TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1422
Wednesday, September 8, 1982, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT
Gardner	Freeman	Chisum
Higgins	Hennage	Compton
Hinkle	Parmele	Gardner
Kempe, 1st Vice-Chairman	Inhofe	Lasker
Petty, Secretary		Taylor
Rice		
Young		

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, September 7, 1982, at 10:05 a.m., as well as in the Reception Area of the INCOG Offices.

Vice Chairman Kempe called the meeting to order at 1:38 p.m.

REPORTS:

Report of Receipts and Deposits:

The Report of Receipts and Deposits for the month of August, 1982, was submitted. Mr. Lasker advised that this is in order.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Inhofe, "absent") to approve the Receipts and Deposits for the month of August, 1982.

Director's Report:

On MOTION of RICE, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Inhofe, "absent") to approve and adopt the following resolution:

RESOLUTION NO. 1422:564

A RESOLUTION AMENDING THE COMPREHENSIVE PLAN OF THE TULSA METROPOLITAN AREA BY ADDING THE MOHAWK PARK LAND USE STUDY FOR LONG-RANGE DEVELOPMENT AS AN ELEMENT OF THE INCOG REGIONAL PARK AND RECREATION PLAN.

WHEREAS, The Tulsa Metropolitan Area Planning Commission is required to prepare and adopt an Official Master Plan to guide the physical development of the Tulsa Metropolitan Area, which Plan may subsequently be amended or extended, all as provided in Title 19, Oklahoma Statutes, Section 863.7; and

WHEREAS, Title 19, Oklahoma Statutes, Section 863.7 also requires in part that "before the adoption, amendment, or extension of the Plan or portions thereof, the Commission shall hold at least one (1) public hearing thereon..."; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission did approve and adopt on the 29th day of June, 1960, the Comprehensive Plan, which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, on the 2nd day of August, 1960, and the Board of County Commissioners on the 9th day of August, 1960, all as provided by law; and

WHEREAS, The Tulsa Metropolitan Area Planning Commission did approve and adopt on the 28th day of October, 1981, the INCOG Regional Park and Recreation Plan as an amendment to the Comprehensive Plan, which Plan was subsequently approved by the Board of Commissioners of the City of Tulsa, Oklahoma, on the 10th day of November, 1981, and the Board of County Commissioners of Tulsa County, Oklahoma, on the 30th day of November, 1981; and

WHEREAS, The Tulsa Metropolitan Area Planning Commission has prepared a proposed amendment to the Comprehensive Plan by adding the Mohawk Park Land Use Study to the INCOG Regional Park and Recreation Plan; and

WHEREAS, The Public Hearing was held on the 1st day of September, 1981.

WHEREAS, After due study and deliberation this Commission deems advisable and in keeping with the purposes of this Commission, as set forth in Title 19, OSA, Section 863, to amend the Comprehensive Plan of the Tulsa Metropolitan Area by adding to the INCOG Regional Park and Recreation Plan thereto:

a) Mohawk Park Land Use Study for Long-Range Development

NOW, THEREFORE, BE IT RESOLVED BY The Tulsa Metropolitan Area Planning Commission that the amendment to the Comprehensive Plan as presented at the Public Hearing, a true and correct copy attached hereto as "Exhibit A" be and is hereby adopted as part of the Comprehensive Plan of the Tulsa Metropolitan Area.

BE IT FURTHER RESOLVED THAT upon adoption hereof by the Tulsa Metropolitan Area Planning Commission, this Resolution be certified to the Board of Commissioners of the City of Tulsa, Oklahoma, and to the Board of County Commissioners of Tulsa County, Oklahoma, for approval and thereafter, that it be filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

APPROVED AND ADOPTED this 8th day of September, 1982.

Mr. Lasker reminded the Commission of the conference to be held in San Francisco the last week of October. Since the majority of the Commissioners and Staff will be attending this conference, he suggested the regular meeting of October 27, 1982, be cancelled and that a meeting be held on September 29, 1982, which is the fifth Wednesday in September.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Higgins, Parmele, Inhove, "absent") to meet on September 29, 1982, and to cancel the regularly scheduled meeting of October 27, 1982.

CONTINUED ZONING PUBLIC HEARING:

Z-5729 King (Becker) East of the SE corner of 17th Place and Quincy Avenue
RS-3 to RM-T

A letter was submitted from Mr. Stephen M. King requesting this application be withdrawn (Exhibit "A-1").

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; Freeman, Hennage, Higgins, Inhofe, Parmele, "absent") to withdraw this application.

