

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1766
Wednesday, **October 25, 1989**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Coutant	Carnes	Gardner	Linker, Legal
Doherty, Chairman	Kempe	Matthews	Counsel
Draughon, Secretary	Paddock	Setters	
Parmeie	Randle	Stump	
Selph			
Wilson, 1st Vice Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 24, 1989 at 11:15 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:36 p.m.

MINUTES:

Approval of the Minutes of October 11, 1989, Meeting #1764:

On **MOTION** of **WOODARD**, the TMAPC voted **6-0-0** (Coutant, Doherty, Draughon, Parmeie, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Randle, Selph, "absent") to **APPROVE** the **Minutes of October 11, 1989, Meeting #1764**.

REPORTS:

Chairman's Report:

City Commissioner Gary Watts spoke on the Authorities, Board and Commissions (ABC) Task Force report in regard to their recommendation for revision to state enabling legislation to provide for a designee to serve in the Mayor's absence. Commissioner Watts explained this (or similar) wording was used for other major boards that service the City of Tulsa. He stated the intent was to have the Mayor as the primary member (to the TMAPC); however, if the Mayor should not be able to attend, then a member of the Mayor's staff would attend. Commissioner Watts advised the new charter provided for an appointed staff of up to sixteen to assist as a "communication link" between

REPORTS: Chairman's - Cont

the Mayor's office and the various boards, commissions, etc. serving the City. He commented the Task Force envisioned the designee as "the person in the Mayor's administration who would also have responsibility in other related areas. This person would be voting and acting, not as an individual for himself, but on behalf of the Mayor in carrying out the Mayor's policy and following his guidance."

Ms. Wilson commented the issue at the Planning Commission level was the term "ex officio" as used in the current state statutes. The TMAPC was unlike many of the other boards considered, in that the TMAPC was one of the few commissions/boards set up by state statute. She inquired if the Task Force had considered having the City Auditor, as an elected official, serve as the designee. Commissioner Watts explained the new charter provided for three branches: Mayor, Auditor and City Council. If the Auditor served in this function, then the TMAPC would not have the Mayor's office represented. Further, since the Mayor will not be a voting member of the new Council, he would then be entirely out of the process.

Chairman Doherty commented this perspective was something the full Commission could reflect upon. Commissioner Watts requested the Planning Commission reconsider their position, discuss it and he was hopeful the TMAPC would be supportive of the ABC Task Force recommendation.

Mr. Coutant stated his concern was "that it would seem very unlikely that it would work that way." He envisioned having an administrative person who would, hopefully, show up each week and vote routinely, not out of some allegiance to a stated and known policy of the Mayor's office since there were seldom issues before the Commission that involved something that clearly impacted on a "policy". He explained that only occasionally would there be a particularly political issue before the TMAPC that might reach the Mayor's attention that would be communicated to the designee. He stressed this would most certainly be the exception, as the remainder of the time this designee would be just another appointment to the Commission for matters on zoning, subdivision, etc.

Mr. Parmele inquired if revisions to the state enabling legislation (statutes) would impact the County Commission policy. Currently, the County designee was another elected Commissioner. Commissioner Watts commented that it was not the intent of the ABC Task Force to impact the County policies or practices.

In response to Ms. Wilson, Commissioner Watts advised he would check the wording of the ABC recommendation to clarify the designee would be from the Mayor's administrative staff only, and not a citizen appointment.

PUBLIC HEARING:

TO CONSIDER AMENDMENTS TO THE
DISTRICT 4 PLAN MAP & TEXT
AND THE
DISTRICT 6 PLAN MAP & TEXT
RESULTING FROM THE UTICA MEDICAL CORRIDOR STUDY

Comments & Discussion:

Ms. Dane Matthews introduced these public hearing items, reviewing the specific amendments to the District 4 and District 6 Plan Maps & Text as relate to the recommendations approved by the TMAPC in the Utica Medical Corridor Study. Ms. Matthews advised of a minor revision to the text in the District 4 Plan (3.5.3) as pointed out by Mr. Charles Norman. She added these amendments have been reviewed by the Planning Team chairmen in the respective districts.

