

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1320
 Wednesday, July 30, 1980, 1:30 p.m.
 Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Avey	Gardner	Alberty	Jackere, Legal
Eller	Inhofe	Crowley	Department
Holliday	Keith	Gardner	
Keleher, 2nd Vice Chairman	C. Young	Howell	
Kempe, Secretary			
Parmele, Chairman			
Petty			
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, July 29, 1980, at 11:20 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Parmele called the meeting to order at 1:30 p.m. and declared a quorum present.

MINUTES:

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young, T. Young "absent") to approve the Minutes of July 16, 1980 (No. 1318).

DIRECTOR'S REPORT:

Personnel Actions:

On MOTION of KEMPE, the Planning Commission voted 7-0-1 (Avey, Eller, Holliday, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; Keleher, "abstaining"; Gardner, Inhofe, Keith, C. Young "absent") to approve the Personnel Actions (Exhibit "A-1") submitted this date.

A-95 Review: Adams Hotel Restoration Project:

Dr. Crowley advised that the City of Tulsa is seeking an Urban Development Action Grant of \$240,000 to provide a low interest loan to Tulsa Historical Enterprises, Ltd. to help in their restoration of the Adams Hotel. The proposal includes reuse of the former hotel as an office building. He noted that the documentation provided by Tulsa Historical Enterprises, Ltd., demonstrates their intention to renovate the structure in an appropriate manner.

The Staff strongly recommended approval of the Urban Development Grant application since the proposed building renovation would be a valuable addition to downtown and is in conformance with the Comprehensive Plan.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to approve the Staff Recommendation for the Adams Hotel Restoration Project.

Travel and Training Request:

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to approve a Travel and Training Request in the amount of \$248.94 for James Johannung, Gary Lauver, and Dane Matthews to attend the State-of-the-State Conference sponsored by the Oklahoma Demographics Group, August 27-28, 1980, Western Hills Lodge.

RESOLUTION AUTHORIZING THE ACTING DIRECTOR OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION TO SIGN THE CERTIFICATION OF APPROVAL OF LOT-SPLITS AS REQUIRED BY SECTION 6.4 OF THE SUBDIVISION REGULATIONS

Dr. Crowley advised that, due to his resignation effective August 1, 1980, a Resolution should be adopted to allow the Acting Director to sign the Certification of Approval of lot-splits.

On MOTION of KELEHER, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt the Resolution Authorizing the Acting Director of the Tulsa Metropolitan Area Planning Commission to Sign The Certification of Approval on Lot-Splits as Required by Section 6.4 of the Subdivision Regulations (Resolution No. 1320:520), as follows:

WHEREAS, Title 19, Oklahoma Statutes Supplement 1955, §863.10, requires the written approval of the Metropolitan Area Planning Commission on the division of any tract of land into two and one-half (2½) acres or less; and

WHEREAS, Section 6.4 of the Subdivision Regulations of the Tulsa Metropolitan Area Planning Commission requires the signature of an officer of the Planning Commission certifying approval of lot-splits by the Commission; and

WHEREAS, it has been found to work a hardship on the transfer of real estate if the approval of lot-splits is withheld between meetings of the Planning Commission, where said lot-splits meet all of the requirements of the Tulsa Metropolitan Area Planning Commission which affect said lot-splits.

NOW, THEREFORE, BE IT RESOLVED that the Tulsa Metropolitan Area Planning Commission hereby delegates authority to its Acting Director to sign the Certification of Approval on lot-splits after all requirements and conditions concerning the same have been fully complied with.

APPROVED AND ADOPTED this 30th day of July, 1980, by Tulsa Metropolitan Area Planning Commission.

RESOLUTION AUTHORIZING THE ACTING DIRECTOR OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION TO ENDORSE THE PLANNING COMMISSION'S APPROVAL ON ANY FINAL PLAT AFTER ALL REQUIREMENTS OF THE PLAT APPROVAL HAVE BEEN MET

The Director recommended that this Resolution be adopted to allow the Acting Director to sign the final plats after requirements of the plat approval have been met.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt the Resolution Authorizing the Acting Director of the Tulsa Metropolitan Area Planning Commission to Endorse the Planning Commission's Approval on any Final Plat after all Requirements of the Plat Approval Have Been Met, (Resolution No. 1320:521), as follows:

WHEREAS, Title 19 O. S. 1955, §863.9, requires the Tulsa Metropolitan Area Planning Commission's approval of all final plats and such approval to be endorsed in writing on such plats; and

WHEREAS, it has been found to work a hardship on the transfer of real estate if said endorsement is withheld between meetings of the Planning Commission, where said final plats meet all of the requirements and conditions of the Tulsa Metropolitan Area Planning Commission which affect said plats.

