

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1527  
Wednesday, October 24, 1984, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center  
(Moved from Langenheim)

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Higgins Kempe, 1st Vice- Chairman Paddock VanFossen Wilson Woodard Young	Rice	Compton Frank Gardner Wiles	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor on Monday, October 22, 1984, at 1:00 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice-Chairman Cherry Kempe called the meeting to order at 1:31 p.m.

MINUTES:

On MOTION of WILSON, the Planning Commission voted 7-0-1 (Connery, Draughon, Higgins, Kempe, VanFossen, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Rice, Young, "absent") to approve the Minutes of October 10, 1984 (No. 1525).

REPORTS:

Director's Report:

Review Scheduled Tour

Mr. Lasker went over the tentative agenda for the special Planning Commission meeting to be held October 31, 1984.

## PUBLIC HEARING:

### Public Hearing to Amend the Major Street and Highway Plan:

#### Comments:

Mr. Compton informed that the purpose of this public hearing is to consider a reclassification of the Riverside Expressway on the Major Street and Highway Plan. The Major Street and Highway Plan, as it now exists, provides for an expressway along the east bank of the Arkansas River from the southeast corner of the Inner Dispersal Loop south to 96th Street and Delaware Avenue. There are three basic items included in this hearing on which comments will be taken: (1) The adoption of parkway standards for the Major Street and Highway Plan, (2) the deletion of the expressway designation, and (3) adoption of the new designation for the expressway. This request was brought to the INCOG Staff by Street Commissioner Metcalfe. Three years ago in December, 1981, there were public hearings on the deletion of the designation of "Expressway" on Riverside north of 51st Street. The recommendation from the Planning Commission at that time was to delete the "Expressway" classification for Riverside from the Inner Dispersal Loop to the Skelly Expressway, to designate Riverside Drive from Denver to the Skelly Expressway as a "Parkway," and to adopt the "Parkway" standards for the Major Street and Highway Plan recommendation by the Transportation Technical Advisory Committee. Those standards were that a parkway should be (1) a minimum of 150 feet of right-of-way, (2) six 12-foot lanes, (3) a 20-foot median separating the lanes, and (4) four-foot sidewalks and room for light standards. The Transportation Policy Committee has discussed the area south of 51st Street, and Commissioner Metcalfe has requested that the Policy Committee and the Planning Staff review traffic south of 51st Street. He described the four alternatives they were looking at. These alternatives all provide for the area north of 51st Street to be a six-lane parkway with limited access at the mile sections and at grade intersections. The Staff is now in the process of reviewing the alternatives. One of the reasons they want this Public Hearing continued to the October 31, 1984, meeting is that there is a Technical Advisory Committee meeting and a Policy Advisory Committee meeting on October 25, 1984. These Committees will be briefed about the impact and the information that the Staff has determined from their analysis. When they come back on October 31, they will have a recommendation from these Committees.

#### Interested Party:

Norma Turnbo, 1822 South Cheyenne Avenue, informed she is the District 7 Representative to the Greater Tulsa Council. She informed that the residents that live south of 21st Street to 29th Street have requested that their streets be cut off from Riverside Drive. Ms. Turnbo is concerned about where the land is going to come from to widen the road.

There was discussion about the right-of-way in the area in which Ms. Turnbo is interested.

#### TMAPC Action: 8 members present.

On MOTION of PADDOCK, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Rice, Young, "absent") to continue the Public Hearing to consider amending the Major Street and Highway Plan

Public Hearing: (continued)

until Wednesday, October 31, 1984, at 1:30 p.m. in the City Commission Room, Plaza Level, Tulsa Civic Center.

Public Hearing to Consider Proposed Amendments to Title 42, Tulsa Zoning Code:

Mr. Gardner submitted a copy of the proposed ordinance dealing with Section 1730.3 (a) of the Zoning Code which has to do with notice of zoning map amendments (Exhibit "A-1"). This proposed ordinance change will require a map of the subject application to be published as a part of the new notice requirements. The ordinance reads as follows:

Section 1. That Title 42, Chapter 17, Section 1730.3 (a) of the Tulsa Revised Ordinances be and the same is hereby amended to read as follows:

"a. The Planning Commission shall give notice of public hearing on any proposed zoning change as follows:

1. At least twenty (20) days' notice of the date, time, and place of the hearing by publication in a newspaper of general circulation in the City of Tulsa. Said notice shall include a map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.

2. By posting of the affected property at least twenty (20) days before the date of the hearing. The notice shall state:

- a. The date, time, and place of the public hearing; and
- b. Who will conduct the public hearing; and
- c. The present and desired zoning classifications; and
- d. The proposed use of the property; and
- e. Other information as may be necessary to provide adequate and timely public notice.

3. Twenty (20) days notice by mailing written notice to all owners of real property included in the proposed change and all owners of real property within a three hundred (300) foot radius of the exterior boundary of the property included in the proposed change. The notice shall contain:

- a. The legal description of the property and the street address or approximate location in the City of Tulsa; and
- b. The present zoning of the property and the zoning sought by the applicant; and
- c. The date, time and place of the public hearing.

Public Hearing: (continued)

Provided that, if the City of Tulsa proposes zoning reclassifications in order to revise its Comprehensive Plan or Official Map or to identify areas which require specific land use development due to topography, geography or other distinguishing features, including but not limited to floodplain, drainage, historic preservation and blighted areas, mailing of notice as above provided shall not be required and notice shall be given at least twenty (20) days before the date of the hearing, by posting on designated properties within the area affected by the proposed zoning reclassification. The sign and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces and shall state:

- (1). The date, time and place of the public hearing; and
- (2). Who will conduct the public hearing; and
- (3). The desired zoning classification; and
- (4). The proposed use of the property; and
- (5) Other information as may be necessary to provide adequate and timely public notice."

Section 2. This amendment shall become effective November 1, 1984.

Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4. That an emergency exists for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately upon its passage, approval and publication.

Mr. Gardner explained the amendments and told how they will affect the City at the present time.

Mr. Linker informed the proposed amendments are basically what the State Statutes have authorized and required the City to do in respect to publishing a map. The State Statute becomes effective November 1, 1984, and they want to make this Ordinance effective around the same time. They would like this item to be continued to the October 31, 1984, meeting because there has been a question raised about how specific it was listed on the agenda.

There was discussion concerning whether or not the Ordinance is clear in that advertising in a newspaper is required if the City is proposing zoning reclassifications.

On MOTION of YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Rice, "absent") to continue the Public Hearing to consider proposed amendments to Title 42, Tulsa Zoning Code, until Wednesday, October 31, 1984, at 1:30 p.m., in the City Commission Room, Plaza Level, Tulsa Civic Center.

Consideration of Alternative Map Advertising per O.S. effective November 1, 1984.

Mr. Gardner submitted four examples of maps and explained how much each one would cost when published (Exhibit "B-1"). The Staff needs some direction as to which size of map to publish.

Mr. VanFossen requested that the Staff review with the Tulsa Legal News and the City Attorney what is the minimum that can be published that can be read and can meet the requirements of the State Law. He feels they need to publish the least expensive map that will meet the requirements of the State Law.

Ms. Wilson informed the map should be such that the general public can read it.

There was discussion about the different sizes of maps.

Mr. Linker read the part of the State Statute that relates to the publishing of a map. He informed he does not know the intent of the Statute.

Mayor Young suggested that one alternative would be to publish a standard full-page map showing all the zoning cases being published at any particular time. There was discussion about this suggestion.

Mr. Gardner informed it has been suggested that they just take an average of the cost--that way the cost would be set for everyone.

Ms. Kempe suggested that this item be continued for the Planning Commissioners to give it some consideration and to allow the Staff to check with the Legal News to see how the different maps would print.

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Rice, "absent") to continue consideration of alternative Map advertising per O.S. effective November 1, 1984, until Wednesday, October 31, 1984, at 1:30 p.m., in the City Commission Room, Plaza Level, Tulsa Civic Center.

CONTINUED ZONING PUBLIC HEARING:

Z-5981 Jones (Grace Fellowship) East side Memorial 8700 Block South AG to OL

Ms. Kempe informed that the applicant has requested that this item be continued to the November 28, 1984, meeting.

The applicant, Bill Jones, was present.

There was an interested party present--Mr. Pisas, 8771 South Memorial Drive. He wanted to know what the problem is and why this is being continued again.

Mr. Gardner informed this was continued until the applicant could file the PUD. The applicant has filed the PUD and it is scheduled for Public Hearing on November 28, 1984. They want the zoning and the PUD to come up at the same hearing.

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Rice, Young, "absent") to continue consideration of Z-5981 until Wednesday, November 28, 1984, at 1:30 p.m., in the City Commission Room, Plaza Level, Tulsa Civic Center.