Mr. Jim Sicking (1724 East 13th Street) stated he has spoken with Ms. Matthews regarding the District 4 Plan amendments. He advised he was representing a group of residents who wished to be included in the expanded special district near Hillcrest. Mr. Sicking requested action on today's proposed map amendments be continued so as to set another meeting with the Planning Team in order to consider modifications to the Plan Map. He clarified the area wishing to be included was approximately two blocks at 13th Street and Wheeling Avenue, which would "square off" the map delineation on the southeast corner.

Mr. Parmele suggested a continuance might be appropriate to consider this request. Mr. Gardner commented another way to address this concern would be to proceed with adoption of the proposed amendments; then have the resident's request considered by the Comprehensive Plan Committee. This would allow time for additional study and would not impede any applications presented in this special corridor area in the meantime. Mr. Coutant agreed with Mr. Gardner's suggestion.

Mr. Charles Norman commented on amendments to Sections 3.5.7, 3.5.8 and 3.5.9 of the District 4 Plan as expansions of the Study itself per "Recommendations" - item #11. Ms. Matthews stated the wording of Section 3.5.7 would be amended so as to clarify that safe accessibility should be provided. In regard to 3.5.9, Ms. Matthews stated it was not the intent to require the developer to provide a traffic impact study, but only to assure traffic needs be considered.

Mr. Coutant advised the Comprehensive Plan Committee voted to recommend approval of the District 4 and 6 Plan Maps & Text as proposed. He then moved for approval of amendments to the District 4 Plan Map & Text, as presented by Staff, and approval of the related Resolution No. 1766:692, with a directive to Staff to pursue study of modification to the Plan Map as requested by the residents near 13th Street & Wheeling Avenue.

TMAPC ACTION: 7 members present

On **MOTION** of **COUTANT**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Randle, "absent") to **APPROVE** the Amendments to the **District 4 Plan Map & Text** and to **ADOPT** the related **Resolution No. 1766:692**, as recommended by Staff and which reflect the recommendations of the Utica Medical Corridor Study.

TMAPC ACTION: 7 members present

On **MOTION** of **COUTANT**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Randle, "absent") to **APPROVE** the Amendments to the **District 6 Plan Map & Text** and to **ADOPT** the related **Resolution No. 1766:693**, as recommended by Staff and which reflect the recommendations of the Utica Medical Corridor Study.

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TO CONSIDER AMENDMENTS TO THE
DISTRICT 2 PLAN MAP & TEXT
RESULTING FROM THE PLAN UPDATE FOR THE
EXTENSION/LINCOLN/DUNBAR/CHEROKEE SECTORS

Comments & Discussion:

Ms. Matthews introduced Mr. Bill Packard, consultant for the project, who briefed the TMAPC members on the proposed amendments to the District 2 Plan relating to Extension/Lincoln/Dunbar/Cherokee Sectors. Mr. Packard explained the Plan update included consideration of the goals and objectives expressed by the Tulsa Development Authority and submitted in a resolution for their Neighborhood Development Program (NDP). Ms. Matthews confirmed the NDP resolution was in conformance with the Comprehensive Plan, and advised their resolution also included the previously approved amendments for the Osage/Emerson Sectors.

TMAPC ACTION: 7 members present

On **MOTION** of **COUTANT**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Randle, "absent") to **APPROVE** the Amendments to the **District 2 Plan Map & Text**, and to **ADOPT** the related **Resolution No. 1766:694**, as recommended by Staff.

PUBLIC HEARING: District 2 - Cont

TMAPC ACTION: 7 members present

On **MOTION** of **COUTANT**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Randle, "absent") to **APPROVE** the Resolution submitted by the Tulsa Development Authority for the Neighborhood Development Program for the Extension/Lincoln/Dunbar/Cherokee Sectors and the Osage/Emerson Sectors of District 2, as confirmed by Staff to be in conformance with the Comprehensive Plan.