PUD #236-A Johnsen (Basta) 7500 Block of South Memorial Drive (RS-3, OL)

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty Rice, Young, "aye"; Freeman, Hennage, Higgins, Inhofe, Parmele, "absent") to continue consideration of PUD #236-A until September 22, 1982, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-59 Present Zoning: AG
Applicant: Nichols (Hartman) Proposed Zoning: CS
Location: 71st Street South and 193rd East Avenue

Date of Application: July 15, 1982
Date of Hearing: September 8, 1982
Size of Tract: 10.6 acres, more or less

Presentation to TMAPC by: Bob Nichols
Address: 800 Grantson Building - 111 West 5th Street Phone: 582-3222

Relationship to the Comprehensive Plan:

The District 19 Plan, the Broken Arrow Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property C-2, Planned Shopping.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the CS District is in accordance with the Plan Map.

The subject tract is located at the SW corner of East 71st Street and South 193rd East Avenue. It is 10.6 acres in size, vacant, zoned AG, and the applicant is requesting CS zoning. It is abutted on the north by vacant land within Broken Arrow's City Limits zoned C-5 for Highway Commercial, on the east by an existing 7-Eleven store in Rogers County, and on the south and west by mostly vacant land zoned AG.

This tract is within the Broken Arrow Fence Line and their Planning Commission is recommending denial of CS zoning. However, they acknowledge the commercial potential of the tract and their recommendation is based on the fact that public sanitary sewer is unavailable, unless the applicant wishes to be annexed. Whether or not the property can be developed at this time, either partially or fully, is not the primary test. The TMAPC and Tulsa County can be assured that the necessary facilities will be required in the platting process. If required facilities are not available, the applicant will not be able to develop the site at this time.

The request is consistent with:

(1) The Broken Arrow Comprehensive Plan,
(2) Tulsa County Development Guidelines,
(3) surrounding land uses, and
(4) zoning patterns in the area.

Therefore the Staff recommends APPROVAL of CS zoning.

The Staff also requested the Commission to consider that south of the 7-11 Store at the southeast corner of the intersection there are about three houses, all of which side to 193rd East Avenue and the subject property and there may be some concern about free-standing businesses along the east side of the tract, south of the immediate intersection across from these residences. If there is, the Commission might want to consider a strip of OL which would allow parking for a shopping center. This would not run to the end of the corner, but start at the southern end of the 7-11 Store and extend south to the property line.

Applicant's Comments:

Mr. Robert Nichols is the attorney for the owners of the property, Mr. and Mrs. Hartman. The owners live directly across the street. Mr. Nichols

agrees with the Staff Recommendation and understands the concern about the free-standing businesses on the tract. However, he has been in contact with the property owners across the street and they have no protest. The application for CS is consistent with both the Tulsa County Comprehensive Plan and the Broken Arrow Comprehensive Plan. The problem with the City of Broken Arrow was the provision of eventually being annexed into Broken Arrow. His clients are not concerned about the probability of being annexed and are ready to take whatever steps are necessary if this should happen. Chairman Kempe read a letter from the Broken Arrow Planning Commission recommending denial of the application based on the fact there is no sanitary sewer available to the tract at this time (Exhibit "B-1"). However, they do recognize the commercial potential of this tract.

Protestants: None.

Instruments Submitted: Letter from Broken Arrow Planning Commission (Ex. "B-1")

TMAPC Action: 7 members present.

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CS:

The North 710' of the East 700' of the NE/4 of Section 12, Township 18 North, Range 14 East, LESS the North 50' thereof, containing 10.6 acres, more or less, in Tulsa County, Oklahoma.

ZONING PUBLIC HEARING:

Application No. Z-5745 Present Zoning: RS-2
Applicant: Carpenter (Oil Tech, Inc.) Proposed Zoning: RM-1
Location: South of the SW corner of 21st Street and 133rd East Avenue

Date of Application: July 20, 1982
Date of Hearing: September 8, 1982
Size of Tract: 2.5 acres

Presentation to TMAPC by: Harvey Carpenter
Address: 4111 South Darlington - 74135 Phone: 664-2602

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located approximately 330' south of the southwest corner of 21st Street South and 133rd East Avenue. It is 2.5 acres in size, vacant, except for a collapsed structure, zoned RS-2, and the applicant is requesting RM-1. It is abutted on the north by vacant land zoned RM-1, on the east and west by vacant land zoned RS-2 and on the south by a single-family neighborhood zoned RS-3.