Z-5969 Pitcock SE corner of Apache Street and Urbana Avenue RM-1 to CG

Ms. Kempe informed the applicant has requested that this item be continued to the November 28, 1984, meeting.

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Rice, Young, "absent") to continue consideration of Z-5969 until Wednesday, November 28, 1984, at 1:30 p.m., in the City Commission Room, Plaza Level, Tulsa Civic Center.

Z-6004 Morris (Cameron Bldg. Co.) SE corner of 129th East Avenue and I-244  
AG, RMH to IL, FD

Ms. Kempe informed the applicant has requested that this item be continued to the November 7, 1984, meeting.

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Rice, Young, "absent") to continue consideration of Z-6004 until Wednesday, November 7, 1984, at 1:30 p.m., in the City Commission Room, Plaza Level, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No.	Z-6007	Present Zoning:	RS-2
Applicant:	Reynolds (McMurray)	Proposed Zoning:	IL
Location:	West of the SW corner of 161st East Avenue and Admiral Place		

Date of Application: September 7, 1984  
Date of Hearing: October 24, 1984  
Size of Tract: 1.4 acres

Presentation to TMAPC by: W. W. Reynolds  
Address: P. O. Box 582216

Phone: 437-7720

## Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property for industrial use.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.4 acre in size and located west of the northwest corner of Admiral Place and 161st East Avenue. It is non-wooded, flat, contains a small trucking operation and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by I-244 Expressway zoned RS-3, on the east by mobile home sales zoned IL, on the south by vacant property currently under construction zoned IL, and on the west by various industrial uses zoned IL.

Zoning and BOA Historical Summary -- Several different rezoning cases have been approved to allow light industrial zoning in the area.

Conclusion -- It should be noted that this area is in transition from residential to industrial. The subject tract is one of the last remaining RS-3 properties.

Based on the Comprehensive Plan and the abutting industrial zoning property, the Staff can support the request and recommend APPROVAL of IL zoning.

Applicant's Comments:

The applicant was present but did not wish to speak.

Protestants: None.

TMAPC Action: 9 members present.

On MOTION of YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Rice, "absent") to recommend to the Board of City Commissioners that the following described property be zoned IL:

The East 130.13 feet, LESS roadway, of Lot 4 in Foster Subdivision, a subdivision of Lots 1 and 2, of Section 3, Township 19 North, Range 14 East, City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-6008

Applicant: Ashley

Location: SE corner of 56th Street and 107th East Avenue

Present Zoning: RS-3

Proposed Zoning: IL

Date of Application: September 7, 1984

Date of Hearing: October 24, 1984

Size of Tract: 5 acres

Presentation TMAPC by: Floyd Ashley

Address: 5905 East 30th Street

Phone: 622-8162

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 -- Industrial.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5 acres in size and located on the east side of 107th East Avenue, south of 55th Place. It is partially wooded, gently sloping, contains two single-family dwellings and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north and east by a developing industrial park zoned IL, and on the south and west by single-family dwellings on large lots zoned RS-3.

Zoning and BOA Historical Summary -- The City has approved a number of rezoning cases along 107th East Avenue from residential to industrial.

Conclusion -- Lots along 107th East Avenue are zoned a mixture of RS-3 and IL zoning. It should be noted that the entire addition is in transition from single-family residential to light industrial.

Based on the Comprehensive Plan and existing zoning patterns in the area the Staff recommends APPROVAL of the IL request.

Applicant's Comments:

The applicant was present but did not wish to speak.

Protestants: None.

Comments:

Mr. Gardner informed that 107th East Avenue is a dead-end street. This is the first application that is before the Commission that abuts a dedicated street to the east. The applicant should be aware that in the platting process of the property, the Staff will be looking at a tie street so that there will be more than one point of ingress and egress to the area.

There was discussion about whether or not this property is in a floodplain or floodway and how long it would take to advertise for the FD designation.



Z-6008 (continued)

Ms. Kempe informed the applicant that it appears that part of the application is in a floodway and that determination needs to be made and included as part of the notice for the Public Hearing. The soonest that advertising could be accomplished would be 20 days.

Mayor Young informed the Planning Commission could approve IL zoning for the property LESS and EXCEPT any part of the property later to be found in the floodway.

TMAPC Action: 9 members present.

On MOTION of YOUNG, the Planning Commission voted 9-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Rice, "absent") to recommend to the Board of City Commissioners that the following described property be zoned IL, LESS and EXCEPT any portion of the property that may be found to be in a floodway:

Lots 1 and 2, Block 1, Golden Valley, an addition to the City of Tulsa, Tulsa County, Oklahoma, LESS and EXCEPT any portion of the property that may be found to be in a floodway.

Application No. Z-6009

Applicant: Hillcrest Medical Center

Location: West of the SW corner of 51st Street and Union Avenue

Present Zoning: RS-3, P

Proposed Zoning: OL, P

Date of Application: September 11, 1984

Date of Hearing: October 24, 1984

Size of Tract: .91 acre

Presentation to TMAPC by: David Page

Address: 2640 East 13th Street

Phone: 587-0000

Relationship to the Comprehensive Plan:

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the requested OL and P Districts may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately .91 acres in size and located on the south side of 51st Street, between 27th and 28th West Avenues. It is partially wooded, flat, contains two single-family dwellings and zoned RS-3 and P.

Surrounding Area Analysis -- The tract is abutted on the north by single-family dwellings zoned RS-3, on the east by a single-family dwelling zoned RS-3, on the south by Skelly Drive Expressway zoned RS-3, and on the west by vacant property zoned OL.

Zoning and BOA Historical Summary -- A recent zoning case approved OL zoning with a parking buffer on a portion of the subject tract and the abutting tract to the west.

Conclusion -- After review of this request, the Staff sees it as a continuation of the previous request.

Based on the Comprehensive Plan and Z-5933, the Staff recommends APPROVAL of OL zoning, LESS and EXCEPT the east 60' which is to be rezoned P.

Comments:

Ms. Wilson asked about the previous case on this property. Mr. Gardner informed the applicant is wanting to put a medical facility on the property. He described previous zoning actions on the property and in the area. This application is an extension of what they already have.

Mr. Gardner informed this application involves one additional single-family lot to the east of the original application. There was a 60-foot portion just west of that lot that was zoned parking. They have included that 60 feet in their application, and they want it to be zoned Office. They want a portion of the new lot (about 40 feet) to be office. They would like the east part of the lot (about 60 feet) to be parking. This gives them approximately 100 additional feet of office zoning plus 60 feet of parking on the east.

Mayor Young asked why the Staff recommended denial on the OL in the previous application, and Mr. Gardner informed they felt that the area

Z-6009 (continued)

could develop under the present zoning classification rather than an office classification at that time. In this case the Staff is viewing this as whether or not it is a logical extension of the present zoning--they feel that it is a logical extension of the pattern that has been set. Mr. Gardner informed the P designation on the east 60 feet is there as a buffer.

Ms. Kempe asked if the applicant could do what he wants to do by submitting a Planned Unit Development, and Mr. Gardner informed the applicant probably would have enough intensity to spread the project over the entire tract.

Ms. Kempe informed it would be easy for the whole section between 51st Street and the Skelly Bypass to go to office use.

There was discussion about another medical facility that is located in this area.

Ms. Higgins asked if there was an existing office building on the piece of property that is zoned OL, and she was informed that there was not.

Applicant's Comments:

David Page, Attorney, 2640 East 13th Street, represented Hillcrest Medical Center. He described the subject property and the zoning changes that have taken place on that property. He also explained the facilities they are planning to build on the property and the kinds of services that will be offered. Mr. Page informed that Tulsa did a survey of this West Tulsa area, and they found that there are approximately 30,000 people in the area with only six physicians. He informed that the people who live just east of the subject tract do not have any objections to this zoning proposal.

There was discussion as to why the applicant wants the additional space that he is proposing.

<u>Protestants:</u>	Bettie Bundy	Addresses:	5047 South 26th West Avenue
	Faye Hallford		2823 West 51st Street
	John H. Caffey		2520 West 51st Street

Protestants' Comments:

Ms. Bundy informed that she did not receive notice of the previous application for this property. She submitted a protest petition signed by 51 people in this neighborhood who do not want the property rezoned (Exhibit "C-1"). She described the existing medical facility that is in the area. She informed that this is generally a residential neighborhood--not a business area. She described 51st Street and the problem they could have if many businesses come in here. Ms. Bundy described the surrounding area and the uses in the area. She informed that the sign that was posted on the property to tell that the property was to be considered for rezoning was not visible from the streets. She submitted two pictures showing where the signs were located (Exhibit "C-2"). She is opposed to this rezoning.

