

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1706
Wednesday, July 27, 1988, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Coutant	Frank	Linker, Legal
Draughon	Doherty	Gardner	Counsel
Harris	Wilson	Setters	
Kempe, Chairman	Randle		
Paddock, 2nd Vice- Chairman			
Parmeale, 1st Vice- Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, July 26, 1988 at 10:15 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 1:34 p.m.

MINUTES:

Chairman Kempe noted there was no TMAPC meeting on July 13, 1988, therefore, there were no minutes to approve for what would have been meeting number 1704.

REPORTS:

Chairman's Report:

Chairman Kempe reported on the dinner meeting with the Mayor and appointees to the various city boards and commissions, where the Mayor addressed his goals and objectives. Chairman Kempe stated she would have her notes compiled and prepared for distribution to the TMAPC members. She also advised that the Mayor had requested a status report from each board/commission.

Committee Reports:

Mr. Paddock advised the **Rules & Regulations Committee** would be meeting on August 3rd to review the final draft of the proposed manufactured/modular housing amendments and related items, which will be presented that date for a public hearing.

CONTINUANCE(S):

PUD 232-A & Z-6198 Johnsen

North side of West Pine & North Union Avenue
(PUD, RS-3, & RM-1 to CS)

Z-6199 INCOG

West side of the Osage Expressway at West Pine (CS to RS-3)

NOTE: Staff advised that a timely request to continue the above cases until August 10, 1988 had been properly submitted.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **CONTINUE** Consideration of the Above Listed Applications until Wednesday, **August 10, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No.: Z-6180

Present Zoning: OL

Applicant: Jones (Williams)

Proposed Zoning: CS

Location: SE/c of the proposed Riverside Parkway and East 91st Street

Date of Hearing: July 27, 1988

Presentation to TMAPC by: Mr. Bill Jones, 3800 1st National Tower (581-8200)

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 and Medium Intensity - No Specific Land Use, and Riverside Parkway.

According to the Zoning Matrix, the requested CS District is in accordance with the Plan Map for that portion with the medium intensity designation, but not in accordance with the low intensity and Riverside Parkway designation.

Staff Recommendation:

Site Analysis: The subject tract is approximately 18 acres in size and located at the intersection of Lewis Avenue and East 91st Street South and the proposed Riverside Parkway. It is partially wooded, gently sloping, vacant, and is zoned OL.

Surrounding Area Analysis: The tract is abutted on the north across East 91st Street by a landscape nursery, zoned CS; on the east by vacant land, zoned CS; on the south by vacant land, zoned AG; and on the west by the Arkansas River, zoned AG.

Zoning and BOA Historical Summary: PUD 418, which included the subject tract, was recently withdrawn by the applicant. Commercial medium intensity zoning has been granted at and adjacent to the intersection in accordance with the Comprehensive Plan and Development Guidelines. Two other zoning cases and a PUD are also pending Commission consideration in this immediate area.

Conclusion: The most westerly portion of the subject tract has been planned for the extension of the Riverside Parkway which will intersect with the new Jenk's Arkansas River Bridge, South Delaware and possibly a relocated East 95th Street to the south and east. Although not all of the subject tract is designated for medium intensity nodal type development under the Comprehensive Plan, a portion of the tract could qualify as a five acre Type I Node. A determination of this nature should be made only upon determination of the exact alignment of the Riverside Parkway, said determination including that the parkway right-of-way be protected from rezoning to CS, and further that the total medium intensity land use to be granted be restricted to a maximum of ten acres in accordance with the Guidelines. The latter condition would necessitate recognizing the existing CS zoning (4.4 acres) in place at the intersection of Lewis Avenue and 91st Street.

The Staff considers this application inappropriate in the absence of the construction of the Riverside Parkway or at least the necessary right-of-way being obtained by the City. However, if the Commission is supportive of some commercial zoning at this time, a maximum of ten acres of CS zoning (including existing 4.4) could be granted subject to publication of the ordinance being withheld until a legal description is provided which reflects that no portion of the final right-of-way for the Riverside Parkway and associated improvements is included in the area to be zoned commercial, and further provided that no portion of the CS zoning extend further south of 91st Street than 660 feet from the centerline.

Note: Approval of this case would not require an amendment to the Comprehensive Plan if approved as recommended by the Staff. Reference is also made to a letter dated February 17, 1988 from Jackie Bubenik, Executive Director of the River Parks Authority, regarding provision of a 150 foot minimum width public access corridor along the Arkansas River north of the Jenks Bridge and west of the Riverside Parkway.

Comments & Discussion:

In response to Mr. Paddock, Mr. Gardner reviewed the concerns and considerations of the River Parks Authority and the effect on the subject tract.