The zoning patterns in this area have been established over a period of years. Several CS zoning applications on tracts with frontage on 21st Street have been denied because of their inappropriateness in this area. The RM-1 or OL Zoning Districts have been established as the appropriate intensity of frontage development to a depth of 330 feet. In addition, tracts adjacent to single-family have been approved for RD zoning so that they can buffer the neighborhood.

The subject tract is beyond the RM-1 330-foot depth and it is abutting a single-family neighborhood on the south. Based on these reasons, the Staff cannot support the RM-1 zoning request, but RD zoning can be supported as a buffer district.

Therefore, the Staff recommends DENIAL of RM-1 and APPROVAL of RD.

Applicant's Comments:

Mr. Harvey Carpenter is the attorney for the applicant. The proposal is for combining the 2 & 1/2 acre tract immediately north of the subject tract to form an addition called Spring Creek Landing Condominiums. The north 3/4ths of the total property will be developed as multifamily and the south 140' which is difficult to develop because of a creek, will be a buffer or open space. These plans have been submitted for VA and FHA approval. In view of the fact that they are offering such a large open space on the south portion, he is asking the Staff to reconsider the recommendation and approve the entire tract for RM-1 so both tracts could be developed as a condominium project. There will be 80 units in the entire development. The first phase will be comprised of four buildings with 8 units each. The next phase will also have 32 units and the south portion,

or third phase will have 16 units. Mr. Gardner advised that the Staff Recommendation of RD on the subject property, combined with the RM-1 to the north would permit the 80 units with a PUD. The Staff feels it is important to keep the density established under the RD. He has no concern with spreading the units, as long as there are reasonable setbacks and transitions to the south. This can best be accomplished through a Planned Unit Development. Mr. Carpenter was concerned about the time involved with a PUD causing problems with the platting process and again requested the Staff reconsider their recommendation.

Mr. Gardner explained that the subdivision platting process requires 60 to 90 days and the property along the frontage will need to be platted whether or not there is an application on the subject property. If the plat is finalized before the PUD has been approved, development could still begin on the northern portion. The only portion requiring approval is the extension of the southern four buildings.

Commissioner Higgins wondered whether the zoning needs to be approved before FHA or VA approval. Mr. Carpenter explained they want to file a plat for both as one addition to the City of Tulsa.

Commissioner Young did not want to rezone to RM-1 so deep in the tract from 21st Street. He agrees with the Staff Recommendation for RD with a PUD alternative.

Protestants: None.

TMAPC Action: 7 members present

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RD, based on the Staff Recommendation:

Tract 6, Smittle Addition, a subdivision of Tulsa, Tulsa County, Oklahoma, also known as a tract of land beginning at a point 640.746' South and 944.655' East of the NW corner of the N/2 of the NW/4 of Section 16, Township 19 North, Range 14 East of the Indian Base and Meridian in said County and State; thence North a distance of 304.304'; thence East a distance of 304.89'; thence South 305.283'; thence West 304.885' to the point of beginning.

Application No. CZ-60 Present Zoning: AG
Applicant: Bailey (Burger) Proposed Zoning: RMH
Location: SE corner of Highway #169 and 66th Street North

Date of Application: July 19, 1982
Date of Hearing: September 8, 1982
Size of Tract: 5 acres

Presentation to TMAPC by: Jerry Bailey
Address: Owasso, Oklahoma - 74055 Phone: 622-2306

Relationship to the Comprehensive Plan:
The District 15 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not include the subject tract.

According to the Development Guidelines proposed development should recognize established uses and call for the placement of similar uses together.

Staff Recommendation:
The subject tract is currently zoned AG and contains one single-family dwelling and one large detached accessory building. It is surrounded to the east, west and south by RMH zoning and to the north by IL zoning.

Based on the Development Guidelines and the existing zoning and land uses, the Staff recommends APPROVAL of the requested RMH zoning.

Applicant's Comments:
The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.
On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RMH:

The E/2 of the NW/4 of the NE/4 of the NW/4 of Section 5, Township 20 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma.

Z-5747 Barnes East of the SE corner of 15th Street and 77th East Avenue
RS-3 to RD

A Letter was presented from David Barnes requesting consideration of this case be continued in order to readvertise (Exhibit "C-1").

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Higgins, Parmele, Inhofe, "absent") to continue consideration of Z-5747 until October 6, 1982, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5748 King (Becker) East of the SE corner of 17th Place and Quincy Avenue
RS-3 to RD

PUD #296 King (Becker) East of the SE corner of 17th Place and Quincy Avenue
(RS-3)

A letter was presented from Mr. Kevin Landergan, president of the Swan Lake Homeowner's Association, requesting this case be continued to a later date due to vacations and schedule conflicts by a number of interested neighborhood residents (Exhibit "D-1").