NOW, THEREFORE, BE IT RESOLVED that the Tulsa Metropolitan Area Planning Commission hereby delegates authority to its Acting Director to endorse the Planning Commission's approval on all final plats after the same have been approved by the Planning Commission, and after all requirements and conditions concerning the same have been met.

APPROVED and ADOPTED this 30th day of July, 1980, by the Tulsa Metropolitan Area Planning Commission.

Appointment of Acting Director:

Dr. Crowley advised that the Staff recommended that Robert Gardner be appointed Acting Director to the TMAPC effective August 1, 1980.

On MOTION of PETTY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to appoint Robert Gardner as Acting Director effective August 1, 1980.

Opinion No. 80-14: Neighborhood Visits by TMAPC:

Dr. Crowley presented a legal opinion (Exhibit "B-1") received from the Legal Department regarding neighborhood visits by TMAPC to various planning areas. The TMAPC had requested the opinion and specifically questioned whether a quorum of the Planning Commission can visit neighborhoods where there exists pressures for land use changes (no specific zoning cases). Another question which concerned the Commission was whether a quorum of the Commission can visit the zoning site without posting the meeting notice even though no position is to be made.

The opinion of the Legal Department is that such visits, whether they be to review an area or a specific site, and whether or not a zoning case is pending, would not be violative of the Open Meeting Act. However, any

Opinion No. 80-14: (continued)

discussion or deliberation concerning what is being observed may very well be considered to be a step in the decision-making process and subject to the Act. It was recommended that the Commission post advance notice of such "meetings" or field trips; however, it would not be required that Minutes of the trips be recorded.

Opinion No. 80-15: Cullison Bill's Affect on TMAPC Makeup and Quorum Requirements

In response to the Planning Commission's request for an opinion concerning the affects of the Collison Bill on TMAPC procedures, a legal opinion (Exhibit "C-1") from Alan Jackere, Assistant City Attorney, was presented. Mr. Jackere advised that on the effective date of the Cullison Bill, the position occupied by the Osage County Commission Chairman's appointment would become nonexistent and the Commission would be composed of 11 members. By Commission rule, seven Commissioners are required to constitute a quorum, seven being a simple majority of the heretofore 12 members. The rules of the Commission may be amended to reduce the number necessary to constitute a quorum, if they so desire.

PUBLIC HEARING:

PUBLIC HEARING ON PROPOSED AMENDMENTS TO TITLE 42, TULSA REVISED ORDINANCES BY AMENDING EXISTING PROVISIONS OF THE FOLLOWING CHAPTERS: CHAPTERS 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18 AND APPENDIX "A" AND APPENDIX "B"; FURTHER CONSIDER PROVIDING FOR OTHER MATTERS PROPERLY RELATING TO THE SPECIFIC SECTIONS MENTIONED, AND RECODIFYING SAID TITLE.

Commissioner Keleher, Chairman of the Rules and Regulations Committee, advised that all proposed changes to the Zoning Code, with the exception of the residential changes and the PUD section, have been reviewed and recommended by the Committee. In addition, all sections have been reviewed and input received from developers, builders, attorneys and several citizen groups.

Chairman Parmele opened the hearing on the proposed amendments to the Zoning Code and asked if there were any questions on the Draft of Chapters 1, 2 and 3. There was no discussion concerning the proposed changes in Chapters 1, 2 and 3.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 1, "Title, Purposes, Interpretation and Jurisdiction" as presented.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 2, "General Provisions" as presented.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 3, "Agriculture District Provisions," as presented.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO TITLE 42, TULSA REVISED ORDINANCES
(Continued)

Chairman Parmele stated that Chapter 4, "Residential District Provisions", sets forth the RM-T District designed to permit the development of attached single-family townhouse dwellings, on separate lots, which are designed expressly for separate ownership, in suitable residential environments at a higher density than conventional detached single-family dwellings. He asked if there were any comments or discussion on Chapter 4.

John Moody, attorney, questioned whether the RM-T District would permit a condominium development without individual lots at the same density.