Applicant's Comments:

Mr. Bill Jones, representing David R. Williams, reviewed the history of this application since 1986. He pointed out that the applicant was not requesting zoning in any area traversed by the Riverside Parkway extension. Mr. Jones stated they were in agreement with the Staff to withhold publication of the ordinance until further definition can be given to the City's right-of-way needs.

Mr. Parmele inquired if Mr. Jones was agreeable to not extending the CS beyond 660'. Mr. Jones replied that they were wanting 5.6 acres in whatever configuration might be needed to complete the node. He stated that they could currently get the 5.6 acres within the 660', if the functional plans were not further modified. Mr. Gardner confirmed that the applicant could get ten acres commercial within the 660'. In response to Mr. Carnes, Mr. Gardner further explained that Staff was suggesting that the Commission avoid going to a 300' depth from Riverside and spreading it 1,000' along the proposed parkway. Mr. Jones reiterated that he did not have a problem with the configuration as long as he ended up with ten acres.

Chairman Kempe noted there were no interested parties or protestants in attendance.

TMAPC Review Session:

Mr. Parmele commented that ten acres of CS would be allowed if this were recognized as a Primary/Secondary Arterial Intersection, and he moved for approval of CS for 5.6 acres not to exceed 660' in depth from the centerline of East 91st Street; subject to withholding publication of the ordinance until a correct legal can be provided on the abutting expressway. On suggestion from Mr. Paddock to assure the proper safeguards were provided, Mr. Parmele amended his motion for approval of CS zoning for a maximum of 5.6 acres not to exceed 660' in depth, providing that the 660' depth will allow the full ten acres; and subject to withholding publication of the ordinance until a correct legal can be provided on the abutting expressway.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Carnes, Draughton, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **APPROVE Z-6180 Jones (Williams)** for CS zoning to a maximum of 5.6 acres not to exceed 660' in depth, providing that the 660' depth will allow the full ten acres; and subject to withholding publication of the ordinance until a correct legal can be provided showing that no portion of the CS zoning is within the expressway right-of-way.

Legal Description:

NOTE: Per TMAPC action, publication of the ordinance is to be withheld until a legal description can be provided on the abutting expressway; therefore, no legal description is available at this time on the subject tract.

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Application No.: **Z-6178 & PUD 306-B** Present Zoning: RS-3, RM-1
Applicant: **Jones (Grupe)** Proposed Zoning: CS
Location: NE & SE corners of East 95th Street & South Delaware
Date of Hearing: July 27, 1988
Presentation to TMAPC by: Mr. Bill Jones, 3800 1st National Tower (581-8200)

Relationship to the Comprehensive Plan: **Z-6178**

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 and Development Sensitive.

According to the "Zoning Matrix", the requested CS district is **not** in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 22 acres in size and is located at the northeast and southeast corners of East 95th Street South and South Delaware. It is nonwooded, flat, vacant, and is zoned RM-1, RS-3 and PUD 306-A.

Surrounding Area Analysis: The tract is abutted on the north by vacant land zoned AG; on the east and south by vacant land zoned RS-3 and PUD 306; and on the west across South Delaware by vacant land zoned AG, a soccer field zoned FD, an office park zoned OM, and two single-family dwellings zoned AG.

Zoning and BOA Historical Summary: The subject tract is Development Area E of PUD 306-A and is planned for 390 multifamily units north of East 95th Street, and 175,000 square feet of office space to the south of 95th Street. AG is the predominant zoning classification west of South Delaware and the highest intensity existing zoning granted at this general location is OM - Office Medium Intensity District to the west of Delaware. PUD 306-B has underlying RM-1 zoning at this location east of South Delaware. A CS zoning application (Z-6185) is pending at the northwest corner of the intersection of South Delaware and the east access road to the Jenks Bridge.

Conclusion: The Comprehensive Plan does not support commercial zoning at this location. The Development Guidelines, however, classify the intersection of South Delaware Avenue and the Jenks bridge road as a Type I Node and the potential for a total of ten acres of CS zoning at this location does exist (NE/c and SE/c of the node). The subject property is not located within the planned Riverside Parkway right of way; however, East 95th Street South will be required to be relocated further north to intersect with Delaware Avenue upon completion of Riverside Parkway.

The Staff would prefer that the Comprehensive Plan for this area not be amended until the Riverside Parkway extension is completed or at least the right-of-way secured for improvements. If the Commission is inclined to support a zoning change at this time, only ten acres should be zoned

restricting the zoning configuration to five acre nodes (each 467' x 467') at the intersection of the Jenks Bridge Road and South Delaware Avenue. All of Area E should be left under the controls of PUD 306 as is being proposed.