Ms. Hallford informed she lives directly across the street from the subject tract. She informed it was their impression that the previous application on this property would allow for a dental office with very limited

Z-6009 (continued)

parking so she did not protest. She feels that this proposal will be harmful to this area. She described the problems they have at this time with the streets in the area. She feels that her personal safety is at stake. She does not want a medical center in their residential neighborhood.

Mr. Caffey informed they did not receive notice of this application or the previous one. One of his main objections to the rezoning of this property is the fact that 51st Street is getting an awful lot of traffic at the present time, and it does not need any more added to it. He does not think that it is necessary to have a physician in a residential neighborhood.

Mr. Paddock asked Mr. Caffey if he lives within 300 feet of the subject tract, and Mr. Caffey informed he probably does not. His is the 5th or 6th house to the east of the subject tract. Ms. Kempe informed that notice is sent only to property owners within 300 feet of a proposed zoning change.

Applicant's Rebuttal:

Mr. Page informed that Hillcrest Medical Center is concerned about impact on neighborhoods. He stated that the planners have designed this facility to make it look like a residence. There will be a lot of open space and a lot of trees. They do not anticipate a large amount of traffic to be coming to the tract. Hillcrest wants to serve the people in the area by providing medical services to the people. They do not want to infringe upon the residents' homes or harm their properties. They would like to expand their existing proposal to better serve the people in the area.

Comments:

Ms. Wilson informed she feels this is an obvious extension; however, she feels that the parking zoning, which was established as a buffer should stay intact, where it currently is. She stated that she cannot support this application.

Mr. VanFossen informed that medical and dental offices require a lot of parking and a lot of in and out traffic. He stated that 51st Street is a very small two-lane street. He does not think that he would have even supported the original zoning application.

Mayor Young informed that the existing medical facility in the area has, in recent years, been devoted exclusively for the provision of dental services by the Health Department and is being used, in part, by the Oral Roberts University Dental School for dental services.

Mr. Connery informed it is his understanding that this whole strip that abuts up to the Skelly Bypass is to eventually become OL zoning. This fact was considered when the zoning request was considered and approved in April. He stated that he would support this request if the parking classification buffer is kept on the east side of the property.

Mr. Paddock informed he does not think that the present infrastructure that is in place can support an office or commercial development or an extension of that kind of development along 51st Street. He feels that this street was obviously designed and put in as a residential street.

Z-6009 (continued)

He feels that approval of this application would be causing increasing problems which would affect the safety and welfare of the citizens and which would encroach farther into residential neighborhoods. He cannot support the Staff's recommendation on this application despite the fact that he realizes that there is need for increased medical facilities in this City.

Instruments Submitted: Protest Petition (Exhibit "C-1")  
Two Photographs (Exhibit "C-2")

TMAPC Action: 9 members present.

On MOTION of WILSON, the Planning Commission voted 6-2-1 (Draughon, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; Connery, Higgins, "nay"; Kempe, "abstaining"; Rice, "absent") to DENY a request for OL and P zoning on the following described property:

Beginning 35' South and 382' East of the NW corner of the NE/4 of the NW/4; thence East 160'; thence South 247'; thence West 160'; thence North 247' to the Point of Beginning, all in Section 34, Township 19 North, Range 12 East, City of Tulsa, Tulsa County, State of Oklahoma.

Additional Discussion:

Mayor Young informed the land from Union Avenue to 33rd West Avenue is a unique stretch of land. He wondered if this area would be worthy of a short special study by the Staff to determine what would be appropriate future uses for that strip and how the residential neighborhoods to the north can be protected if it is to become something other than what it is.

Ms. Kempe directed the Staff to instigate a special study between Skelly Bypass, 51st Street, 33rd West Avenue, and Union Avenue.

Application No. Z-6010 & Z-6010-SP                      Present Zoning: IR, CS  
Applicant: Johnsen (First Home Development Corp.)    Proposed Zoning: CO  
Location: NW corner of 51st Street and 129th East Avenue

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Date of Application: September 13, 1984  
Date of Hearing: October 24, 1984  
Size of Tract: 127.6 acres

Presentation to TMAPC by: Roy Johnsen  
Address: 324 Main Mall

Phone: 585-5641

Relationship to the Comprehensive Plan: Z-6010

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2 for the encouragement of Industrial Research type uses.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 127.6 acres in size and located north and west of the northwest corner of 129th East Avenue and the Broken Arrow Expressway. It is non-wooded, flat, contains one single-family dwelling with several accessory agricultural buildings and is zoned a combination of IR and CS.

Surrounding Area Analysis -- The tract is abutted on the north by the Cities Service Oil and Gas Corporation Technological Center zoned IR, on the east by vacant land and the Dowell Research Center zoned AG and IL, on the south by mostly vacant land zoned CS and the Broken Arrow Expressway zoned AG, and on the west by vacant land zoned CO.

Zoning and BOA Historical Summary -- Industrial Research and Corridor zoning patterns exist surrounding the subject tract.

Conclusion -- The Corridor zoning west of the subject tract was not supported by the Staff to the extent granted because it did not meet the test for Corridor zoning as defined by the Development Guidelines. However, since the Corridor was approved, the Staff can now support its extension to 129th East Avenue, at least along the Freeway frontage. We can support this extension based upon the fact that this will also require review and approval of Site Plans for the entire area which will insure that a transportation system be developed that will serve to meet the access needs identified by the Development Guidelines. At the same time a land use intensity less than 1.25 floor area ratio can be established for the record. The applicant is proposing .75 floor area ratio or less which would be the combination between CO at 1.25 and IR at .5 if only the Freeway frontage portion were zoned.

Therefore, with the limitation of .75 floor area ratio, the Staff recommends APPROVAL of the requested CO zoning on the entire site and notes that a Site Plan for this area should include a major Collector street which would stub into the tract west of the subject tract, also zoned CO.

Z-6010-SP and Z-6010 (continued)

Staff Recommendation: Z-6010-SP

The subject tract is located north and west of the northwest corner of 129th East Avenue and the Broken Arrow Expressway. It is approximately 126.8 (net) acres in size and the Staff has recommended approval of C0 zoning. The applicant is now requesting approval of an Overall Development Plan and Detail Development Text.

The Staff has reviewed his Plans and Text and has identified one area of concern which has to do with the uses permitted in Development Area D. The applicant is requesting that this area be used as a commercial site and the Staff sees this as setting a precedent for commercial stripping of 129th East Avenue. The Staff sees the southern entry point on the Development Plan as the logical point for stopping the northern extension of commercial uses. We have no problem with transferring this commercial to the west along the Broken Arrow Freeway if allocated at this time consistent with Item #4.

Given the above modification, the Staff finds the Development Plan and Detail Text to be consistent with the intent of the Corridor Chapter of the Tulsa Zoning Code. Therefore, the Staff recommends APPROVAL of Z-6010-SP, subject to the following conditions:

- (1) That the applicant's Development Plan and Detail Text be made a condition of approval, unless modified herein.
- (2) Development Standards:

CORPORATE OFFICE - DEVELOPMENT AREAS A, B, C, D, G AND H

NET AREA (after all dedications):

Area A	10.8 acres
Area B	10.6 acres
Area C	6.0 acres
Area D	6.3 acres
Area G	10.8 acres
Area H	23.2 acres

PERMITTED USES:

As permitted within an OMH Office District (excluding Use Unit 8 Multifamily Dwellings) and as permitted within an IR Industrial Research District.

INITIAL FLOOR AREA ALLOCATION:

Area A	483,971 square feet
Area B	475,009 square feet
Area C	268,873 square feet
Area D	96,050 square feet
Area G	483,971 square feet
Area H	1,039,644 square feet

MAXIMUM COVERAGE OF BUILDINGS: 30% of Net Area

MINIMUM INTERNAL LANDSCAPED OPEN SPACE:\*  
20% of Net Area

Z-6010-SP and Z-6010 (continued)

MINIMUM BUILDING SETBACKS:

From Interior Collector (C/L)	100 feet
From 129th East Avenue (C/L)	100 feet**
From Broken Arrow Expressway (R/W)	100 feet
From Other Development Boundaries	50 feet

MAXIMUM BUILDING HEIGHT: 2 stories if within 150 feet of north or east development boundaries

\*Internal required landscaped open space shall include perimeter landscape area within the development area boundaries, parking islands and plazas, but shall exclude walkways which solely provide minimum pedestrian circulation.

\*\*Add one foot of setback for each one foot of building height exceeding 35 feet.

SIGN STANDARDS: Signs accessory to the office uses are permitted and shall comply with the following additional restrictions:

Ground Signs:

For each building ground signs shall be limited to two monument signs identifying the office building and not exceeding 6 feet in height and not exceeding a display surface area of 120 square feet.