ZONING PUBLIC HEARING:

Application No.: **Z-6263 & PUD 455** Present Zoning: **OM**
Applicant: **Moody (HBM 71)** Proposed Zoning: **CS**
Location: **North of East 71st Street & South Yale Avenue**
Date of Hearing: **October 25, 1989**
Presented to TMAPC by: **Mr. John Moody, 7666 East 61st, #240 (254-0626)**

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District #2 (hospital - medical and related activities, office activities, commercial shopping activities, residential activities, and cultural activities) and Development Sensitive.

According to the Zoning Matrix, the requested CS District may be found in accordance with the Plan Map. All zoning districts are considered may be found in accordance with Special Districts guidelines. The plan also recommends that Development Sensitive areas, to the maximum extent warranted, remain essentially undeveloped.

Staff Recommendation: Z-6263

Site Analysis: The subject tract is approximately 3.53 acres in size and located north of the northeast corner of East 71st South and South Yale Avenue. It is wooded, steeply sloping, vacant except for a partially constructed storm water detention pond adjacent to Yale Avenue and is zoned OM.

Surrounding Area Analysis: The tract is abutted on the north by both vacant property and an office building zoned OM; on the east by vacant property zoned OM; on the south by vacant property zoned OM and PUD 260-A; and on the west by vacant property zoned OM.

Zoning and BOA Historical Summary: Commercial zoning has been approved at the northeast corner of 71st Street and Yale Avenue (approximately 400' x 450') with a companion PUD. Commercial CS zoning and PUD 429 was approved at the northwest corner of Canton Avenue and 71st Street.

Conclusion: Although the tract to the south is an office/commercial PUD, the only commercial activity allowed by the PUD is restaurant use with accessory bar. Staff is not supportive of commercial zoning for the subject tract which would extend commercial zoning more than 1000 feet north of the intersection. Staff also finds the requested commercial zoning to be contrary to the primary Comprehensive Plan designation for hospital-medical uses and Development Sensitive.

Therefore, Staff recommends **DENIAL** of CS zoning for Z-6263.

Staff Recommendation: **PUD 455**

The applicant is proposing a retail shopping and restaurant development on a 4.7 acre tract 660 feet north of the northeast corner of 71st Street South and Yale Avenue. The District 18 Plan designates this area Special District 2 and Development Sensitive. Special District 2 is proposed to be limited to hospital-medical and related activities, office, commercial shopping, residential and cultural activities. The Plan also states that Development Sensitive areas be given special attention during the review process and be highlighted in all development proposals. The proposed PUD appears to give no special attention to the steep slopes (15% to 25%) on the site.

The proposal is for a standard looking restaurant and shopping center with a detention pond between this development and Yale Avenue. If the PUD were developed in this manner, the entire tract would need to be either cut away or filled producing a need for massive retaining walls to keep adjacent land from collapsing onto the tract. Virtually all existing trees on the tract would be lost as well. This is why the area was identified as Development Sensitive. Commercial development of this type necessitates the total destruction of the natural environment on a steeply sloped site such as this. Because of this, Staff does not support the proposed CS zoning on a portion of the tract nor the proposed design and uses in the PUD. We believe the existing OM zoning provides reasonable use of the subject property more in harmony with the Comprehensive Plan and topography.

Therefore, Staff recommends **DENIAL** of PUD 455.

Comments & Discussion:

In response to Ms. Wilson, Mr. Stump confirmed the subject tract did not abut CS zoning as the tract was completely surrounded by OM. Mr. Parmele asked if any of the tract would fall into the typical Type III Node. Mr. Gardner answered that a portion of the southern boundary that would be the difference between 660' and 808' (i.e. 148').