The applicant, Mr. Stephen King, was present and requested this be continued one week only because of contract problems. The letter did not specify a specific time, but Mr. Compton advised that a verbal request had been made for two weeks. Mr. Landergan was present and would still prefer two weeks. Since the applicant is ready to present the case today, Commissioner Young felt a compromise of one week was sufficient.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Higgins, Parmele, Inhofe, "absent") to continue consideration of Z-5748 and PUD #296 until September 15, 1982, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-61 Present Zoning: AG
Applicant: Pecaut (Beard Investment, Ltd.) Proposed Zoning: IM
Location: SW corner of West 41st Street and South 49th West Avenue

Date of Application:
Date of Hearing: September 8, 1982
Size of Tract: 120 acres

Presentation to TMAPC by: Roy Pecaut
Address: 6923 South Yorktown Avenue - 74136 Phone: 494-4041

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use -- Potential Corridor and Medium Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the IM District is not in accordance with the Plan Map.

Staff Recommendation:

The subject tract is approximately 120 acres in size and is vacant. Single-family dwellings on large tracts are constructed to the north and east. Vacant property exists to the west and industrial zoned property to the south. The proposed Gilcrease Expressway bisects the southwest portion of the subject tract.

According to the Comprehensive Plan only the immediate northeast corner (2.5 acres) is proposed for medium intensity use. Although there is IM zoning in the area to the south, the IM is buffered by IL or AG zoning. The existing single-family residences to the north and east would front into industrial zoning if approved, which is very poor planning.

Based on the above mentioned reasons, the Staff recommends DENIAL of the IM or IL.

For the record, IL zoning on the southern 300 feet to align with the IL zoning to the east may be considered, but it is not needed for a buffer, since the subject property is undeveloped.

Applicant's Comments:

Mr. Roy Pecaut realized this request would require a change in the Comprehensive Plan; and, if this request is not acceptable, he will have to consider an alternative. Chairman Kempe asked if there is a definite use intended and Mr. Pecaut explained there is not. The reason for the higher density requested is due to the drainage problem on the land. The zoning would determine the feasibility of spending money on engineering, analysis, etc., in order to adjust the drainage problem. He did not feel an agricultural or residential zoning would justify the expense.

MOTION was made by Commissioner Gardner to DENY IM.

Commissioner Petty asked if Corridor zoning would be permitted and Mr. Gardner replied that corridor would not allow the industrial uses requested. However, from an ultimate development, corridor would probably be the appropriate zoning classification and would permit a variety

Application No. CZ-61 (continued)

of uses. Corridor zoning could not be considered under the present advertising. There is no way the Staff can recommend any industrial zoning without being in violation of the Comprehensive Plan for that District. As a possible compromise, IL could line up with the IL zoning to the east, which was a transition from the IM and RS and required a screening fence. However, there is no development in the subject area so there is no need for a buffer. Commercial is recognized by the plan, but could not be considered today under the advertising. The Staff sees the majority of this site developing into some type of residential other than single-family, which could be done under corridor zoning.

Protestants: None.

TMAPC Action: 6 members present

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be DENIED IM rezoning, based on the Staff Recommendation:

The NE/4 of the NE/4 and the S/2 of the NE/4 of Section 29, Township 19 North, Range 12 East, Tulsa County, Oklahoma.

CZ-62 James L. Hall 45th West Avenue and 53rd Street South CH to RMH

A letter was presented from Mr. James Hall requesting this application be withdrawn (Exhibit "E-1").

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Higgins, Parmele, Inhofe, "absent") to withdraw CZ-62.

Applications No. Z-5749 and PUD #297 Present Zoning: RS-2 to RM-T and PUD (RS-2)

Applicant: Nichols (Hood Properties)
Location: NW corner of East 67th Street and Utica Avenue

Date of Application: July 29, 1982
Date of Hearing: September 8, 1982
Size of Tract: 7.98 acres

Presentation to TMAPC by: Robert Nichols
Address: 111 West 5th Street - 74103 Phone: 582-3222

Z-5749 - 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 -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the RM-T District may be found in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located at the northwest corner of East 67th Street and Utica Avenue. It is 7.98 acres in size, vacant, zoned RS-2 and the applicant is requesting RM-T zoning. It is abutted on the north by Mason Senior High School zoned RS-2, on the east by one single-family dwelling and a duplex neighborhood zoned RS-2 and RS-3, on the south by the Hunters Run development and tennis courts zoned RM-T and RD, and on the west is a duplex neighborhood zoned RS-3.

