minor amendment procedures, notice of the application has been given to the abutting property owners.

After review of the applicant's submitted plot plan, Staff finds the request to be minor in nature and consistent with the original PUD. The proposed addition will not encroach into a 15' rear yard utility easement and will be on a permanent foundation.

Therefore, based on the above information, Staff recommends **APPROVAL** of PUD 221-1 per plans submitted.

TMAPC ACTION: 7 members present

On **MOTION** of **WILSON**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Crawford, Harris, Kempe, "absent") to **APPROVE** the **Minor Amendment to PUD 221-1**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 3:30 p.m.

Date Approved April 6, 1988
Cherry Kempe
Chairman

ATTEST:
Ann C. Coontant
Secretary