Staff Recommendation: PUD 306-B

The subject tract is Development Area E of PUD 306 and has been approved for 390 multifamily units (permitted RM-2 Bulk and Area Standards) and 175,000 square feet of office uses. Residential uses are presently planned for areas north of East 95th Street with office uses to the south. The applicant has requested 217,000 square feet of medium intensity floor area to be used for all uses permitted by the CS zoning district by right with 133,000 square feet of office uses. PUD 306-B application includes only the most general development standards and does not include an Outline Development Plan.

If the Commission is supportive of the CS zoning per Z-6178 it is suggested that the applicant be instructed to complete the PUD application in accordance with the PUD Chapter of the Zoning Code and resubmit this data for Staff review and TMAPC action on a future agenda.

Comments & Discussion:

In response to Mr. Paddock, Mr. Frank reviewed the preliminary map of the alignment of the Riverside Parkway extension south of 91st Street as prepared by Bruton, Knowles Engineering. Mr. Gardner pointed out that, should the Commission be supportive of the zoning, the applicant would need to complete the PUD as to a Detail Site Plan, and provide additional information regarding height and signs standards, etc.

Mr. Bill Jones stated, in regard to Staff's request for additional information, that he had assumed the standards would remain as originally required by the Outline Development Plan for PUD 306. Mr. Jones reviewed the history of this tract since 1982 as to previous development and negotiations with the City regarding drainage. He confirmed his agreement as to the two secondary nodes for medium intensity CS zoning.

Mr. Paddock commented that it appeared the Commission was talking about defining the exact location of acreage to be zoned CS, and he was under the impression that the City was not willing to make a commitment as to what the "taking line" would be on the Riverside Parkway until they knew whether or not that this would be funded (possibly scheduled for a bond election in the near future). Therefore, he suggested a continuance of this matter until some time in the Fall after the general elections. Mr. Paddock asked Mr. Jones what was so urgent that could not be addressed in three to four months. Mr. Jones stated that what the applicant has requested and what Staff has presented today was the minimum to which the applicant was entitled whether or not Riverside Parkway was extended. He added that, should Riverside Parkway be extended, this entire area would have to be relooked at by the Staff anyway, and at that time he anticipated a greater intensity.

Mr. Paddock then inquired as to how the legal description could be determined. Mr. Jones replied that the legal description for this particular application would not be as difficult as the others in this situation with Riverside Parkway. Mr. Gardner pointed out that nothing on the east side of Delaware would be affected by the extension of Riverside Parkway.

Interested Party:

Ms. Diane Fernandez, City Planner for the City of Jenks, submitted a copy of a letter from the City Council of Jenks requesting that the zoning "be denied until such time as infrastructure has either been funded or scheduled to coincide with likely development". Ms. Fernandez repeated their wishes for a continuance as they felt any action would be premature at this time. She reviewed the City of Jenks plans for construction of a new bridge, as well as other commercial development plans for the Jenks downtown area, which she felt should be looked at and considered. Ms. Fernandez requested her comments also hold for the next application (Z-6185) which is also in the 95th and Delaware area. She stated that the City of Jenks would like to be involved in any Site Plan or PUD amendments in this area.

In reply to Mr. Paddock, Ms. Fernandez advised the new bridge would be constructed south of the existing bridge. She added that the existing bridge would remain and was planned for bike path/pedestrian uses, while the new bridge would be four laned for traffic use.

In regard to the commercial development competition between Tulsa and Jenks, Mr. Jones commented that was just the "nature of the animal", and he did not not feel Tulsa developers would have very much of a standing to go over to Jenks and object to their plans on the west side of the river.

TMAPC Review Session:

Mr. Parmele spoke in favor of the five acres on each node, but stated he did not believe in the concept of premature zoning. Therefore, he moved for approval of CS zoning for five acres at the northeast corner and five acres at the southeast corner of 95th Street and Delaware Avenue.

Mr. Draughon agreed with Mr. Paddock that this seemed a bit premature; therefore, he felt this matter should be continued. Mr. Paddock commented he felt this was "putting the cart before the horse" and he would not be voting in favor of the motion.

Chairman Kempe added that the Commission was in receipt of comments from the City Council of Jenks as to any action being premature, and she would be taking this into consideration when voting on this matter. Mr. Parmele commented that he always recognizes the surrounding communities recommendations in matters within their fencelines; however, he felt this matter was under Tulsa's jurisdiction and was an appropriate location on the east side of the river. Mr. Paddock remarked he felt Jenks was just making known its concerns as to additional traffic, etc.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **3-4-0** (Carnes, Harris, Parmele, "aye"; Draughon, Kempe, Paddock, Woodard, "nay"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **APPROVE** Z-6178 for CS zoning on five acres at the northeast corner and five acres as the southeast corner of East 95th Street and South Delaware Avenue.