Given the zoning patterns and existing land uses in the area of the subject tract and the Comprehensive Plan designation, the Staff can support the RM-T request.

Therefore, the Staff recommends APPROVAL of the requested RM-T zoning.

PUD #297 Staff Recommendation:

The subject tract is located just west of the northwest corner of 67th Street South and Utica Avenue. It is slightly less than eight (8) acres in size and accompanied by a companion zoning case for RM-T zoning. The Staff is recommending approval of the requested RM-T zoning and will review PUD #297 based on this classification.

The Staff has reviewed the applicant's Development Plan and Text and find the proposed project to be;

a) consistent with the Comprehensive Plan,
b) in harmony with the existing and expected development of surrounding areas,
c) a unified treatment of the development possibilities of the project site, and
d) consistent with the stated purposes and standards of the PUD Chapter.

The Staff, however, did not review this project without some reservations and concerns. For example, the applicant is proposing single-family detached units at multifamily densities. Within a typical multifamily development the units are clustered with large usable areas of open space

provided. Also, within a typical multifamily project extra parking and clubhouse facilities are provided if a resident is planning a party or meeting. These are not planned for in this proposal.

At the same time, the Staff does realize the need for alternative housing in today's market, that future housing markets may be substantially different from what they have been in the past, and that experimental projects are necessary to more clearly define the housing needs. For the reasons outlined, the Staff can support PUD #297, but only as an experiment and our support for this single project should not be construed as a precedent for all similar projects until success and needs can be shown.

Therefore, the Staff recommends APPROVAL of PUD #297, subject to the following conditions:

1) That the applicant's Development Plan and Text be made conditions of approval unless modified herein.

2) Development Standards:

Area (Gross):	347,680 square feet
(Net) :	336,678 square feet
Permitted Uses:	Single-family detached dwellings on individual lots.
Maximum No. of Units:	86 units
Minimum Lot Width:	30 feet
Minimum Lot Area:	2,250 square feet
Maximum Building Height:	35 ft. per revised Zoning Code.
Minimum Livability Space (Total Development):	119,970 square feet
(Per Lot):	1,000 square feet
Minimum Off-Street Parking:	2 spaces
Minimum Setbacks:	
Front (from property line);	12 feet
(from back of curb).	18 feet
Rear:	10 feet
One side:	0 feet
Other side:	5 feet*

*The side walls of each unit will have to meet the Tulsa Building Code for fire protection.

3) That along the 67th Street South entry there shall be one (1) ground identification sign not exceeding four (4) feet in height, eight (8) feet in length, and the lettering shall not exceed 24 square feet in area. That signs accessory to offering of the property for sale shall be permitted.

PUD #297 (continued)

4) That no building permit shall be issued until a typical Detail Site Plan of the proposed lot or lots to be built shall have been submitted to and approved by the TMAPC.

5) That no building permit be issued until the property has been included within a subdivision plat, submitted to, and approved by the TMAPC, and filed of record in the County Clerk's Office, incorporating within the restrictive covenants and PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Robert Nichols represented Hood Properties, Inc., who is proposing to develop an affordable housing project on the subject tract. He presented a booklet which includes the proposed PUD text, as well as some additional explanatory material (Exhibit "F-1"). Mr. Nichols agrees with the Staff Recommendation that includes a total of 86 units. The RM-T zoning would allow 96 units and this has been cut to 86. This is an efficient use of land design resource such as hammer-head turnarounds, rather than the circular cul-de-sacs. The property to the south, Hunter's Run, was developed by the same company as the subject project. There is good traffic access for this project from the surrounding area. The community is in need of affordable single-family, detached homes. There is a great deal of open space available at the school site to the north, which counteracts the decrease of open space in this project. Plus the project concept provides more livability space than required.

Instruments Submitted: Booklet from Robert Nichols (Exhibit "F-1")

Protestants: None.

TMAPC Action: 6 members present (Z-5749)

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-T:

The NE/4 of the NE/4 of the SW/4 of Section 6, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS a portion of the above described property, described as follows: Beginning at a point which is the SE corner of the NE/4 of the NE/4 of the SW/4; thence 405'; thence West 220'; thence South 405'; thence East 220' to the place of beginning.