Applicant's Comments:

Mr. John Moody, representing HBM 71, reviewed the proposed layout, emphasizing the access to the site was on the northern edge off of 68th Street. Mr. Moody also reviewed the history of this tract and the surrounding area as to zoning and development activity, noting that some of the adjacent PUD has not been developed. Mr. Moody commented the applicant has attempted to present a PUD which considered the existing conditions as to land use and physical conditions. If developed under the present OM zoning an office building of 116,979 square feet would be permitted. Mr. Moody stressed that their proposed PUD contained only a total of 30,900 square feet of building floor area (a 74% reduction). He stated the applicant was well aware of the topography and detention concerns during development of this PUD. In regard to flooding and drainage, Mr. Moody advised their proposal has been reviewed and preliminarily approved by Stormwater Management. He reviewed the various alternatives considered for location of the required detention pond. Placing the detention along Yale Avenue offered a substantial benefit in terms of considering landscaping and the development sensitive (not prohibited) nature of the area. If developed under OM zoning, Mr. Moody commented the only way to develop the property, without doing extensive grading, cutting and filling, would be to build a high-rise structure with structural parking. He stated that in the City of Tulsa this approach would cause rental rates to be so high that the project would not be economically feasible and financing would be unobtainable. Therefore, the alternative remains to be construction of smaller buildings such as proposed in the PUD. He stated he felt their proposal was the best solution under the present and foreseeable future economic conditions in Tulsa. Mr. Moody stressed the 150' landscaped setback offered by their proposal, which included replacement of the trees removed for grading, etc. He reviewed the landscaping standards proposed in the PUD which he felt offered unique advantages for retail.

Mr. Moody amended the application to request no CS zoning greater than 1,000' from the centerline of the 71st & Yale intersection. If approved for CS at 1,000', he felt this would balance the 1,000' CS zoning to the east and would be consistent with the Development Guidelines for 15 acres at the intersection of two primary arterial streets (Type III Node).

In summary, Mr. Moody stated he felt that the proposal, as submitted, was the best plan available considering current conditions, the serious constraints imposed by the detention requirements, and the fact that OM has been in place for 14+ years and does not appear to be a reasonable alternative for development of this site.

Mr. Wayne Alberty, consultant for the project, and Mr. Milton Berry, one of the property owners of the tract, both answered questions from the Commission regarding landscaping, detention, etc.

TMAPC Review Session:

Mr. Coutant advised he had an indirect conflict of interest in this matter and would be abstaining.

Chairman Doherty expressed concern that the landscaping would survive the needed cuts, grading, etc. In response to Chairman Doherty, Staff reviewed the PUD development standards submitted by the applicant, which were not submitted to the TMAPC since the Staff recommendation was for denial of the zoning and PUD.

Mr. Parmele stated he felt the Development Sensitive portion of this tract would eventually have to be addressed regardless of how it was going to be developed. He commented he liked the appearance of this site plan as he did not feel developing a portion of the tract CS to be inappropriate. Therefore, he moved for approval of CS zoning on the south 130' of the tract, withholding transmittal of these minutes to the City Commission pending approval of the related PUD.

Ms. Wilson asked Staff's feeling on the motion for CS zoning on a portion of the tract. Mr. Gardner stated the topography question remained with regard to one story commercial structures versus mid-rise or high-rise office structures. If approved per the motion, Staff would look at this from the standpoint of commercial uses.

Chairman Doherty commented he has not seen enough of the PUD to be able to vote on it at this time. However, he would support the motion with the understanding that this was, more or less, contingent upon approval of a final PUD at a later hearing. Commissioner Selph concurred with Chairman Doherty's comments, adding he could support the motion as he was intrigued by the applicant's proposed depth of landscaping, etc.

Ms. Wilson stated she would vote against the zoning as she was not convinced that taking a structure that would have been high-rise and then just spreading it over existing topography would be of any benefit to the environment. Mr. Parmele commented that he felt several trees had to be cut to accommodate St. Francis and the Warren Foundation development, and that sometimes the City requires lower grades to be accessible to streets. Further, he did not feel it was a matter of losing trees, but a matter of the quality of development that could be placed on the site, with review through the PUD process.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **4-2-1** (Doherty, Parmele, Selph, Woodard, "aye"; Draughton, Wilson, "nay"; Coutant, "abstaining"; Carnes, Kempe, Paddock, Randle, "absent") to **APPROVE Z-6263 Moody (HBM 71) for CS Zoning on the south 130' of the tract**, withholding transmittal of these minutes to the City Commission, pending approval of the related PUD 455.