Bob Gardner advised him that it would not, since the RM-T District is specifically designed for individual lots for the units. There are four RM Districts available for anyone who has townhouses and does not want to sell lots. Mr. Gardner stated that there would be no control if the separate lots were eliminated and it would become just another RM-0 District. The density, 12 units per acre, is the same as RM-0. Mr. Gardner pointed out that the bulk and area requirements in the Townhouse Development would include the minimum development width, lot width, lot area, and land area; however, the "Development Area" is confusing and unnecessary so it will be deleted from the proposed changes to Table 3.

Chairman Parmele questioned the development width stating that 70' seemed especially awkward in the older sections of town. Mr. Gardner advised that a minimum of three lots would be required for townhouse development, 20' per lot or 60' for the three lots plus a 5' side yard on either side which result in the total of 70'. He noted that most of the older sections have 25' lots which would allow development of three townhouses on the three lots.

Mr. Gardner pointed out that the townhouse definition was a row of at least 3 attached dwelling units each separated by a party wall on individual lots and designed for separate ownerships of the individual dwelling units with no separate dwelling unit constructed above another dwelling unit. He noted that RM-T will be in special areas where there is a lot of single-family residents who will want to know that the development will be for ownership.

On MOTION of PETTY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 4 as presented, including the RM-T District.

Commissioner T. Young requested that Chapter 4 be reconsidered since he questioned the addition of the Use Unit 11, Offices and Studios, and suggested there be some statement in the Zoning Code to limit the bulk and area requirements for converting an old house into an office, but not allow the same area and size as if it was in a regularly zoned office area. A Special Exception would be permitted to allow them the use on a smaller scale, in an area that is primarily residential, without approval of additions to the structure.

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(continued)

The Staff advised that the present Ordinance permits apartment use in office districts by Special Exception, but does not permit the reverse, office use in apartment districts. Mr. Gardner stated that the spirit and intent of the language governing Special Exceptions by the Board of Adjustment, does not provide for granting of approval for offices in a residential area just because someone asks for them. He also noted that there would be more controls on the Special Exception by the Board of Adjustment than there would be by going through the zoning process.

In regard to the bulk and area requirements in Chapter 6, Office Districts, John Moody questioned why the two-story provision that was permitted by the Board of Adjustment of a Special Exception, in an OL District is being deleted. Mr. Gardner advised that the two-story development is currently being approved and has nothing to do with topography. The Staff recommendation is to remove the two stories and leave the additional coverage, which is needed in order to develop some sites. Based on topography, this allows one-story on the front or rear of the building and where the ground drops off, rather than waste the space, it will be possible to keep the same elevation and a portion of the building will be one-story, a portion two-story. This can be achieved at this time with a variance - the variance is topography.

Bob Paddock questioned what would be the appropriate relationship between office and residential districts with the addition of the RM-0 and the RT Districts with the consideration of the intensities involved. Mr. Paddock requested the Staff consider whether it might be more appropriate to relate the OL to the RM-0 and the OM to the RM-1 and the OMH to the RM-2 District leaving OH to RM-3 densities. He noted that this would also affect Section 440 if a change was made in Section 640, Item #2. Bob Gardner agreed that there might be some merit to this suggestion; however, the Staff has not had the time to go into depths in terms of trying to equate the densities. Commissioner T. Young recommended Chapter 4 and Chapter 6 be adopted with the exception of the two sections in question, which would be continued for one week to allow the Staff time for further study. Since Chapter 4 had been adopted by the Planning Commission a motion for reconsideration was in order.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 6 as presented, with the exception of Section 640.

On MOTION of KELEHER, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to reconsider Chapter 4.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 4, with the exception of Section 440, Item 8.

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(continued)

There were no comments or discussion concerning the proposed amendments to Chapters 7, 8 and 9.

On MOTION of KELEHER, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 7, Commercial District Provisions, as presented.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 8, Corridor District Provisions, as presented.

On MOTION of ELLER, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 9, Industrial District Provisions, as presented.

Bob Paddock stated that with respect to some of the sections in Chapter 11, the thrust of some of the proposed changes, which have not been considered by the Commission this far, is to try to provide more objective criteria for determining the appropriateness of certain Planned Unit Developments. Mr. Paddock referred to Section 1110 (c) "Provide and preserve meaningful open space," noting that the work "meaningful" is a very subjective criteria. He suggested the Commission review some of the standards which are in use throughout the country and have been accepted by some recognized authorities, i.e., the Association of Planners, the ASPO publications. Mr. Paddock stated that the standards need not be in the Zoning Code other than a reference to "accepted standards" which would give the Commission and the developers more flexibility and set a standard that is more objective than the present standard.