TMAPC Action: 6 members present (PUD #297)

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for PUD:

The NE/4 of the NE/4 of the SW/4 of Section 6, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS a portion of the above described property, described as follows: Beginning at a point which is the SE corner of the NE/4 of the NE/4 of the SW/4; thence 405'; thence West 220'; thence South 405'; thence East 220' to the place of beginning.

Z-5750 Pierson (Airport Hotel Group) NW Quadran of Intersection of Crosstown Expressway and Gilcrease Expressway IL to CH

A continuance was requested on this case because the attorney for the applicant was in court.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hinkle, Kempe, Petty, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Higgins, Parmele, Inhofe "absent") to continue consideration of Z-5750 until September 15, 1982, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

* * *Later in the meeting, Richard Studenny, attorney for the Airport Authority, requested that the Commission hear the testimony of an official of the FAA from Fort Worth, Texas, Mr. Clair Billington, since he will not be able to attend the meeting next week. Also present was the engineer for the Airport Authority, Carl Cannizzaro. There were no objections from the Commission; therefore, Chairman Kempe permitted the gentlemen to proceed.

Mr. Studenny then advised the Commission that the presentation will be narrowed to the engineering aspect of this case and the Airport Authority will reserve their rebuttal until the case is heard next week. Mr. Cannizzaro submitted a letter from Richard Ballenger, Airports Director (Exhibit "G-1"), as well as a map depicting the area around the airport (Exhibit "G-2") and a diagram of noise levels (Exhibit "G-3"). He advised that the CH zoning would permit a building height that could potentially cause problems to the approach zones of the airport. The property is in line with the extended center line of the main, north-south runway. The property is within the 70 LDN, which is a method of measuring noise. Commercial zoning within that contour would be considered incompatible. The diagram of noise level demonstrates that 44%-45% of the general public is highly annoyed at noises within the 70 LDN. The FAA has repeatedly tried to contact the developers of the property in order to notify them of the potential problems if a building is constructed above a certain height. If a building were built above 70 feet off the ground, it would interfere with the present airport surveillance radar located at Tulsa International Airport. An 83' building would interfere with the instrument landing system.

Mr. Clair Billington is in Obstruction Evaluation and Airport Airspace Analysis with the Federal Aviation Administration, Southwest Region, in Fort Worth, Texas. He wished to inform the Commission of the effect height would have on the airport. The FAA is concerned with the safe and efficient use of airspace and is charged by Congress to regulate this. His job is to evaluate obstruction cases both on and off the airport grounds. In this particular case, the Federal Air Regulations, Part 77, require sponsors of buildings falling under certain criteria to notify the FAA at least 30 days prior to the start of construction so the plans can be evaluated and the developer can be advised of the consequences. Nothing has been received from the applicant. The only notification was through the newspaper. A preliminary check was run based on a 12-story building in the location, which is approximately 7500 feet south of the end of the runway. He is not sure of the ground elevation on the property, but looking at the contour lines on a topographical map, it appears to be about 700 feet above sea level. About 70 feet above ground, a building will block the radar used at the airport. The radar is critical, especially at this location, because the blockage would give the controller no view of the aircraft approaching Runway 35, which is the instrument runway. This runway is programmed to be a major

instrument runway and is called "Category 3", which is almost to the ground with no visibility. Therefore, it is very important to have radar service in this area.

Mr. Billington did advise that the radar site is being relocated. At this time, it is located between the runways. In approximately 2 years, it will be moved. At that time, the radar will not be a consideration because the building would not block the controllers from the runways. However, there is still the instrument operation problem. Anything above 90' will start affecting the instrument approach operations to the runway. This causes the FAA to require the aircraft to execute a misapproach procedure and proceed to another airport if they cannot see the runway from certain heights above the ground. Every time the heights are encroached upon, the FAA has to raise the minimum heights. A height of 790' above sea level is what they are trying to protect today. This makes the airport efficient.

Commissioner Higgins asked what height Mr. Billington would recommend because the owners of the property will want to develop. Mr. Billington advised that a 70' structure will start penetrating the zone. In answer to Commissioner Higgins' question, Mr. Studenny replied that a 35' to 40' structure would not appear to have any bearing on the airport's needs, but the area would still be noisy.

Commissioner Petty questioned the recourse of the airport if a tall structure were built. Mr. Studenny stated there is airport zoning. The policy of the Airport Authority is to bring knowledge of the regulations to responsible agencies such as the Planning Commission and the Board of Adjustment.

Chairman Kempe voiced the Commission's appreciation to Mr. Billington for being present at this meeting. His comments will be part of the record and will be read next week at the hearing. The Commission will be open for additional comments at that time.