Since the above motion did not pass, Staff advised that a motion for continuation or denial would be in order. After discussions between the applicant and Staff as to an appropriate continuance date, Mr. Paddock moved to continue Z-6178 and related PUD 306-B to August 24, 1988.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **CONTINUE Consideration of Z-6178 and PUD 306-B Jones (Grupe)** until Wednesday, **August 24, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: **Z-6185** Present Zoning: AG
Applicant: **Norman (Elson Oil Co.)** Proposed Zoning: CS
Location: NW/c of South Delaware Avenue & East 95th Street (Jenks Bridge)
Date of Hearing: July 27, 1988
Presentation to TMAPC by: Mr. Charles Norman, 909 Kennedy Building (583-7571)

Relationship to the Comprehensive Plan:

The District 18 and 26 Plans, parts of the Comprehensive Plan for the Tulsa Metropolitan Area, designate the subject property Low Intensity - No Specific Land Use and Development Sensitive.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 19 acres in size and is located between the Arkansas River and South Delaware Avenue on the north side of East 95th Street South (Jenks Bridge). It is partially wooded, flat, vacant, except for soccer fields, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by mostly vacant property zoned OL and AG; on the east by vacant property zoned RM-1; on the south, across East 95th Street South, by a PSO substation zoned FD; and on the west by the Arkansas River zoned AG.

Zoning and BOA Historical Summary: Two recent zoning cases and PUD 306-B have been continued to allow time for the final alignment of the proposed Riverside Parkway to be determined.

Conclusion: The amount of requested commercial zoning is inconsistent with the Comprehensive Plan for this area. The Staff considers this application inappropriate in the absence of the completion of the proposed roadway or at the very least, determination of the final alignment of the roadway and right-of-way being acquired by the City. Also, the alignment of the Riverside Parkway extension, according to preliminary plans, will divide the subject tract approximately in half on a northwest/southeast diagonal. Zoning the future right-of-way commercial will frustrate, if not eliminate, the City's ability to complete the Parkway extension.

The intersection of the Jenks River Bridge Roadway (East 95th Street) and Delaware Avenue could qualify as a Type I Node (467' x 467') for medium intensity development irrespective of the Riverside Parkway. Therefore, if the Commission is supportive of some commercial zoning at this time; a maximum of five acres of CS zoning could be granted subject to publication of the ordinance being withheld until a legal description is provided which reflects that no portion of the final right-of-way for the Riverside Parkway and associated improvements is included in the area to be zoned commercial.

Notice would include consideration of OL zoning on the balance of the tract, consistent with OL zoning on property to the north (Z-5615). Office - Light (OL) zoning may be found in accord with the Comprehensive Plan in this area.

NOTE: Approval of this case will require an amendment to the Comprehensive Plan. Reference is also made to a letter dated February 17, 1988 from Jackie Bubenik, Executive Director of the River Parks Authority, regarding provision of a 150' minimum width public access corridor along the Arkansas River north of the Jenks Bridge and west of the Riverside Parkway.

Applicant's Comments:

Chairman Kempe asked the applicant if he would like to continue this case since this involves the northwest corner of the area just continued (Z-6178/PUD 306-B). Mr. Charles Norman, representing Elson Oil Company, stated he had an amendment to submit and would therefore like the Staff's recommendation read for the record. Mr. Gardner commented that the amendment, as referenced by Mr. Norman, was noted above in the paragraph concerning OL zoning on the balance of the tract.

Mr. Norman reviewed the history of this tract and its relationship to the previously heard cases in this area of the proposed parkway. He stated that this case was a little different in that it was almost a certainty that whatever property was left to the west of the parkway would be acquired by the City for recreational purposes. Therefore, approximately 6.5 acres of the subject would remain to the east.

Mr. Norman stated that a second issue was that this property was entirely in the AG classification, and as pointed out by Mr. Gardner, the rezoning of the balance to OL would be in accord with the Comprehensive Plan. He also pointed out that the new bridge construction in Jenks would not affect this property. Mr. Norman requested rezoning of all of the subject property to OL and relocation of the node to the area that would not be required for the parkway. He added that the functional plans displayed by Staff were plans that involved a grade separation of 96th Street and the Riverside Parkway extension. Mr. Norman reiterated that this tract was similar to the previous zoning case (Z-6180) in that the final configuration and the legal description for it could not be determined until the City provided the right-of-way description. Therefore, he requested approval of this case, for five acres of CS on the remaining frontage to a depth sufficient to equal 108,000 square feet of floor area with OL zoning on the balance of the property, subject to withholding publication of the ordinance until such time as a legal description could be obtained showing that the no portion of the area to be zoned was within the parkway right-of-way.