Mr. Paddock also felt there should be a more objective criteria in the section regarding height and width of lots in a PUD. He suggested that a reference should be made to the professional criteria which the Planning Commission will be guided by. This criteria could be established at a later date and it would become the internal standard which would be used to judge projects, their feasibility and appropriateness.

Bob Gardner stated that the PUD is unique in that it is a tool by which the Commission has some flexibility in judging a particular project. He noted that if everything is standardized, a PUD is not needed. Also, if a standard is applied to the "open space" only the minimum amount will be provided in most cases. The Staff realizes that the term "meaningful" is an objective term; however, if the open space is meaningful on a PUD it will be easy to detect.

Commissioner T. Young asked Mr. Paddock if his interest was, in some way, an expression by the Planning Commission as to its intent with respect to Staff work in these areas or whether he preferred to impose greater restrictions or limitations on developments. Mr. Paddock stated he wanted to have a reference in the Zoning Code to professional criteria used on PUD's which is developed by professional urban planners, used by the Staff and the Commission to make their judgements. He felt by using the

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professionally developed standards, the Commission would be less subjective in their judgements and less vulnerable to questions from either the developers or residents.

Commissioner T. Young noted that the Staff generally provides a good recommendation on these matters and he was hesitant to incorporate specific standard references in the Zoning Code. He felt that perhaps Mr. Paddock's concern could be handled by including some statement, expressing what the Staff will use on PUD's as current, generally accepted standards, in the operating procedures of the Commission rather than making it a part of the Zoning Code. Mr. Paddock stated he concurred with Commissioner Young's suggestion.

John Moody did not feel that Mr. Paddock's recommendation would be feasible for the City of Tulsa because it takes a step backward from the traditional use of the PUD. He stated that the administration of PUD's in other cities is more liberal than in Tulsa. Mr. Moody pointed out that if the Commission attempts to start adopting, by virtue of the Subdivision Regulations or Rules and Regulations, some particular standard in any of these areas the following questions will need to be answered: (1) Are you going to delegate those authorities to outside bodies who are adopting general standards applicable to the United States, but not necessarily meeting the community standards in the City of Tulsa? (2) Is it your desire to delegate those standards to someone over whom you exercise no control? He also questioned which group the Commission would use - the Urban Land Institutes, AIP's, AIA's or the Tulsa Bar Land Use Committee.

Commissioner T. Young proposed that it be set forth in a general rule of operation, what references the Planning Commission sees as valuable tools for the Staff for doing its work. John Moody stated he felt something along that line might be appropriate. Mr. Moody also advised that he was very hesitant about adoption of standards of that nature on a PUD unless it is something that can be addressed with the community standards. Commissioner Young noted that if this issue is to be addressed he would move to adopt Chapter 11.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 11, Planned Unit Developments, as presented.

John Moody, representing a number of people in the industry who have only recently become aware of the proposed change in the parking requirement, presented a letter (Exhibit "B-1") expressing opposition to the proposed parking changes for office use. The letter, from The Hardesty Company, Williams Realty, Corp., Vector Properties, Inc., The Morrisett Company, The Horter Company, Urban Design Group, and Chadsey Architects, Inc., stated that no public need has been demonstrated for the change and that the proposal is contrary to the current trend towards reducing parking requirements. Mr. Moody pointed out that the use of car pools, van pooling, mass transit, reduction of air and water pollution and preservation of open space and green areas are being encouraged. Increasing parking areas runs counter to the efforts to reduce energy consumption and efforts

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to reduce inflation by reduction of building costs. He also noted that the Federal Government is requiring and issuing guidelines and regulations to eliminate the use of automobiles due to pollution and energy considerations. The American automobile industry is undergoing a major retooling to downsize new cars that are produced. Mr. Moody also noted that the smaller cars as well as the economies of rising fuel prices, have caused real changes in the make up of Tulsa traffic requirements. He stated that the companies he represented felt the parking requirement of one space per 400 sq. ft. of floor area was adequate until it has been demonstrated that there is some reason for changing it. No evidence has been presented that the increase in parking requirements would benefit any health, safety or welfare needs of the City of Tulsa. Increasing parking areas runs counter to the efforts to reduce energy consumption and efforts to reduce inflation by reduction of building costs. Mr. Moody advised that increased parking adds to the building costs, which adds to the rental rate which in turn adds to the cost of doing business within offices and will, as an end result, be passed on to the consumer. He stated that there is a real distinction between types of office uses which the proposal does not realistically recognize, such as multi-use developments.