Wall or Canopy Signs:

Wall or canopy signs shall be permitted for each principal building not to exceed a display surface area of one-half square foot per lineal foot of the building wall to which the sign or signs are affixed. Wall or canopy signs shall not exceed the height of the building.

COMMERCIAL/OFFICE-DEVELOPMENT AREAS F, I & J

NET AREA (after all dedications):

Area F	5.0 acres
Area I	11.2 acres
Area J	8.5 acres

PERMITTED USES: As permitted within an OMH District and the uses included within Use Unit 12-Entertainment Establishments; Use Unit 13-Convenience Goods and Services, and Use Unit 14-Shopping Goods and Services, but excluding Use Unit 8-Multifamily Dwellings.

INITIAL FLOOR AREA ALLOCATION:\*

Area F	224,060 square feet
Area I	501,896 square feet
Area J	380,903 square feet



Z-6010-SP and Z-6010 (continued)

MAXIMUM COVERAGE OF BUILDINGS: 30% of Net Area

MAXIMUM BUILDING HEIGHT: NA

MINIMUM INTERNAL LANDSCAPED OPEN SPACE\*\*  
20% of Net Area

MINIMUM BUILDING SETBACKS:

From 129th E. Avenue (C/L) 200 feet\*\*\*

From Broken Arrow Express-  
way (R/W) 100 feet

From Interior Collector (C/L) 100 feet

\*Within each commercial/office development area, non-office use shall not exceed 20% of the total floor area allocation and not more than 10% of the floor area allocation shall be freestanding non-office use.

\*\*Internal required landscaped open space shall include perimeter landscape area within the development area boundaries, parking islands and plazas, but shall exclude walkways which solely provide minimum pedestrian circulation.

\*\*\*Add one foot of setback for each one foot of building height exceeding 35 feet.

SIGN STANDARDS: Signs accessory to the principal uses are permitted and shall comply with the following additional restrictions:

Ground Signs:

For each building ground signs shall be limited to two monument signs identifying the building and not exceeding 6 feet in height and not exceeding a display surface area of 120 square feet.

Wall or Canopy Signs:

Wall or canopy signs shall be limited to one sign for each principal building and shall not exceed a display surface area of one square foot per lineal foot of the building wall to which the sign or signs are affixed.

HOTEL/COMMERCIAL-DEVELOPMENT AREA E

NET AREA (after all dedications): 10.2 acres

PERMITTED USES: Hotel and the uses permitted within a CS District, but excluding Use Unit 8, Multifamily Dwellings.

INITIAL FLOOR AREA ALLOCATION: 266,587 square feet

MAXIMUM COVERAGE OF BUILDINGS: 30% of Net Area

MAXIMUM BUILDING HEIGHT: NA

MINIMUM INTERNAL LANDSCAPED  
OPEN SPACE\* 15% of Net Area

Z-6010-SP and Z-6010 (continued)

MINIMUM BUILDING SETBACKS:

From 129th East Avenue (C/L)	200 feet
From Interior Collector (C/L)	50 feet**

\*Internal required landscaped open space shall include perimeter landscape area within the development area boundaries, parking islands and plazas, but excludes walkways which solely provide minimum pedestrian circulation.

\*\*Add one foot of setback for each one foot of building height exceeding 35 feet.

SIGN STANDARDS: Signs accessory to uses within the shopping development area shall comply with the following restrictions:

Ground Signs:

129th East Ave. Frontage:	1
Maximum Display Surface Area:	120 square feet
Height above grade of Abutting Street:	20 feet

Shopping Area Wall or Canopy Signs:

Aggregate Display Surface Area limited to 1 & 1/2 square feet per each lineal foot of the building wall to which the sign or signs are affixed. Wall or canopy signs shall not exceed the height of the building.

COMMON OPEN SPACE - DEVELOPMENT AREA K

NET AREA (after street dedications): 12.7 acres

PERMITTED USES: Open space, landscaping, detention and other drainage facilities.

It is intended that the drainageway traversing the project shall be improved to not only meet City of Tulsa drainage criteria, but also to achieve a project amenity, through the planned sculpting of the drainageway, provision of a wet detention area, and selective landscaping and lighting. The improved area will be conveyed to a Property Owners' Association for maintenance.

(3) Entry and Expressway Signage

In addition to other signage, a monument sign identifying the project not exceeding 6 feet in height nor exceeding a display surface area of 120 square feet may be located at each of the two principal entrances to the project.

In addition to the accessory signage permitted within the various development areas, and the entry signage above provided for, a sign identifying the development may be located along the expressway frontage, not exceeding 40 feet in height and a display surface area of 240 square feet.

Z-6010-SP and Z-6010 (continued)

(4) Floor Area Allocation

The maximum aggregate floor area within the project shall not exceed a floor area ratio of .75 (4,220,964 sq. ft.). Within each development area, an initial allocation of floor area has been made. It is intended that the initial allocation may be changed upon detailed site plan review not to exceed the aggregate maximum above set forth, provided however, that the commercial floor area (non-hotel/non-office) allocations may not be transferred to another development area.

(5) That a Detail Site Plan for each Development Area be approved by the TMAPC prior to the issuance of a Building Permit, including elevations of all exterior walls showing the architectural treatment to be used.

(6) That a Detail Landscape Plan for each Development Area be approved by the TMAPC prior to occupancy.

(7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the Corridor conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments:

Mr. Gardner informed that this item was not advertised in the alternative for FD zoning. The applicants' site plan shows that they are reserving the areas that might be zoned floodway. If they are floodway, they need to be zoned accordingly.

Ms. Wilson asked the Staff how much C0 zoning was granted immediately to the west of the subject tract, and Mr. Gardner informed that tract is approximately 200 acres in size. The applicant does not have an interest in the C0 property to the west.

Mr. Gardner informed that the primary difference between what the applicant is requesting and what the Staff is recommending has to do with the deletion of the northernmost retail/commercial area "D" from this particular site plan. It would be opposite vacant land (potential low-intensity land). The Staff would like that portion to be reserved only for office, and that an additional amount of commercial could be located, if desired by the applicant, along the expressway.

Mr. Connery asked what impact the change in the IR zoning would have in discouraging incoming industrial research to the City of Tulsa. Mr. Gardner informed he does not see any loss in industrial research. The major portion of this proposal would accommodate that kind of use. This proposal goes beyond the restrictions for office and research-type uses in allowing some commercial uses that would not be permitted in IR zoning. They are getting some additional uses along the expressway frontage, but the balance of the property is essentially the same. The intensity would be increased from .5 to .75 if C0 is approved.

There was discussion about the CS portion, Area "D", of the property that the Staff recommended deletion of.

Z-6010 and Z-6010-SP (continued)

Mayor Young asked if consideration had been given to what restrictions or requirements would be imposed in the event that the potential floodway indication becomes a firm determination. Mr. Gardner informed that foot-age wise there would not be a problem because of the Corridor zoning. The areas that the applicant is reserving for open space could be zoned floodway and the balance Corridor--that would accomplish the applicant's plans.

Mayor Young asked if the hotel development in Development Area "E" could be excluded if it was deemed to be harmful to the economic development policy of the City due to the fact that Tulsa has such a low hotel occupancy rate at this time. Mr. Gardner informed it would be possible to exclude the hotel designation. The trend is to put a hotel in higher intensity uses to serve the needs of those uses. Because of the intensity of the proposed use, they will be able to accommodate the proposed hotel as well as hotels in the area.