Legal Description:

CS Zoning: (from the centerline of 71st Street) Commencing at the southwest corner of Section 3, thence due north along the west line of said Section 3 a distance of 661.01' to a point; thence S 89°49'36" E a distance of 494.91' to a point; thence N 00°00'17" E a distance of 130.0' to a point thence N 89°49'36" W a distance of 494.91' to a point; thence due south and parallel with the west line of said Section 3 a distance of 130.0' to the POB.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **4-2-1** (Doherty, Parmele, Selph, Woodard, "aye"; Draughton, Wilson, "nay"; Coutant, "abstaining"; Carnes, Kempe, Paddock, Randle, "absent") to **CONTINUE** Consideration of **PUD 455 Moody (HBM 71)** until Wednesday, **November 8, 1989** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: **Z-6264 & PUD 456** Present Zoning: RS-3
Applicant: **Alberty (Retherford)** Proposed Zoning: OL
Location: East side of Memorial Drive at East 77th Street
Date of Hearing: October 25, 1989
Presented to TMAPC by: Mr. Wayne Alberty, 4325 East 51st St., #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 and Linear Development (PUD required).

According to the Zoning Matrix, the requested OL District may be found in accordance with the Plan Map if accompanied by a PUD.

Staff Recommendation: Z-6264

Site Analysis: The subject tract is approximately 18.33 acres in size and located south of the southeast corner of East 77th Street and South Memorial Drive. It is nonwooded, gently sloping, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by a nursing home zoned AG and an unoccupied medical office with vacant property zoned RM-1 and PUD 359; on the east and west by single-family residences zoned RS-3; on the south by vacant property zoned AG.

Z-6264 & PUD 456 Alberty (Retherford) - Cont

Zoning and BOA Historical Summary: Office zoning has been approved in the area to a 1,320' depth from Memorial Drive, but with an accompanying PUD.

Conclusion: Based on the Comprehensive Plan and existing zoning patterns in the area, Staff can support the requested rezoning when accompanied by a PUD. Staff finds it important to protect the single-family abutting the tract and also to control access.

Therefore, Staff recommends APPROVAL of the OL zoning with the companion PUD 456.

Staff Recommendation: PUD 456

The applicant is proposing a low intensity single story office subdivision on a twenty acre tract on the east side of Memorial Drive at 78th Street. There is also a request to rezone the tract from RS-3 to OL (Z-6264) accompanying the PUD. The Comprehensive Plan designates the tract Low Intensity - Linear Development Area on the west 1000' and Low Intensity - No Specific Land Use on the remaining 320'. The PUD would limit uses to those allowed by right in the OL district and the maximum building height would be one story. A screening fence is proposed along the east boundary of the tract adjacent to the residential area. The conceptual layout also proposes the tract be subdivided into 25 separate lots for office development. The conceptual layout proposed is unimaginative and appears to be an attempt to maximize the number of lots rather than produce an attractive design which would be an asset to Tulsa. Redesign of this lot layout is recommended at the Detail Site Plan stage.

Staff does, however, find the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 456 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 recommends APPROVAL of PUD 456 subject to the following conditions:

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

2) **Development Standards:**

Site Area (Gross):	20.0 acres	871,200 sf
(Net):	18.3 acres	797,148 sf

Permitted Uses: Principal and accessory uses permitted by right in the OL District and drive-in bank (Lot 1).

Z-6264 & PUD 456 Albery (Retherford) - Cont

Maximum Floor Area:	199,287 sf (25%)
Maximum Building Height:	One Story
Minimum Building Setbacks:	
from C/L of Memorial Dr.	160'
from east property line	60'
from other property lines	20' (interior or exterior)
Minimum Off-Street Setbacks:	
from east property line:	25'
from west property line:	10'
from other property lines	5' (interior or exterior)
Minimum Off-Street Parking:	4 per 1000 sf of Gross Floor Area
Minimum Internal Landscaped Open Space:	
for entire PUD (net)	20%
for each lot (net)	20%
on east property line	25' wide landscaped buffer
on west property line	10' wide landscaped area

Signs:

One monument sign per lot which identifies the offices on that lot not to exceed 4' in height and 8' in length with a brick or stone facade is permitted.