Application No. PUD 269-A Present Zoning: (OL & RS-3)
Applicant: Wayne Alberty
Location: North of the Northeast Corner, 91st and Yale

Date of Application: July 29, 1982
Date of Hearing: September 8, 1982
Size of Tract: 11.92 acres

Presentation to TMAPC by: Wayne Alberty
Address: 5110 S. Yale - 74135 Phone: 494-9800

Staff Recommendation - Development Plan Amendment:

The subject property is located 700' north of the northeast corner of 91st Street and South Yale Avenue. It is 11.96 acres (gross) in size and the TMAPC recommended approval of a light office project to be developed. It was approved per Planning Commission conditions by the City on November 10, 1981.

The applicant is requesting a minor amendment to reduce the number of buildings, while maintaining the same building floor area of 98,453 feet. This would result in an increase of the open space area from minimum of 58% to approximately 65% and an increase in building height from two (2) stories to five (5) stories.

The Staff has reviewed the request and find that the applicant is not requesting any increase in the intensity of the proposed use. We feel that the proposed building location, the reduction of the number of buildings to one and the increase in open space mitigates the potential impact of the increase in height (798' vs 780') for the single building:

DEVELOPMENT STANDARDS:

Item	Approved	Proposed
Land Area (Gross):	521,310 square feet	No change
Land Area (Net):	485,797 square feet	No change
Maximum Building Floor Area:	98,453 square feet	No change
Floor Area Ratio:	.189 of Gross Land Area	No change
Maximum Building Height:	Two stories on the building adjacent to Yale Avenue.	5 stories
	One-story on the remaining structures	———
Permitted Uses:	Principal and accessory uses permitted as a matter of right in OL Districts	No change
Minimum Building Setbacks:		
From centerline of Yale Ave.,	140 feet	450 feet
from south property line,	50 feet	100 feet
from east property line,	70 feet	200 feet
from north property line.	80 feet	250 feet

Minimum Off-Street Parking:	One space per 300 sq. ft. of building floor area.	300 square feet
Minimum Open Space	55% of net area	65% of net area

Therefore, the Staff recommends APPROVAL of the amendment to the Development Plan, subject to the initially approved conditions with the above cited modifications.

Applicant's Comments:

Mr. Wayne Alberty with McCune Partners, Inc., represented the Society of Exploration Geophysicists. Mr. John Hyden, Executive Director of the Society, was also present. The only reason for this amendment is to materially affect the height of the building, which will be the only change. Mr. Alberty will accept the 98,000 square foot maximum of the total building area. This amendment will provide a better plan. The Society is not in the development business; therefore, they are not concerned about maximizing the land coverage on this property. They are more concerned with the visual impact of the development from an aesthetic standpoint and would like a park-like setting for their international headquarters. When architectual plans were developed, it evolved that there would be more of a management problem with the three buildings. Therefore, the square footage was combined into one building. He felt this new plan would help the storm water run-off situation, since there will be more area that would be pervious to storm water run-off. The City Hydrologist has reviewed the request and feels that this amendment is better. He agrees with the Staff Recommendation; however, the building has not been specifically sited and he would request a 25' reduction of the setback from Yale Avenue to allow for design flexibility, making the setback 425' instead of 450'. Mr. Gardner agreed to this reduction.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be approved as an amendment to PUD #269, subject to the standards and conditions set out in the Staff Recommendation with a setback from the centerline of Yale Avenue of 425':

> The North 591.88 feet of the West 880.77 feet of the S/2 SW/4 of Section 15, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the United States Government Survey thereof.

SUBDIVISIONS:

For Final Approval and Release:

Charter Oak (PUD #190 (1083) 76th Street and South Joplin Avenue (RS-3)

The Staff advised the Commission that this plat was complete, the release letters have been received and final approval and release was recommended.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe, "absent") to approve the final plat of Charter Oak Addition and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #278 Sober - Pecan Tree Place - 55th Street and Lewis Avenue

Staff Recommendation - Detail Site Plan Review:

The subject tract is 3 acres in size and is located at the SW corner of 55th Street South and Lewis Avenue. The applicant received approval of the Supplemental Planned Unit Development Zoning District for a proposed office park.