Applicant's Comments:

Mr. Johnsen informed he represents First Home Development Corporation which is a subsidiary of Sooner Federal Savings and Loan Association--they are the record owner of the subject tract. He informed that the Corridor zoning District is the only zoning district that requires site plan review in all instances. CO provides a lot of flexibility of use and intensity of use, but at the same time it gives the Commission some comfort that the development will be an acceptable one to the community and will be one that will be done in conformity with appropriate planning concepts and development standards. Mr. Johnsen described the surrounding area and the uses in the area. They feel that this site has exceptional opportunity to develop a corporate center. This project requires a large site, good expressway accessibility, non-conflicting uses in the vicinity, and a good quality of development in the area to attract prestigious major users, such as corporate headquarters, that can be located within a site with some consistency of circulation, sign control, landscaping, and other site characteristics that result in the type of development that Tulsa needs. There are not many tracts of this nature that are available. Mr. Johnsen presented and explained a site analysis that consisted of the following: (1) slope analysis, (2) soil analysis, (3) topographic analysis, (4) vegetation analysis, (5) hydrology analysis, (6) linear open space concept, (7) utilities analysis, (8) development plan, (9) a plan of surrounding uses, and (10) a site plan. Mr. Johnsen informed he does not think this property is in a floodway under the definition of the Ordinances. If there is a floodway, it can be accommodated in the drainage concepts that have been developed for this plan. Mr. Johnsen informed there will be a loop system of traffic circulation within the project with two boulevard entrances and exits to 129th East Avenue. This loop system creates a number of sizable parcels. One of the keys to this project is having some fairly large tracts. He told why the streets are laid out in the project as they are. He described why they have provided for office and commercial uses in their plans. They believe that a hotel on the property would be a supporting use to the extensive amount of activity that will occur as this project develops over the years. He explained other commercial uses they would like to have within this project and why they located the commercial area as they did on their plan. They would have commercial uses that would be compatible and supportive to the corporate office uses along the lines of convenience or service facilities. The Staff is concerned about what the impact of these commercial uses might be on the property to the east of

Z-6010 and Z-6010-SP (continued)

129th East Avenue. Mr. Johnsen explained why they think the commercial would be appropriate at the proposed location. All of the entrances to the commercial area but one will be from the interior street system. He described the restrictions that will be imposed in the commercial area. He feels they have provided effective buffering from surrounding uses in this project. Mr. Johnsen pointed out that as each development area is proposed for development, a detail site plan will be submitted to the Commission for approval. They would like to preserve the opportunity to come back to the Planning Commission with a detail site plan of the proposed commercial area at the time of development and demonstrate that it is an appropriate and supporting use to this project. Mr. Johnsen informed he would like to maintain the option for having the hotel use on the property because he feels it is appropriate in that location.

Protestants: None.

TMAPC Action: 9 members present. Z-6010

On MOTION of YOUNG, the Planning Commission voted 8-1-0 (Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; Connery, "nay"; no "abstentions"; Rice, "absent") to recommend to the Board of City Commissioners that the following described property be zoned C0, LESS and EXCEPT any portion determined to be in a floodway:

Z-6010 -- All that part of the SE/4 of Section 29, Township 19 North, Range 14 East of the Indian Base and Meridian in Tulsa County, Oklahoma, laying North of the Northerly Right-of-Way of the Broken Arrow Expressway, said tract being more particularly described as follows:

Considering the East Line of said SE/4 as bearing South  $00^{\circ}-04'-14''$  West and with all other bearings contained herein relative thereto: Beginning at the Northeast corner of said SE/4 of Section 29; thence South  $00^{\circ}-04'-14''$  West along the East Line of said SE/4 a distance of 2091.60 feet to a point 550.00 feet from the SE corner of said SE/4; thence North  $89^{\circ}-54'-01''$  West and parallel with the South Line of said SE/4 a distance of 800.00 feet; thence South  $00^{\circ}-04'-14''$  and parallel with the East Line of said SE/4 a distance of 500.00 feet to a point 50.00 feet from the South Line of said SE/4; thence North  $89^{\circ}-54'-01''$  West and parallel with the South Line of said SE/4 a distance of 13.90 feet to a point in the Northerly Right-of-Way line of the Broken Arrow Expressway; thence along the Northerly Right-of-Way line of Broken Arrow Expressway as follows:

The North  $58^{\circ}-53'-31''$  West a distance of 337.49 feet; thence North  $66^{\circ}-21'-31''$  West a distance of 1214.70 feet; thence along a curve to the left having a radius of 21,585.92 feet for a distance of 477.42 feet, the Chord of said curve bearing North  $62^{\circ}-19'-19''$  West a distance of 477.41 feet, to a point in the West Line of said SE/4 from which the SW corner of said SE/4 lies 930.04 feet distant; thence North  $00^{\circ}-02'-15''$  East along the West Line of said SE/4 a distance of 1712.51 feet to the NW corner of said SE/4; thence South  $89^{\circ}-52'-46''$  East along the North Line of said SE/4 a distance of 2640.45 feet to the

Legal Description (continued for Z-6010)

point of beginning, as surveyed by John Philip Geffken in May 1984, and as monumented by same, LESS and EXCEPT the East 50 feet of the N/2 of said SE/4, the above described tract of land containing 5,561,777.27 square feet, or 127.6808 acres, more or less; LESS and EXCEPT any portion determined to be in a floodway.

LEGAL DESCRIPTION FOR Z-6010-SP

All that part of the SE/4 of Section 29, Township 19 North, Range 14 East of the Indian Base and Meridian in Tulsa County, Oklahoma, lying North of the Northerly Right-of-Way of the Broken Arrow Expressway, said tract being more particularly described as follows:

Considering the East Line of said SE/4 as bearing South  $00^{\circ}-04'-14''$  West and with all other bearings contained herein relative thereto:

Beginning at the NE corner of said SE/4 of Section 29; thence South  $00^{\circ}-04'-14''$  West along the East line of said SE/4 a distance of 2091.60 feet to a point 550.00 feet from the SE corner of said SE/4; thence North  $89^{\circ}-54'-01''$  West and parallel with the South Line of said SE/4 a distance of 800.00 feet; thence South  $00^{\circ}-04'-14''$  West and parallel with the East Line of said SE/4 a distance of 500.00 feet to a point 50.00 feet from the South Line of said SE/4; thence North  $89^{\circ}-54'-01''$  West and parallel with the South Line of said SE/4 a distance of 13.90 feet to a point in the Northerly Right-of-Way Line of the Broken Arrow Expressway; thence along the Northerly Right-of-Way Line of the Broken Arrow Expressway as follows:

The North  $58^{\circ}-53'-31''$  West a distance of 337.49 feet; thence North  $66^{\circ}-21'-31''$  West a distance of 1214.70 feet; thence along a curve to the left having a radius of 21,585.92 feet for a distance of 477.42 feet, the Chord of said curve bearing North  $62^{\circ}-19'-19''$  West a distance of 477.41 feet, to a point in the West Line of said SE/4 from which the SW corner of said SE/4 lies 930.04 feet distant; thence North  $00^{\circ}-02'-15''$  East along the West Line of said SE/4 a distance of 1712.51 feet to the Northwest corner of said SE/4; thence South  $89^{\circ}-52'-46''$  East along the North Line of said SE/4 a distance of 2640.45 feet to the point of beginning, as surveyed by John Philip Geffken in May 1984, and as monumented by same, LESS and EXCEPT the East 50 feet of the N/2 of said SE/4, the above described tract of land containing 5,561,777.27 square feet, or 127.6808 acres, more or less, LESS and EXCEPT any portion determined to be in a floodway.

Discussion:

Mr. Gardner informed that the Staff is concerned about Area "D" that is proposed for commercial because it is opposite an undeveloped area. The Staff's recommendation is to exclude that commercial area and allow the applicant to transfer the commercial along the expressway. If the Planning

Z-6010 and Z-6010-SP (continued)

Commission is inclined to look at the commercial area in the same light as Mr. Johnsen has presented it, the Staff would rather the applicant sought an amendment of the approved Corridor plan and at that time justify why the Planning Commission ought to change the area to commercial than to go ahead and say it is commercial and try to defeat possible zoning applications across the street for commercial.

Mayor Young asked Mr. Johnsen if he could bring back another site plan after considering the commercial Area "D" and the hotel Area "E" and the recommendations that have been made. Mr. Johnsen informed he thinks it was important in this process to establish an overall concept plan for the development as part of the CO zoning. He would like to continue with this site plan. Mr. Johnsen suggested that if all of the plan is acceptable to the Commission except the Commercial area, they could delete the hotel use and the commercial use, with the record showing that that is not a determination and that it could later be considered when a detail site plan is brought in. He does not want the history of this to say that hotel use is not an appropriate use in Area "E" and that retail commercial is not appropriate in Area "D". Mayor Young informed he would be comfortable with taking that action. Mr. Gardner informed that the hotel area could be designated as commercial because a hotel would be permitted in a commercial area. The proposed commercial area could be designated as corporate office, and the applicant could file an amendment to change that to commercial in the future if it is appropriate.

Mr. Johnsen informed he would like the minutes to show that the hotel use was of concern and that approval was not given at this time, but contemplation was made that there may be later presentations to receive approval of that use. He does not want this denial to be considered a precedent for that later review. If the commercial area is to be shown as office at this time, he would like that area to have a comparable floor area to the other corporate office areas rather than the .35 that was proposed for the commercial uses. The Staff informed they would have no problem with that.

Mr. Connery pointed out that there are not many spaces for IR zoning left in the City, and he has seen no provision made in the submitted site plan for reservations for research and development activities. Mr. Gardner informed that this zoning classification would permit Research and Development uses.

Mr. VanFossen commended the planning of this development.