John Novak, Urban Design Group, presented a work paper (Exhibit "B-2") on the parking requirement section of the Code. The work paper was prepared using the 1 space to 250 sq. ft. figure which was published in an early draft of the proposed amendments to the Zoning Code; however, he felt that the work paper was a satisfactory response to the proposed 1 space per 300 sq. ft.

Mr. Novak explained that in doing a typical occupancy study of any office building within the City, assuming that the building is 96% leased (which is typical within the City) there would be an average of one person per 365 sq. ft. of gross office space. Assuming there is no car pooling, van pooling, or MTTA usage, the actual maximum peak hour demand for parking would be one stall for 365 sq. ft. of office space. The Zoning Code, as previously written, allowed $1\frac{1}{2}$ stalls per person and the proposed amendment would afford $1\frac{1}{4}$ stalls per person. Two factors which would have a bearing on the needs for parking space are car pooling or van pooling and mass transit. National statistics state that 2 persons out of 12, who travel to and from work by automobile, participate in car pool. This average applied to Tulsa would effect the "worst possible" ratio from one stall per 365 sq. ft. gross to 1 stall per 438 sq. ft. gross. Assuming that only 1 out of 12 people car pools in Tulsa, the average would be 1 stall per 395 sq. ft. - without the effect of mass transit. Mr. Novak pointed out that these parking rates reflect actual demand ranges, and illustrate the Tulsa parking provisions for general office use as currently written - 1/400 sq. ft. of office area - is very adequate.

In 1973, '74 and '75, Barton-Aschman Associates surveyed 141 shopping centers on the Friday following Thanksgiving. Less than 8% accumulated parking counts that equal the "shopping center standard" of 1 stall per 180 sq. ft. leased space; 39% met demands between 1/250 sq. ft. to 1/200 sq. ft. and 32% were less than 1/250 sq. ft. leased space. This study reflected actual trends for a generator that is consistently higher than for general office use; yet the proposed revision for office use - 1 stall per 250 sq. ft. gross or 1 stall per 212 sq. ft. leased would provide sufficient parking to meet an annual peak hour demand for shopping centers.

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Mr. Novak advised that in Houston, with a very poor or nonexistent mass transit service and an extremely competitive office market uses, car stalls to office space ratios of 1 stall per 333 sq. ft. gross or 1 stall per 300 sq. ft. usable.

Wayne Alberty advised that the 1/300 sq. ft. ratio was based upon consultation of the Staff with real estate appraisers and other interested persons. He stated that the Staff is primarily concerned with suburban office use rather than urban use, since in the CH District within the Inner Dispersal Loop there are no parking requirements,

Bob Gardner noted that if someone is appraising a particular office building the standard is 1/250 sq. ft.; if they have better than that, it is excellent, if they have 1/300 sq. ft. it is marginal parking. The Staff's concern is that with insufficient office parking the overflow cars will be parked on the street.

Commissioner Petty stated that with land costs increasing as they are, the proposed parking ratio would be restricting real estate development in terms of an expected return on investment in consideration of what can be built on a piece of property. Mr. Petty also questioned the relationship between eating establishments - 1/225 sq. ft., and felt there should be a greater variance between office and restaurants.

Bob Gardner advised that the Ordinance is also being amended to reduce, by 25%, the area required for off-street parking space to accommodate the compact cars and provide more parking spaces on the same site.

Commissioner T. Young stated he would like to see more restrictive parking requirements in certain office categories because if greater numbers of cars to be parked is encouraged, the small houses which are being converted to office use will be more attractive and more parking lots will appear in the areas which are residential in character. Mr. Young also noted that the Zoning Code should not be a document which provides a marketability for projects, but the Code should uphold what is best in terms of the movement of vehicles from one place to another and getting them out of the way of other vehicles when they are parked so they do not create a hazard for emergency traffic. He also noted that it would be possible to get a variance if there is an economic hardship caused by a restriction such as parking requirements, therefore the system is flexible.