Wall signs other than signs meeting the requirements of 1221.3.D are not permitted.

- 3) No zoning clearance permit shall be issued within the Planned Unit Development until a Detail Site Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 4) A Detail Landscape Plan shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer all required landscaping and screening fences have been installed in accordance with the approved landscape plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
- 5) The Department of Stormwater Management or a Professional Engineer registered in the State of Oklahoma shall certify that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.

Z-6264 & PUD 456 Alberty (Retherford) - Cont

- 6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making City of Tulsa beneficiary to said Covenants.
- 7) All trash and mechanical equipment areas shall be screened from public view.
- 8) All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12 feet.
- 9) Major revisions to the conceptual layout shall be made at the Detail Site Plan stage in order to improve the design and aesthetics qualities of the proposed development.
- 10) A wood screening fence with masonry posts which complies with Section 250 of the Tulsa Zoning Code shall be constructed along the eastern boundary of the PUD.

NOTE: Staff advised that condition #7 may need to be amended to stipulate ground-mounted equipment only, otherwise the two story abutting residential subdivision could be looking down at roof-mounted equipment in this one story office subdivision.

Applicant's Comments:

Mr. Wayne Alberty, representing the property owner, stated agreement with the favorable recommendation by Staff. He reviewed the concepts of the proposed office subdivision, noting the inclusion of restrictive covenants and other similarities with residential subdivisions. He submitted the PUD text and reviewed the layout, screening, landscaping. Mr. Alberty stated the only item for discussion in the PUD involved condition #9 as the applicant did not anticipate any revision at this time in regard to the street layout.

Mr. Parmele inquired as to how the applicant proposed to maintain the watercourse which runs across the front part of this tract of land. Mr. Alberty advised he anticipates this being within an enclosed structure and he reviewed the easement provisions to accommodate the watercourse. He added these plans have been preliminarily approved by Stormwater Management at this point.

In reply to Ms. Wilson regarding the fencing around the project, Mr. Alberty assured the applicant would meet any city requirements imposed.

TMAPC Review Session:

In response to Chairman Doherty, Mr. Gardner reviewed the setback provisions for office development. In regard to this particular office development project, Mr. Gardner added elevations, overland drainage, etc. were considerations which drastically change the current map drawing.

Chairman Doherty remarked he had a problem approving a PUD which might change substantially. Further, it appeared to him that this could be a "straight subdivision", and he questioned why the PUD approach was taken. Mr. Gardner stated the PUD was submitted due to the depth to which the applicant wished to extend the office zoning. Additionally, the Comprehensive Plan requires a PUD must be filed for a Low Intensity Linear Development Area (LDA). Mr. Gardner commented a portion of the development concerns could be addressed at the time of detail site, landscaping, sign plans submittal.

Mr. Parmele stated opposition to the depth of zoning proposed considering this was in an LDA, since other LDA's restrict zoning to 330' or 660'. The PUD was filed only to comply with the LDA standards and was proposing almost the maximums possible. He commented he would rather see a lesser depth of zoning with a PUD that would show more open space and less "concrete". Mr. Parmele added he did not feel "we are getting what we intended when we approved Linear Development Areas". Mr. Albery clarified the concept plan on review was filed prior to the PUD; therefore, in all instances the PUD conditions would prevail. Mr. Albery added that the only item he took exception to was the street layout, which was essentially the same as shown on the concept drawing.

Mr. Parmele asked Mr. Albery his feelings on a 660' zoning depth and any impact this might have on densities, or was this an "all or none" situation. Mr. Albery answered the applicant was not needing the OL density "all the way to the rear" of the project as they could live with the density calculation permitting the 199,000 square feet requested. He reiterated that each individual lot has not yet been designed, therefore, they were not sure where the flexibility might be. Mr. Albery stated the applicant could accommodate a reduction of the OL zoning, provided they still get to develop the entire property with office. Discussion followed on various alternatives in regard to the zoning depth and density issue.