TMAPC Action: 9 members present. Z-6010-SP

On MOTION of YOUNG, the Planning Commission voted 9-0-0 Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Rice, "absent") to approve the Site Plan for the legal described above, LESS and EXCEPT any portion determined to be in a floodway) for Application No. Z-6010-SP as presented with the following changes: (1) That the proposed commercial area (Area "D") be designated for corporate office with a floor area ratio comparable with the other corporate office designations, and (2) that the area proposed for hotel and commercial uses (Area "E") be redesignated for commercial uses only at this time, with the notation that consideration of the hotel use as previously shown "E" were not approved at this time, however, further consideration and discussion of said use was deferred to an undetermined future date.

LEGAL DESCRIPTION for Z-6010-SP is same as Legal Description for Z-6010-SP above.

Application No. Z-6011 and PUD #379 Present Zoning: AG, RS-3, OL and CS  
Applicant: Norman (Tulsa Investment Co.) Proposed Zoning: CS, RM-2  
Location: South of the SW corner of 66th Street and Memorial Drive

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Date of Application: September 13, 1984  
Date of Hearing: October 24, 1984  
Size of Tract: 33 acres

Presentation to TMAPC by: Charles Norman  
Address: 909 Kennedy Building

Phone: 583-7571

Relationship to the Comprehensive Plan: Z-6011

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity-- No Specific Land Use and Low Intensity.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the proposed CS and RM-2 Districts are in accordance with the Plan Map for that portion designated Medium Intensity and not in accordance with that portion designated Low Intensity.

Site Analysis -- The subject tract is approximately 33 acres in size and located south of the SW corner of 66th Street and South Memorial Drive. The property slopes to the east and north and contains some treed areas on the south portion of the property. The tract is vacant, zoned a combination of CS, OL, RS-3 and AG.

Surrounding Area Analysis -- The tract is abutted by open space (drainage area) and apartments to the north, duplexes to the west and commercial development to the east and south.

Zoning and BOA Historical Summary -- Past zoning decisions on this tract have limited the amount of commercial zoning to its present configuration. The applicant is proposing to zone an additional 7 acres CS which would essentially double the CS floor area.

Conclusion -- The Staff cannot support additional CS retail commercial zoning in this area, because of the intensity already zoned and developed. We can and have supported spreading the existing commercial footage along the Memorial frontage across from the regional shopping center. However, only about 1/2 of the site would be devoted to commercial and the balance in some form of low density office or residential multifamily. We believe Memorial Drive serves as a very important north-south traffic mover and was not designed to serve only the commercial traffic generated by the zoning in the area.

Therefore, the Staff recommends DENIAL of the requested zoning change.

Relationship to the Comprehensive Plan: PUD #379

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject area Medium Intensity and Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the requested CS District and PUD are in conformance with the Plan Map for that portion designated Medium intensity and may be found appropriate in the Low Intensity



Z-6011 and PUD #379 (continued)

Staff Recommendation:

Site Analysis -- The subject tract is 33 acres in size located on the west side of South Memorial north of the intersection of 71st Street South and South Memorial. The tract is just north and west across South Memorial from Woodland Hills Mall which is located at the north-east corner of 71st Street South and South Memorial Drive. The tract is presently zoned CS, OL, RS-3 and AG.

Surrounding Area Analysis -- The area of request is bounded on the north by vacant land zoned AG, on the west by duplexes zoned RS-3, south by retail commercial land uses zoned CS, and abuts the west right-of-way of South Memorial. Property east across South Memorial is used for a bank, restaurants, with some vacant land with present zoning being a mixture of OL, OM, CS, and AG. It should be noted that the area of request is presently vacant and undeveloped including the commercially zoned land.

Zoning and BOA Historical Summary -- Past zoning actions have established this general area to develop into a mixture of Low and Medium Intensity uses.

Conclusion -- A related Item, Z-6011 is pending consideration by the Planning Commission and is not supported by the Staff. If the Planning Commission supports this zoning request, the Staff suggests the following conditions be imposed, most of which are outlined in the PUD proposal:

1. The existing residential duplex area to the west by properly screened and provided with generous landscaping buffers.
2. The existing street stub from the west at South 78th Street East be vacated or redesigned and limited to a pedestrian accessway only.
3. All air conditioning and other building utilities be so screened and located to not be clearly visible from the adjacent residential areas on the west.
4. The architectural treatment of the rear (west) of the center be harmonious in design, materials, and construction with the front facades.
5. All outside trash receptacles be screened from ground level view.
6. All freestanding exterior lights shall be so located and designed to direct light away from adjacent residential areas. Light fixtures mounted on the buildings shall be so designed to direct light downward and against proposed facilities.
7. That the PUD Outline Development Plan and Text be made a condition of approval, unless modified herein.

PUD #379 and Z-6011 (continued)

PUD #379: Addendum to Staff Recommendations -- Development Standards

(8) Development Standards:

- A. Area (Gross): 1,434,200 sq. ft.  
(Net): 1,349,000 sq. ft.
- B. Permitted Uses: Uses permitted as a matter of right in the CS Commercial Shopping Center District. Restaurants as a principal use shall be located only in the south 750 feet of the east 400 feet of 6800 Memorial Drive.
- C. Maximum Floor Area (Commercial) 320,000 sq. ft.
- D. Minimum Building Setbacks:
  - From West Boundary 85 ft.
  - From South Boundary 20 ft.
  - From North Boundary 35 ft.
  - From East Boundary (from the center-line of South Memorial Drive) 130 ft.
- E. Maximum Building Height: (to top of the parapet).
  - Within 125 feet of the W. Boundary 22 ft.
  - More than 125 feet from W. Boundary 30 ft.
- F. Off-Street Parking: As required by the applicable Use Unit.
- G. Minimum Landscaped Open Space: 8% 115,000 sq. ft.\*

\*Landscaped open space includes required arterial street landscaping, interior landscape buffer, landscaped yards and plazas and pedestrian areas, but does not include any parking, building or driveway areas.

Comments and Questions:

Mr. VanFossen asked Mr. Gardner about the original PUD, and Mr. Gardner informed that the east-half of the subject tract is covered under the original PUD and is permitted to have commercial uses. The west-half of the subject tract is low-intensity. The Staff has no problem with taking the commercial they have and spreading it along Memorial opposite and across from the regional shopping center, but the applicant's proposal would double the commercial--the whole subject tract would be devoted to commercial. The question in this case is intensity.

Applicant's Comments:

Mr. Norman represented Tulsa Investment Limited which is the owner of the 32-acre subject tract. He described the unusual zoning pattern that exists on the property at this time. He described the existing land uses in this area and the zoning patterns that have developed in this entire corridor along 71st Street. The subject tract is buffered from single-family uses which exist to the west by a long row of duplex dwelling units that were a part of the original Shadow Mountain Development. He informed that within the area from about 1/8 to 1/4 mile west of Memorial Drive to the Mingo Valley Expressway and from 1/2 mile north of 71st Street to 1/4 to 1/2 mile south of 71st Street there are only two parcels of land that have not been approved for commercial use--one of those parcels is the subject

tract. He told of the commercial density in that area. He does not think that this area should be thought of as an area of strip zoning--it has become an area of planned commercial development. The planning has been very successful in creating appropriate transitions from the residential uses to the west and to the north, the planned areas to the south, and the commercial area in the center. He feels this area has been well-planned, well-protected, and insulated from the other kinds of development on the periphery. He asked the Commissioners to think about the site as an area that has 7 acres of commercial, 6 acres of office, 17 acres of RS-3, and 1 and 1/2 acres of AG. Mr. Norman submitted a zoning analysis of the site and a comparable parcel east of Memorial Drive (Exhibit "D-1") in order to analyze an identical parcel of land directly across the street from the subject tract. They are proposing a maximum of 320,000 square feet of floor area on the subject tract, whereas across the street is 615,463 square feet of floor area. He submitted a handout which shows their actual zoning request (Exhibit "D-2") and described it. They have been told by the Staff that the Staff cannot support any additional intensity within this area because of the amount of zoning already in the area. He does not think that the Staff has any real problem with the proposed use. The Staff has consistently, in this area, recommended against increasing the amount of zoning that was originally granted to permit the Woodland Hills Mall complex to be developed, with only one exception. What they need in order to accomplish this project is an additional 1.1 acres of zoning. They need to convert the light office zoning from OL to CS. They need a total of 14.6 acres of CS zoning to accomplish this proposed PUD. He described the zoning they need on the property. Only 1.1 acre of this request is not in accord with the intensity suggested in the District 18 Comprehensive Plan. They have tried to create an acceptable transition between this proposal and the duplexes to the west in the following respects: (1) They have required a 6-foot high screening fence, (2) they have committed that there will be a landscaped area at least 25 feet in width along the entire east boundary, (3) they have imposed upon themselves an 85-foot building setback, (4) they have imposed a 22-foot height limitation on any building within 125 feet of that boundary and a 30-foot building height limitation on any building more than 125 feet from the west boundary, (5) they have a written requirement that the rear of the buildings on the west and north boundaries be architecturally similar and compatible with the front side and that they be of the same materials, (6) they have a provision to not have any light standard in excess of 6 feet in height on the west side of the buildings, (7) they have provided that any lights that are attached to the buildings have to be in a barrel-type fixture so the light shines straight down, (8) they have an agreement that roof-mounted air-conditioning equipment, if any, has to be screened from ground-level view, (9) they have a requirement that any trash receptacles and loading docks have to be screened from ground-level view from properties on the west, (10) they have a requirement that no light standard in part of the shopping area can exceed 24 feet in height, and that within 300 feet of the west boundary, no light standard can exceed the height of the building that it is closest to, (11) they have provided that any restaurant uses will be limited to the southeast portion of the site (the south 700 feet of the east 300 feet)--this will force any restaurant and food facilities to be across the street from those same uses in Woodland Hills, and (12) they have provided for extensive sign restrictions. As far as access is concerned, there is an existing street stubbed into the property from 78th Street which they have requested be closed other than for pedestrian access. Mr. Norman described the drainage on the subject tract and informed they have no real problems with drainage.