Discussion continued among Commission members as to the similarity or dissimilarity of the three applications heard today and how each was affected by the Riverside Parkway extension and right-of-way. In regard to Staff's recommendation, Mr. Paddock inquired if there was anything that distinguished this particular case from the other two cases. Mr. Gardner stated that the Comprehensive Plan did not designate commercial at this node. He added that Staff, if given the choice, would rather wait till all the decisions/plans were made for the parkway extension right-of-way, then amend the Comprehensive Plan, and later entertain zoning applications. However, Staff has suggested to the Commission if they were inclined to do something before this was done, then to not go more than what has been recommended. Mr. Gardner confirmed for Mr. Paddock that this would fit within the Development Guidelines, but not the current Comprehensive Plan.

Mr. Norman reiterated that the applicant was not seeking to gain anything by proceeding, but was merely asking to shift the node out of any prospective right-of-way, and just recognize the node.

Mr. Draughon repeated his thoughts that requests for CS zoning in the Jenks Bridge and Riverside Parkway area were premature. He asked Staff if a vote for approval today might increase the right-of-way costs to the citizens in the future; Mr. Gardner stated in his opinion it would not.

Mr. Paddock moved for a continuance, and after discussion with the applicant, suggested September 7, 1988.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **CONTINUE Consideration of Z-6185 Norman (Elson Oil Company)** until Wednesday, **September 7, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: **Z-6202 & PUD 440** Present Zoning: AG
Applicant: **Hammond/Kirkpatrick Engineering** Proposed Zoning: RS-2
Location: South & East of the SE/c of South Yale Avenue & East 101st Street
Date of Hearing: July 27, 1988
Presentation to TMAPC by: Mr. Adrian Smith, 5157 East 51st 627-5861

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2 (Sump Area), RS-1 zoning recommended or RS-2 zoning with PUD.

According to the Zoning Matrix, the requested RS-2 District **may be found** in accordance with the Plan Map.

Staff Recommendation: Z-6202

Site Analysis: The subject tract is approximately ten acres in size and located south and east of the southeast corner of South Yale Avenue and East 101st Street South. It is partially wooded, flat, vacant and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by vacant property zoned RS-2; on the east by vacant property zoned RS-1; on the south by scattered single-family dwellings on large lots zoned RS-1; and on the west across South Yale by scattered single-family dwellings on large lots zoned AG and RS-1.

Zoning and BOA Historical Summary: Similar RS-2 zoning with accompanying PUD was recently approved northeast of the subject tract.

Conclusion: Based on the Comprehensive Plan and existing zoning patterns in the area, Staff supports the requested rezoning with accompanying PUD 440. The proposed development is at a lower intensity than that permitted by straight RS-2 zoning and with the PUD conditions is compatible with the area.

Therefore, Staff recommends **APPROVAL** of RS-2 zoning for Z-6202 as submitted with related PUD 440.

Staff Recommendation: PUD 440

The subject tract is 27.40 acres in size and is located on the east side of South Yale Avenue at approximately East 103rd Street South. It is partially wooded, vacant and designated by the District 26 Comprehensive Plan Map as Special District 2 "Sump Area". The topography of the site causes it to impound water and not properly drain. This development will be connected to the public sewer system. A similar residential development (PUD 420-A Camelot Park) was approved east of the proposed development.

The underlying zoning of a portion of the PUD development is currently AG and RS-2 is being considered under Z-6202. The proposed RS-2 is in accordance with the Comprehensive Plan as accompanied by PUD 440. The internal streets will be public and of a linear design. The main entrance, and only entrance from South Yale Avenue will include landscape buffers and a landscape median. Significant portions of the site are heavily treed and the PUD Text addresses preservation of these trees where possible during the course of the development. Retention of storm water is planned to be accomplished on site in Reserve A and will be maintained along with the proposed landscaped medians (Reserves B and C) by the homeowner's association. The overall density of the tract is less than 2.4 units per acre which is comparable to adjoining developments. A total of 65 dwelling units is proposed on 27.4 acres; conventional RS-2 zoning would permit 73 dwelling units at 2.7 units per acre.

Staff review of PUD 440 finds the request to be: Consistent with the Comprehensive Plan; in harmony with the existing and expected development of surrounding areas; a unified treatment of the development possibilities of the site and; consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 440 as follows:

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

2) **Development Standards:**

Land Area (Gross):	27.40 acres
(Net):	26.99 acres
Existing Zoning:	AG and RS-2
Proposed Zoning	RS-2 with PUD 440
Permitted Uses:	Use Unit 6 single-family detached dwelling units and customary accessory uses.
Maximum No. of Dwelling Units:	65
Minimum Lot Width:	90'*
Minimum Lot Area:	9,000 sf/RS-2; 10,465 sf minimum proposed
Minimum Land Area per DU:	10,875 sf/RS-2; 18,087 sf average on net site
Maximum Structure Height:	35'
Minimum Livability Space DU:	5,000 sf average

* The 90' average minimum lot width may be varied according to the approved plat on corner lots and pie-shaped lots and be less than the minimum.