The Staff has reviewed the approved Development Plan and required conditions and compared them to the submitted Detail Site Plan and find the following:

ITEM	APPROVED	SUBMITTED
Area (Gross):	130,680 sq. ft.	130,680 sq. ft.
(Net) :	105,530 sq. ft.	105,530 sq. ft.
Permitted Use:	Principal & Accessory Uses permitted as a matter of right in an OL District.	Same
Maximum Floor Area:	40,000 sq. ft.	39,547 sq. ft.
Maximum Building Size;		
North & West 100 feet,	5,000 sq. ft.	Same
remainder of tract.	10,000 sq. ft.	Same
Maximum Building Height:	2 stories	2 stories
Minimum Building Setback;		
from the west property line,	25 ft.	25 ft.
from the south property line,	10 ft.	10 ft.
from the centerline of Lewis Avenue,	100 ft.	100 ft.
from the centerline of 55th St.	50 ft.	50 ft.
between buildings.	10 ft.	10 ft.
Minimum Parking:	3.5 spaces for each 1,000 feet of floor area or 138 spaces	133 spaces*
Minimum Open Space:	30,000 sq. ft.	42,636 sq. ft.
Signs:	As permitted in the OL Zoning District	None

PUD #278 (continued)

*The number of parking spaces is 5 less than required, however, the Staff considers 1 space for 300 square feet of floor area (132 spaces) to be the minimum for a development such as this and would consider the reduction of spaces to save several trees minor in nature.

We would note that the applicant is still required to submit for approval, prior to occupancy, sign sizes and location and a Detail Landscape Plan. Special attention should be given to the north boundary along 55th Street.

Based on the above review the Staff can support and does recommend APPROVAL of the Detail Site Plan.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe, "absent") to approve the Detail Site Plan Review for Pecan Tree Place, subject to the Staff Recommendation.

Z-5620-SP-1 Fred Chadsey - Sunchase Apartments - NE corner of Memorial Drive and East 93rd Street South

Staff Recommendation - Corridor Site Plan Amendments:

The subject tract is located at the NE corner of South Memorial Drive and East 93rd Street South. It has received Detail Site Plan approval, however, the Site Plan submitted to the Building Inspector's Office was different from that submitted and approved by the TMAPC. The applicant is now requesting approval of several minor amendments to the approved Detail Site Plan.

The Staff has reviewed the amended Detail Site Plan and find the following:

1) A reduction of the required parking from 672 to 664. This occurred because of the bedroom mix, but meets the overall PUD conditions. Therefore, the Staff considers this minor in nature and can support the change.

2) The addition of a small maintenance building in the center of the development. This is an accessory use and permitted by the Zoning Code. The Staff considers this as a minor change.

3) The rearrangement of buildings and parking in the NW corner of the project. This is not a significant departure from the original Site Plan, in fact, it breaks up a continuous parking lot along the north boundary, therefore, the Staff can support this as minor in nature.

4) The addition of a second access point in the extreme NW corner, which was recommended by the T.A.C. and approved by the TMAPC. The Staff can support this change as also being minor.

Therefore, the Staff recommends APPROVAL of these minor amendments to the Detail Site Plan.

NOTE: The Staff would like to go on the record stating that the revised plan could make it easier to develop an argument for a future commercial use in the clubhouse. This could not occur under the present PUD conditions or the underlying CO zoning and any request for changing these requirements would not be supported by the Staff.

Z-5620-SP-1 (continued)

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hennage, Parmele, Young, Inhofe, "absent") to approve the minor amendments to the Corridor Site Plan for Z-5620-SP-L, based on the Staff Recommendations.

There being no further business, the Chair adjourned the meeting at 3:00 p.m.

Date Approved 9-29-82

Chairman

ATTEST:

Marian E. Hennage
For Secretary

9.8.82:1422(22)

TMAPC RECEIPTS
Month of August, 1982

ZONING

Zoning Fees	(13)	$ 832.00		
Fee Waived	(0)			
			$ 832.00	

LAND DIVISION

Subdivision Preliminary Plats	(7)	$ 350.00		
Subdivision Final Plats	(9)	589.00		
Plat Waivers	(6)	150.00		
Access Changes	(1)	25.00		
Lot-Splits	(33)	215.00		
Fee Waived	(2)			
			$1,329.00	

BOARD OF ADJUSTMENT

Board of Adjustment Fees	(65)	$3,070.00		
Fee Waived	(0)			
			$3,070.00	
				$5,231.00

DEPOSITORY TICKET	CITY RECEIPT		
815	026665	$1,376.00	
816	027097	860.00	
817	000040	1,222.00	
818	000542	1,773.00	
			$5,231.00

CITY BOARD OF ADJUSTMENT	$2,465.00
COUNTY BOARD OF ADJUSTMENT	$ 605.00
CITY SHARE	$1,080.50
COUNTY SHARE	$1,080.50