Z-6011 and PUD #379 (continued)

Protestants: W. J. Fifner  
Ken Adams  
Becky Crow

Addresses: 6708 South 66th East Avenue  
7227 East 65th Place  
6518-G South Memorial Drive

Protestants' Comments:

Mr. Fifner informed that much public record has been developed saying that the commercial zoning will not be expanded any further. He suggested that the increase in intensity of commercial does not give the people in the area any kind of protection against the applicant withdrawing the PUD after the property is zoned and then building anything he wants to on the property. He sides with the Staff in that he believes that this request for increased commercial should be denied. They oppose the expansion of CS zoning. They do not believe that the commercial zoning across the street from the subject tract should influence the Commissioners in their consideration of this tract of land. He wants the back part of this property to remain RS-3. If this is approved, he would like the buildings that are constructed to be limited to one-story in height, and he would like the AG property to remain as green space. He would also like a parking restriction to be on the western part of the property so that the buildings will be kept farther away from the residences.

Mr. Adams represented the Shadow Mountain Homeowner's Association who have indicated to him their approval of the developer's plan and zoning request with the stipulation that the association be involved in actual construction plans or any changes in the zoning or the PUD. They endorse the developer's plan to improve the drainage area along 66th Street. They would endorse a footbridge from 66th Street into the project as well. The drainage area is the property of the City of Tulsa, and it has not been well-maintained this past year. The developer of the subject tract did mow the drainage area a couple of times. Mr. Adams informed that if a commitment was made in the past that no additional CS zoning would be allowed and that a residential buffer would be required on this tract between the existing residential and the commercial, he would suggest that the commitment be honored.

Ms. Crow informed she is concerned about the resale value of their home. Their doors and windows all face 66th Street. She wanted to know what type of assurance they can have. Her main concern is what the development on the property will look like and how the green areas will be maintained. She would like the buildings to be one-story in height. She does not want any of the beauty of the property to be disrupted. She wanted to know what the backs of the buildings will look like.

Applicant's Rebuttal:

Mr. Norman informed that the wooded area Ms. Crow referred to is owned by the City and would not be changed at all. They are interested in having pedestrian access into the project from 66th Street. Mr. Norman informed that this PUD has a commitment for at least 8 percent of the total area to be landscaped open space--115,000 sq. ft. (about 2 & 1/2 acres). The AG area is 1.47 acres in size. Mr. Norman informed that if for any reason the proposed PUD was not constructed, there would not be any commercial zoning on the larger part of the property.

Comments and Questions:

Mr. Paddock asked Mr. Norman how critical the additional 1.1 acre of commercial zoning is to the PUD, and Mr. Norman informed it is very important to the economics of the project.

Ms. Wilson asked what Mr. Norman thought about the Shadow Mountain Homeowner's Association being involved in the construction of this project, and Mr. Norman informed he would have no problem with a requirement stating that the Shadow Mountain Homeowner's Association be given notice of the Detail Site Plan review.

Mr. Connery asked if the western boundary of the subject tract is wooded, and Mr. Norman informed that there are very few trees on that part of the property.

Ms. Wilson made a motion to deny this application, but that motion died for the lack of a second.

Ms. Higgins made a motion for approval of the CS and P zoning as requested by the applicant, but that motion died for the lack of a second.

Mayor Young informed he is concerned about the configuration of the zoning on the property. He does not want to see the CS extended north of 68th Street; however, he realizes there is a desire to maintain a buffer of some lesser zoning category against the western boundary. He recognizes that the District 18 Plan recognizes almost 14 acres of medium intensity zoning on this tract. He suggested that the requested 710' by 902' of CS be turned so that it goes 902 feet along the southern border. That would give about 100 feet from the west property line of the P designation, but it would also keep the CS line slightly south of 68th Street. This would not change the PUD, it would just relate to the underlying zoning pattern.

Mayor Young asked the Staff why there is not a condition stating that a Detail Landscape Plan must be submitted, and Mr. Gardner informed that is a condition of the applicant's proposal. That condition can be enumerated if the Commission so desires.

Mayor Young asked the applicant if they would be willing to include as a condition of the PUD a maintenance agreement of the wedge between the subject tract and 66th Street, and Mr. Norman informed he thinks they would be willing to contribute to the maintenance of that area subject to the approval of the City.

Mr. Connery asked Mr. Gardner if he is aware of a commitment made by the TMAPC to the effect that there would be no more commercial zoning in this area, and Mr. Gardner informed he thinks when the original zoning pattern on the subject property was approved, they were taking into consideration the shopping center across the street that had gone in prior to the Development Guidelines. They were saying at that time that this was a reasonable amount of commercial zoning and would be consistent with the zoning in the area. He does not know that they ever said that they would never address any more commercial--anyone can file an application for zoning. He feels it is up to the applicant to show that there have been some changes that have taken place since that time which would justify the additional zoning.

Z-6011 and PUD #379 (continued)

Mr. Connery made a motion to approve the rezoning request with the condition that upon the approval of the PUD, it be developed as presented. This motion died for the lack of a second.

There was discussion about the difference between approving the zoning as requested and approving it as the Mayor suggested running east and west.

Mr. Paddock asked which zoning classification would be best for the remainder of the subject tract--OL or P, and Mr. Gardner informed that the parking classification implies that this is all one big shopping center. If it is office zoning, it implies that the P is a buffer.

Mr. Paddock informed that he has a problem with the underlying zoning that is being requested; however, he thinks the PUD is a very well thought-through project.

Mr. Paddock made a motion to approve CS zoning on the east 902 feet of the south 710 feet of the subject tract with the remainder of the tract being zoned OL. This motion died for the lack of a second.

Mr. Van Fossen informed that approval of Mr. Paddock's motion would create a strip of OL zoning on the west part of the property that cannot be used for OL purposes because it is too narrow. That could create a problem if something were to happen to this PUD.

Mr. VanFossen asked why P zoning would be better than OL zoning, and Mayor Young informed since there is a PUD he feels it is more appropriate to go with P zoning. Mr. VanFossen informed he would probably vote against P zoning because the underlying zoning is what will be there if the developers do not build the project. Mr. Gardner informed the Commission has a policy that has been adopted which states that if a PUD is abandoned, they can go back to the original zoning by filing an application. An applicant can lose his zoning if he abandons a PUD.

Instruments Submitted:    Zoning Analysis                    (Exhibit "D-1")  
   Requested Zoning Pattern (Exhibit "D-2")

TMAPC Action:    8 members present.    Z-6011

On MOTION of WILSON, the Planning Commission voted 8-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Draughon, Rice, "absent") to recommend to the Board of City Commissioners that east 902 feet of the south 710 feet of the following described property be zoned CS and that the remainder of the tract be zoned P:

CS:    The east 902 feet of the south 710 feet of the described property as follows:

          The North 1420 feet of the South 2395 feet of the East 1010 feet of the E/2 of the SE/4 of Section 2, Township 18 North, Range 13 East, Tulsa County, Oklahoma; and

P:        The north 1420 feet of the South 2395 feet of the East 1010 feet of the E/2 of the SE/4 of Section 2, Township 18 North, Range 13 East, Tulsa County, Oklahoma, LESS and EXCEPT the East 902 feet of the South 710 feet of said tract.