Required Yards:

Front	30.0' (except on cul-de-sac lots where a 25' building line is permitted per the Site Plan
Side	7.5' each side lot line**
Rear	25.0' (CORRECTED 12-6-88)
Open Space/Detention Area:	Maintenance of these private facilities shall be by a Homeowner's Association created for that purpose.

- ** Side yard abutting a street will be 20', except Lot 1, Block 1 and Lot 1, Block 3, which will have 35' side yard along Yale. Lots 1 - 6, Block 1, and Lots 1 - 6, Block 2 will have a 30' front building set back line. All garages on side lots must set 25' from the property line.
- 3) Subject to the review and conditions of the Technical Advisory Committee. Special attention shall be given to requirements for management of storm water adjacent to and on the site. The sanitary sewer system shall be connected to the public sewer system.
 - 4) That the development be in general compliance with the RS-2 Zoning Code provisions unless modified by the PUD Text and approved by the Commission.
 - 5) That a Homeowner's Association be created to provide for the maintenance of retention areas, and other common facilities.
 - 6) That the requirement for submission and approval of a Detail Site Plan is considered to be satisfied by the filing and approval of a Final Plat by the TMAPC and acceptance by the City of Tulsa. If the detail for construction of entry ways and similar facilities is not covered on the plat, these details shall be submitted to the TMAPC for review and approval prior to issuance of a Building Permit.
 - 7) That a Detail Landscape Plan and Sign Plan shall be submitted to and approved by the TMAPC for public and common areas only. Installation of landscape materials is required prior to issuance of an Occupancy Permit for any residential units in the development and maintenance and replacement of these landscape materials is a continued condition of TMAPC approval. The landscaped entry shall include a landscaped median and buffer strip and decorative fence as shown in the PUD text.
 - 8) 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.

Comments & Discussion:

Mr. Adrian Smith (representing the applicant) stated agreement to the Staff recommendation with the exception of the front yard requirement. Staff suggested 25'; the applicant suggested this be amended to 30' except for cul-de-sac lots (which has been done accordingly in these minutes). Mr. Smith also requested early transmittal of the TMAPC minutes to the City Commission.

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **APPROVE Z-6202 and PUD 440 Hammond/Kirkpatrick Engineering**, subject to the conditions as recommended by Staff, and **APPROVE** Early Transmittal of the TMAPC minutes.

Legal Description:

Z-6202: The NE/4 of the SW/4 of the NW/4, Section 27, T-18-N, R-13-E, Tulsa County, Oklahoma.

PUD 440: The S/2 of the NW/4 of the NW/4, LESS the north 300' of the west 400' thereof; and the NE/4 of the SW/4 of the NW/4, all in Section 27, T-18-N, R-13-E, Tulsa County, Oklahoma.

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Application No.: **Z-6203 & PUD 439** Present Zoning: OL
Applicant: **Selco Industries Corporation** Proposed Zoning: CS
Location: NE/c of East 21st Street & South 89th East Avenue
Date of Hearing: July 27, 1988
Presentation to TMAPC by: Mr. Larry Abels, 8909 East 21st Street (622-6100)

Relationship to the Comprehensive Plan:

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

According to the Zoning Matrix, the requested CS District may be found in accordance with the Plan Map based on the companion PUD 439.

Staff Recommendation: Z-6203

Site Analysis: The subject tract is approximately 2.4 acres in size and is located at the northeast corner of East 21st Street and South 89th East Avenue. It is nonwooded, gently sloping, has been developed for a nonresidential building and parking area and is zoned OL.

Z-6203 & PUD 439 (Selco Industries Corp.) - Cont'd

Surrounding Area Analysis: The tract is abutted on the north by duplexes zoned RS-3; on the east by an electrical power substation zoned RS-3; on the south across East 21st Street South by vacant land zoned OL; and on the west across South 89th East Avenue by vacant land zoned OL.

Zoning and BOA Historical Summary: The District 5 Plan was amended in 1987 to provide for medium intensity development if a companion PUD was submitted and approved. The existing physical facts and zoning along East 21st Street between Memorial and Mingo exceed the typical nodal pattern and therefore qualify this area for consideration of medium intensity zoning with a PUD.

Conclusion: The subject tract is located at the intersection of a primary arterial and residential collector street, and is included within a Medium Intensity - Linear Development Area. Staff is supportive of the requested CS zoning as conditioned upon approval of PUD 439.