After consulting with his client, Mr. Albery commented the applicant emphatically felt the requested 199,000 square feet was needed in terms of the overall office concept. The primary reason being there was no stub street and no opportunity to develop any residential on the back portion of the tract. The applicant has checked with lending institutions, and no one would finance accessing an office development through residential. Therefore, Mr. Albery stated they felt the entire 18.3 acre tract should be developed for office use.

The Commission members expressed views on this being the first development in this LDA, and reiterated their feelings on the depth/density considerations. Mr. Parmele moved for approval of OL zoning only on the west 330' of the tract, denying OL on the balance; and withholding transmittal of these minutes until such time as the PUD was modified. The TMAPC members voted unanimously in favor of this motion, and a motion to continue review of the PUD for 60 days.

Z-6264 & PUD 456 Aliberty (Retherford) - Cont

Mr. Aliberty advised he did not see how the project could be done with only 330' of OL zoning; therefore, a continuance of the PUD review might be moot at this point. He suggested a one week continuance to allow the applicant an opportunity to review the situation in order to determine if they want to pursue the PUD or request the TMAPC to take action as presented.

Mr. Linker suggested the TMAPC could vote to reconsider their action on the zoning and then continue the entire matter to a date certain. He added it appeared to be questionable whether there would be a PUD with the zoning and he was not sure the Commission really wanted the OL zoning without the PUD.

On motion of Mr. Parmele, the TMAPC voted unanimously to reconsider the previous action, thereby nullifying the vote on OL zoning. Mr. Parmele then moved for a two week continuance with the understanding that the applicant would either withdraw or proceed based on the views expressed by the Commission members at this hearing.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Randle, "absent") to **CONTINUE** Consideration of **Z-6264 & PUD 456 Aliberty (Retherford)** until Wednesday, **November 8, 1989** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: **Z-6268** Present Zoning: OL
Applicant: **Moody (Burlingame)** Proposed Zoning: CS
Location: SE/c of East 21st Street & South 101st East Avenue
Date of Hearing: October 25, 1989 (Continued to November 8, 1989; see Note)
Presented to TMAPC by: Mr. John Moody, 7666 East 61st, Suite #240 (254-0626)

NOTE: Due to a potential loss of quorum of the TMAPC, the applicant consented to a consideration for continuance of this case. An interested party in attendance also concurred with the suggested continuance, and Staff agreed to placing this as the first item of business on the November 8th agenda.

TMAPC ACTION: 6 members present

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-0** (Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Kempe, Paddock, Randle, "absent") to **CONTINUE** Consideration of **Z-6268 Moody (Burlingame)** until Wednesday, **November 8, 1989** at 1:30 p.m. In the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 342: Detail Sign Plan

240' west of the SW/c of 71st Street & Mingo Road

Staff Recommendation:

Staff has reviewed the proposed 25' high ground sign for Wembley Center on the 71st Street frontage of PUD 342 and finds it to comply with the Development Standards of the PUD. Since the sign is proposed to be placed approximately 40' from a residential area (the elderly housing project to the west of the shopping center), a variance of the 150' setback requirement for ground signs will be needed from the Board of Adjustment (BOA). The applicant has already applied for this variance.

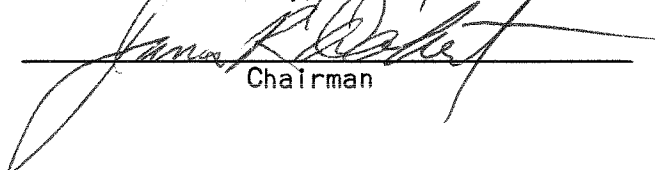
Staff recommends **APPROVAL** of the Detail Sign Plan in PUD 342 contingent upon the granting of a variance to the setback requirements by the BOA.

TMAPC ACTION: 6 members present

On **MOTION** of **PARMELE**, the TMAPC voted **6-0-0** (Doherty, Draughon, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Kempe, Paddock, Randle, "absent") to **APPROVE** the **Detail Sign Plan** for **PUD 342 Mareburger**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 4:06 p.m.

Date Approved 11/9/89


Chairman

ATTEST:


Secretary