Z-6011 and PUD 379 (continued)

TMAPC Action: 8 members present. PUD #379

On MOTION of YOUNG, the Planning Commission voted 8-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, Young, "aye"; no "nays"; no "abstentions"; Draughon, Rice, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development as submitted with the added requirement that the appropriate neighborhood association be notified of hearings before the Commission concerning the Detail Site Plan and the requirement of a maintenance agreement between the City and the development on the triangular tract immediately north of the subject tract:

PUD #379:

The North 1420 feet of the South 2395 feet of the East 1010 feet of the E/2 of the SE/4 of Section 2, Township 18 North, Range 13 East, Tulsa County, Oklahoma.





Application No. Z-6012 and PUD #380  
Applicant: Walters (So. Hills Church)  
Location: East of SE/C 101st and Yale

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Present Zoning: AG  
Proposed Zoning: RS-3

Date of Application: September 13, 1984  
Date of Hearing: October 24, 1984  
Size of Tract: 14.45 acres

Presentation to TMAPC by: Vic Hill  
Address: Unknown

Phone: Unknown

Relationship to the Comprehensive Plan: Z-6012

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-3 District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis--The subject tract is approximately 14.45 acres in size and located 2,000 feet east of the southeast corner of 101st Street and South Yale Avenue. It is partially wooded, flat, vacant, and zoned AG.

Surrounding Area Analysis--The tract is abutted on the north by a church and a single-family dwelling zoned AG, and on the east, south and west by mostly vacant land zoned AG.

Zoning and BOA Historical Summary--Past zoning actions including District Court decisions have established the area to develop at an intensity well below that called for by the Development Guidelines or allowed by the Comprehensive Plan.

Conclusion--The Special District designation of the Comprehensive Plan is to designate that the area is a part of a natural drainage "Sump" area. The Plan recommends that zoning be RS-1 unless accompanied by a PUD so that drainage problems can be resolved by the site plan design and development. In this case a PUD has been filed on the subject tract, however, surrounding zoning patterns and land use do not support RS-3 densities. Given the past zoning actions, including District Court actions, surrounding zoning patterns and the drainage problems, the Staff recommends APPROVAL of RS-1 zoning.

Staff Recommendation: PUD #380

The subject PUD is tied to zoning case Z-6012 where the applicant has requested RS-3 zoning. The Staff cannot support the RS-3 zoning application and the recommended RS-1 zoning district will not allow the applicant to build 66 single-family detached lots as shown on the submitted Development Plan. The recommended RS-1 will support a maximum of 39 dwelling units. RS-2 zoning would permit 57 dwelling units. RS-3 zoning would permit consideration of 74 dwelling units.

In addition, the Staff cannot support the Site Plan presented as a part of the applicant's proposal. It is totally private roads which do not provide future access for the interior portions of the section. Also, access for the entire proposed 66 lots would be from one private drive. Even if the maximum number of lots are reduced, the Staff cannot support this type of circulation pattern.

Therefore, the Staff recommends DENIAL as submitted, or a continuance until the applicant can modify the proposal.

Applicant's Comments:

Mr. Hill represented the applicant, Bud Walters, 4200 South Garnett, Suite 922. He informed that a topographic map will show that the subject tract is the highest area in this whole plot of land. He stated that this property is zoned RS and there is a water retention area in the low area of the property. The subject tract does not have any ponds and does not have any water retention problems--the drainage goes away from it. The subject tract is part of a 28-acre site owned by the Southern Hills Church of Christ. The Church is selling the subject 14 acres to the developer with certain provisions appropriate to the Southern Hills Church of Christ. One of the provisions is that the development be single-family. Present economics brought about by the high cost of land and the high cost of construction leave some credibility to the nation-wide trend of smaller lots and dwellings. He presented a letter written to the developer of the land from the deacons of the Church which states that the deacons have unanimously voted that they will not oppose or object to a zoning change so long as the proposed zoning will become some classification of single-family. He presented two plans and described them. Mr. Hill described the density in the area surrounding the subject tract. He requested that this application be approved because of the patterns established in the community already and because of the economic constraints. If the Commission is inclined to deny the application, they would like the application to be continued so they can work on a different approach.

Protestants: None.

Comments and Questions:

Mr. VanFossen informed he could not support RS-3 based upon the information they have on the drainage on the property. He would want more data on the drainage before he would even consider RS-3 zoning.

Ms. Wilson informed she could support approval of RS-1 zoning on the subject tract.

Mr. Paddock informed he can support the Staff Recommendation for approval of RS-1 zoning.

Mr. Connery made a motion to deny this application, and Mr. Paddock seconded the motion.

Mr. Gardner informed that the first paragraph of the PUD tells how many units are allowed in terms of the zoning. He described how many units

Z-6012 and PUD #380 (continued)

would be allowed in the different zoning classifications. He stated that Staff knows that RS-3 is not appropriate, but they do not know how many units over the RS-1 classification could be accommodated. If the RS-3 zoning is denied, the PUD will have to be continued because it cannot work as presented.

There was discussion about the type of soil that is on the property that creates the "Sump" area.

There was discussion about what action the Planning Commission should take on this case. Mr. Gardner informed the Commissioners can indicate to the applicant that they will not support RS-3, and then the burden is on the applicant to come to the Planning Commission to justify RS-2 or something in between RS-1 and RS-2.

Mr. Connery informed he made the motion for denial because of the statement made about this being a "Sump" area. He withdrew his motion, and Mr. Paddock withdrew his second of that motion.

Mr. Linker informed the Planning Commission could deny RS-3 zoning on the tract and pass it, keeping the zoning action open along with the PUD.

Mr. Hill informed that if the Planning Commission will continue both items they will come back with a modification to RS-2 zoning, and they will also bring topographical maps which show that this is the high area of the surrounding areas.

Mr. VanFossen informed he would not consider the PUD based on the presented information because the plan is not an acceptable plan.

TMAPC Action: 7 members present. Z-6012

On MOTION of HIGGINS, the Planning Commission voted 4-3-0 (Higgins, Paddock, VanFossen, Woodard, "aye"; Connery, Kempe, Wilson, "nay"; no "abstentions"; Draughon, Rice, Young, "absent") to continue consideration of Z-6012 until Wednesday, November 14, 1984, at 1:30 p.m. in the City Commission Room, Plaza Level, Tulsa Civic Center.

TMAPC Action: 7 members present. PUD #380

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Rice, Young, "absent") to continue consideration of PUD #380 until Wednesday, November 14, 1984, at 1:30 p.m. in the City Commission Room, Plaza Level, Tulsa Civic Center.

Discussion:

Mr. Gardner suggested that the Commission show that they would not favor RS-3 density on this tract at all. Ms. Kempe informed that the consensus of the Commission was not for RS-3 zoning.

## OTHER BUSINESS:

### Election of Officers:

Ms. Kempe informed that according to the Rules of Procedure, any vacancy in office shall be filled by the Commission for the unexpired term only--that would be until January or February. There is no provision for the kind of situation the Commission is in now where there is only one officer. Ms. Kempe informed she thinks the Commission should elect all new officers for this short term if there is no objection.

#### Chairman:

The Chair declared nominations open for Chairman. Ms. Higgins nominated Cherry Kempe for Chairman. There being no further nominations, the Chair declared the nominations closed.

By acclamation, the Planning Commission declared Cherry Kempe the Chairman of the Planning Commission.

#### First Vice-Chairman:

The Chair declared nominations open for First Vice-Chairman. Mr. Paddock nominated Marilyn Wilson for First Vice-Chairman. Ms. Higgins nominated Gary VanFossen for First Vice-Chairman, but Mr. VanFossen withdrew his name based on his short tenure on the Planning Commission. There being no further nominations, the Chair declared the nominations closed.

By acclamation, the Planning Commission declared Marilyn Wilson the First Vice-Chairman of the Planning Commission.

#### Second Vice-Chairman:

The Chair declared nominations open for Second Vice-Chairman. Mr. Paddock nominated Betty Higgins for Second Vice-Chairman. Ms. Wilson nominated Mike Connery for Second Vice-Chairman, but Mr. Connery withdrew his name. There being no further nominations, the Chair declared the nominations closed.

By acclamation, the Planning Commission declared Betty Higgins the Second Vice-Chairman of the Planning Commission.

#### Secretary:

The Chair declared nominations open for Secretary. Ms. Wilson nominated Bob Paddock for Secretary. There being no further nominations, the Chair declared the nominations closed.

By acclamation, the Planning Commission declared Bob Paddock the Secretary of the Planning Commission.

There being no further business, the Chair adjourned the meeting at 6:07 p.m.

Date Approved 11-7-84

Margaret L. Wilson  
acting Chairman

ATTEST:

RBT Paddock  
Secretary