Therefore, Staff recommends **APPROVAL** of Z-6203 for CS zoning based on approval of PUD 439.

Staff Recommendation: PUD 439 & Detail Site Plan

The subject tract is presently zoned OL and has an area of approximately 2.4 acres. It is located at the northeast corner of East 21st Street (a primary arterial) and South 89th East Avenue (a residential collector). The District 5 Plan designates this area as a Medium Intensity - Linear Development Area which in accordance with the Development Guidelines may permit the requested CS zoning per Z-6203 based on a PUD.

The development is called Selco Center and includes an expansion of the existing one story (12' tall) building from 10,380 square feet to 16,880 square feet. Proposed uses include office/product storage facilities and incidental fabrication, processing and repair. Existing parking areas will be retained on the east and west, and a new parking area will be constructed on the north. The 6,500 square foot expansion on the northwest portion of the existing building will include a loading dock area on the east side for which a screen the height and length of the longest vehicle to be parked at this location should be required to screen the loading dock and vehicles parked in this area from the residential uses to the north. A screen and buffering (fencing or landscaping) should also be required along the north boundary and a decision as to the exact nature of the screen could be made by the TMAPC at the time of submission of the required Detail Landscape Plan. The recommended minimum building setback from the north boundary is 85'. The existing PSO electrical power substation on the east would not warrant extensive landscape or screening as should be installed along the north boundary.

Staff review of PUD 439 finds it to be consistent with the Comprehensive Plan; in harmony with the existing and expected development of surrounding areas; a unified treatment of the development possibilities of the site; and consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Z-6203 & PUD 439 (Selco Industries Corp.) - Cont'd

Therefore, Staff recommends **APPROVAL** of PUD 439 and the submitted Detail Site Plan subject to the following conditions:

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

2) **Development Standards:**

Land Area (Gross):	132,368 sf	3.04 acres
(Net):	104,013 sf	2.39 acres

Permitted Uses: Use Unit 11 Offices & Studios; Use Unit 15 Other Trades & Services to include only product storage & distribution of watches, clocks and related items including incidental fabricating, processing and repair.

Maximum Building Height: 1 story (12')

Maximum Building Floor Area: 16,880 sf

Minimum Off-Street Parking: As required by the applicable Use Unit - 75 spaces proposed

Minimum Building Setbacks:

from C/L of E. 21st Street	110'*
from C/L of S. 89th E. Ave.	50'
from East Boundary	15'
from North Boundary	85'

Minimum Landscaped Open Space: 15% **

- 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. Parking lot lighting within 80' of the north boundary shall not exceed 8' in height.

* Applies to new construction only. Existing building is set back from the centerline of East 21st Street 109'9".

** 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. A landscape buffer or screening fence shall be installed along the north boundary.

- 5) All new 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 restricted herein. No flashing or Intermittently lighted signs are permitted.

Signs: Signs are limited to number, location and display surface area of existing signs which are as follows:

One monument sign 6'8" x 4'10" on the south side of the existing building.

Two wall signs - one each on the south and east side, 1'4" tall x 12' long.

- 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. A landscape or screening buffer is required along the north boundary with the exact nature of this screening being determined by the TMAPC at the time of approval of the Detail Landscape Plan. A screening wall is also required along the north side of the loading dock area and shall be shown in the Detail Landscape Plan.
- 7) Subject to 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. TMAPC approval of the submitted Detail Site Plan is subject to City Commission approval of PUD 439.
- 9) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants. This requirement can also be met by a waiver of these requirements by the TMAPC based on approval of the existing plat. PUD 439 restrictions shall be permitted to be filed as a separate instrument in this case upon approval by the TMAPC and City Commission.

Comments & Discussion:

Mr. Gardner pointed out that Staff has no objection to considering other uses on this property at some future time. He added that Staff was restrictive on this particular case to fit the applicant's needs, but there may be other commercial uses that would be appropriate.

In reply to Chairman Kempe, the applicant stated agreement to the Staff recommendation and conditions.

Interested Party:

Mr. John Tracy (8904 East 19th Place) stated opposition to the rezoning and PUD due to the impact on the abutting duplex buildings which he owns. He voiced concerns as to lighting, fencing and/or screening, landscaping, etc. Commission members and Staff reviewed the conditions of the Staff recommendation which addressed Mr. Tracy's concerns, and pointed out that a Detail Landscape Plan would be submitted.

Mr. Paddock recognized Mr. Ray Cosby, District 5 Co-Chairman, as being in attendance and commented that Mr. Cosby's correspondence to the TMAPC would be exhibited to the minutes.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **APPROVE Z-6203 and PUD 439 Selco Industries Corporation**, as well as the **Detail Site Plan to PUD 439**, as recommended by Staff.