Chairman Parmele was concerned that people are being asked to apply for a variance or hardship more and more which just necessitates another step for the developer.

Assistant City Attorney, Alan Jackere, advised that economic hardship alone will not justify the granting or denial of a variance, rather it relates to an unusual characteristic of the property and historically relates to topography, the size or the shape of the lot.

Fred Chadsey, President of Chadsey Architects, Inc., advised that in the past two years they had opportunity to do several hundred thousand sq. ft. of office space and also have a space planning organization. He noted that 1/400 sq. ft. parking ratio is an appropriate level to which they can design. He stated that, as designers, they needed to establish

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(continued)

a positive line of design standard so they would not need to go to the Board of Adjustment to meet any special needs. The parking itself should not be a regulatory factor in limiting the use of a piece of land. Mr. Chadsey pointed out that more and more tenants are using hardware rather than employees so that there is not an intensified concentration of employees in a building. He proposed the parking ratio not be amended in the Zoning Code and remain as currently written.

Gregory McClain, Williams Realty, pointed out that mass transit and smaller and fewer cars are influencing the projects now. There is a lower density of people with a strong inclination toward car pooling and van pooling. Referring to projects in the Houston area, Mr. McClain advised that a number of projects in existence have large empty spaces in the parking lots since the major companies are heavily into a successful van pooling effort. He also noted that in San Francisco development, one requirement is that you cannot have parking due to a push for mass transit and also environmental concerns. Mr. McClain advised that some of the larger companies in Tulsa are under pressure to support and encourage car pooling and van pooling. He also noted that the compact car concept is viable in major parking garages.

John Moody urged this portion of the Code be continued for further study. He felt that people are needed who can design within realistic guidelines and not have to work through the Board of Adjustment. There should be a standard that provides flexibility and not be the most restrictive.

On MOTION of PETTY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 12 with all proposed changes with the exception of 1211.4 which will remain as written.

The Staff recommended that the proposed change reducing parking stall dimensions Section 1340 (a) Chapter 13, be deleted at this time to allow the Staff time for further study.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Avey, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Keith, C. Young "absent") to continue consideration on Chapter 13 to allow the Staff time to further study the matter.

In Section 1520. Penalties for Violation, Mr. Petty stated he felt that, ("Any person, firm or corporation."), the words government or governmental agency should be added to "Any person, firm or corporation."

Assistant City Attorney, Alan Jackere, advised that this provision is already included in the Zoning Code in Section 110.3 Jurisdiction which states, "Property owned, leased or operated by the City of Tulsa, or any other public or governmental body or agency, shall be subject to the terms of this Code."

On MOTION of T. YOUNG, the Planning Commission voted 6-0-1 (Avey, Holliday, Keleher, Kempe, Parmele, T. Young "aye"; no "nays"; Petty "abstaining"; Eller, Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapters 14, 15, 16 and 17 as amended.

In Chapter 18, Bob Gardner advised that the definition for Land Coverage is being expanded, noting that the only time land coverage is used is in the Corridor District, Chapter 8. The Code presently states, "the land area of a lot covered by building or buildings;" the floor area ratio in the Corridor District was increased from .75 to 1.25 and the Staff has some concern that if this intensity changes with the 30% ground coverage it will necessitate the development of parking structures. He stated that if parking structures are developed, they should not count toward the floor area ratio. The Code will then state, "the land area of a lot covered by building or buildings, except structured parking."

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Avey, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Keith, C. Young "absent") to adopt Chapter 18 as amended.

On MOTION of KELEHER, the Planning Commission voted 7-0-0 (Avey, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Keith, C. Young "absent") to continue the Public Hearing on Proposed Amendments to Title 42, Tulsa Revised Ordinances, to August 6, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

PUD #240 John Rupe (Tundra Properties, Inc.) NW corner of 21st Street and
South Lynn Lane Road (RS-1)

The Staff advised that the applicant had requested a continuance of PUD #240 to August 20, 1980, so that it can be reviewed in conjunction with the zoning applications, Z-5417 and Z-5418, for the subject tract.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keith, C. Young, T. Young "absent") to continue PUD #240 to August 20, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

There being no further business, the Chair adjourned the meeting at 3:40 p.m.

Date Approved

8-13-80


Chairman

ATTEST:


Secretary