Legal Description:

Lot 1, Block 1, East Tulsa Medical Group Center Addition to the City and County of Tulsa, State of Oklahoma.

* * * * *

Application No.: **Z-6204** Present Zoning: **RS-3**
Applicant: **John Jones** Proposed Zoning: **IL**
Location: **West 55th Place between So. 41st West Avenue & So. 41st West Place**
Date of Hearing: **July 27, 1988**
Presentation to TMAPC by: **Mr. John Jones, Box 9859, Tulsa 74157**

Relationship to the Comprehensive Plan:

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - Residential. According to the Zoning Matrix the requested IL District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately two acres and is located south of West 55th Place between South 41st West Avenue and South 41st West Place. It is partially wooded, flat, vacant and zoned RS-3.

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

Zoning and BOA Historical Summary: Industrial zoning has been limited to the area west of the railroad tracts and South 41st West Court.

Conclusion: Based on the Comprehensive Plan and existing zoning patterns in the area, Staff cannot support the requested rezoning. Although there are some non-residential uses in the area, they would not be a basis for rezoning since the predominate and planned use for the area is residential.

Therefore, Staff recommends **DENIAL** of IL zoning for Z-6204.

Applicant's Comments:

Mr. John Jones pointed out there were 34 lots in this block, and he had deeds on 24 lots. He explained that he operated lease vehicles under the Department of Transportation specifications, and it was not his intent to have a parking facility. He explained that they only make the necessary repairs to keep the leased vehicles operating. Mr. Jones stated he would be agreeable to restrictive covenants, landscaping, fencing, etc., and all activity would be limited to normal daylight hours.

Interested Parties:

Chairman Kempe advised receipt of a letter and petition submitted by Mr. and Mrs. Edgar Perry (3729 West 55th Place) in protest to the rezoning. Chairman Kempe confirmed from those in attendance that the petition and signatures were valid.

Ms. Essie Bohannon (4032 West 55th Place) spoke in protest due to the trucks coming and going after normal operating hours, dust from the vehicles, and the appearance of the tract which she felt looked more like a salvage yard. She expressed concerns regarding the church abutting the subject property.

Applicant's Rebuttal:

Mr. Jones stated he would be willing to segregate the church lot from his property, and stressed that he has not been operating at night.

TMAPC ACTION: 7 members present

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **DENY Z-6204 Jones for IL Zoning**, as recommended by Staff.

OTHER BUSINESS:

PUD 128-D: Detail Sign Plan
SW/c of Riverside Parkway and East 71st Street South

Staff Recommendation:

The subject tract is approximately 83 acres in size, vacant and located south of East 71st Street South on the west side of the Riverside Parkway. The tract has been approved for a mixture of commercial, office and residential multifamily uses. The applicant is requesting Detail Sign Plan approval to permit two real estate signs.

Review of the applicant's submitted plans indicate a "V" shape sign, 8.5' tall with each face containing 20 square feet to be located at the northeast corner of the subject tract (southwest corner of East 71st Street and Riverside Parkway). The sign is wooden with painted copy and temporary in nature. A second similar sign with one 20 square foot face is proposed south of East 75th Place South.

These signs are temporary in nature and in compliance with the PUD 128-D standards; therefore, Staff recommends approval of the proposed signs in accordance with the submitted plans.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Parmele, Randle, Wilson, "absent") to **APPROVE** the **Detail Sign Plan for PUD 128-D**, as recommended by Staff.

* * * * *

PUD 309: Detail Sign Plan
8421 East 68th Street South

Staff Recommendation:

The subject tract is located at 8421 East 68th Street South and has been approved for various types of retail development. Sign standards for PUD 309 permit 1.5 square feet of display surface area for each lineal foot of building wall for wall signs.

The submitted plan meets the approved sign standards; therefore, Staff recommends **APPROVAL** of the submitted Detail Sign Plan.

TMAPC ACTION: 6 members present

On **MOTION** of **WOODARD**, the TMAPC voted **6-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Parmele, Randle, Wilson, "absent") to **APPROVE** the **Detail Sign Plan for PUD 309**, as recommended by Staff.

SUBDIVISIONS:

FINAL APPROVAL & RELEASE:

Rockwood Hills Pond Amd (PUD 362)(883) East 72nd & South Columbia Pl. (RS-1)

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Draughon, Harris, Kempe, Paddock, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Doherty, Randle, Wilson, "absent") to **APPROVE** the **Final Plat of Rockwood Hills Pond Amended** and release same as having met all conditions of approval.

There being no further business, the Chairman declared the meeting adjourned at 3:44 p.m.

Date Approved August 10, 1988
Cherry Kempe
Chairman

ATTEST:

Shirley C. Coutant
Secretary

