

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1544
Wednesday, February 27, 1985, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Higgins, 2nd Vice- Chairman Kempe, Chairman Paddock VanFossen Wilson, 1st Vice- Chairman Woodard	Carnes Draughon Harris Young	Compton Frank Gardner Holwell	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, February 26, 1985, at 12:40 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Cherry Kempe called the meeting to order at 1:35 p.m.

Minutes:

On MOTION of CONNERY, the Planning Commission voted 4-0-3 (Connery, Kempe, Wilson, Woodard, "aye"; no "nays"; Higgins, Paddock, VanFossen "abstaining"; Carnes, Draughon, Harris, Young, "absent") to approve the Minutes of February 13, 1985 (No. 1542).

Chairman's Report:

Chairman Kempe informed that the Commission was sending a letter to the City Engineer requesting a report on how the determination of fee-in-lieu of or onsite detention is made.

Committee Reports:

Mr. Gardner informed that there needed to be a meeting of the Comprehensive Plan Committee to discuss the Memorial Drive Special Study and the 51st Street Special Study which had been requested by the Commission. He advised that this meeting would be held at 12:00 p.m., Wednesday, March 6, in Room 1130, Tulsa City Hall.

2.27.85:1544(1)

Director's Report:

RESOLUTION TO AMEND THE MAJOR STREET AND HIGHWAY PLAN BY ADDING THERETO AN ALTERNATE CROSS-SECTION FOR A SECONDARY ARTERIAL

Discussion:

This item was continued from the Planning Commission meeting of February 20, 1985. Ms. Wilson asked if notice should be made designating the proposed fifth lane (continuous center lane) for left-turns. Mr. Linker informed that in the past the only thing the Commission had concerned itself with was the amount of right-of-way and number of lanes and informed that the Commission was getting into design standards. He further informed that the Commission could make recommendation to the Board of City Commissioners who would make the ultimate decision.

Mr. Paddock informed he would like the record to clearly reflect the purpose of the secondary alternate was that the middle lane was to be used for continuous left-turn traffic.

TMAPC Action: 7 members present

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Young, "absent") to recommend to the Board of City Commissioners that the Resolution to Amend the Major Street and Highway Plan by Adding Thereto an Alternate Cross-Section for a Secondary Arterial be APPROVED.

RESOLUTION TO AMEND THE MAJOR STREET AND HIGHWAY PLAN BY DESIGNATING RIVERSIDE AS A PARKWAY FROM THE CREEK EXPRESSWAY AT APPROXIMATELY 96TH STREET SOUTH ALONG THE EAST BANK OF THE ARKANSAS RIVER TO 121ST STREET.

TMAPC Action: 7 Members Present

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Young, "absent") to recommend to the Board of City Commissioners that the Resolution to Amend the Major Street and Highway Plan by Designating Riverside as a Parkway from the Creek Expressway at Approximately 96th Street South along the East Bank of the Arkansas River to 121st Street be APPROVED.

ZONING PUBLIC HEARING:

Application No. CZ-131

Applicant: Sellmeyer

Location: Hwy. 169 and 120th Street North

Present Zoning: IL

Proposed Zoning: CG

Date of Application: January 8, 1985

Date of Hearing: February 27, 1985

Size of Tract: 2.5 acres

Presentation to TMAPC by: Art May

Address: Rt. 1, Box 141, Collinsville

Phone: 588-2651

Relationship to the Comprehensive Plan:

The District 15 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.5 acres in size and located north of the northeast corner of 116th Street North and Garnett Road. It is non-wooded, flat, contains an unoccupied structure and is zoned IL.

Surrounding Area Analysis -- The tract is abutted on the north and south by a single-family dwelling zoned AG, on the east by vacant property zoned AG, and on the west by vacant property located in the City of Owasso.

Zoning and BOA Historical Summary -- The subject tract was recently rezoned from AG to IL with the Staff and TMAPC recommending denial.

Conclusion -- Although the District 15 Comprehensive Plan Map does not cover the subject tract, the request is not in accordance with the Development Guidelines. Currently, commercial zoning is limited primarily to the intersection of Garnett Road and 116th Street. The subject tract lies outside the typical 10-acre node. The Staff cannot support CS or CG commercial activities on the subject tract, based on the Development Guidelines, since the request, if approved, would lead to commercial stripping of Garnett Road in this area.

For the record, certain commercial uses are permitted as a matter of right in an IL District and others can be approved by the BOA. The Staff favors BOA exception procedure in order to protect the abutting neighbors from undesirable uses.

Applicant Comments:

Mr. May informed he was representing Mr. Sellmeyer and advised he was requesting downzoning because the tract is located in a rapidly growing commercial area. He informed that there are 40 retail establishments and

CZ-131 (cont'd)

four residences, with one of the residences being for sale as a retail establishment and felt this use would be in conformance with the way the area was going. He further informed that the County Commissioner had stated he preferred commercial zoning instead of the current industrial zoning.

Ms. Wilson asked how the property was currently being used and Mr. May informed it was vacant at the present time, but had been a farm sale store and auto repair garage in the past.

Protestants:

Mr. Claude Lamb
Mr. John Bullard

Address: N/A
Address: Rt. 3, Box 691, Owasso

Mr. Lamb informed he lives immediately north of the subject property and that he and other property owners had tried to have the industrial zoning denied, but it had been approved. Mr. Lamb informed that there is a flood problem and that there are no sewer facilities located on the property. He further informed that the property had been unoccupied for the past 18 years and he was strictly opposed to the proposed zoning change.

Mr. VanFossen asked Mr. Lamb if he preferred IL zoning or CG zoning and he informed he would prefer that it remain IL.

Mr. Bullard informed he resides south of the subject property and advised that there had not been a satisfactory business at this location in the 20 years he had lived in the area. He advised that there is a water problem and he was opposed to the zoning change because it would be a breach of privacy. He also informed that he and Mr. Lamb had attended the first hearing before the Board of County Commissioners on the subject property when it was being considered for the zoning change to IL, but that he and Mr. Lamb were not notified when it was to be heard the second time and thus, they had been unable to register their protests.

Applicant Rebuttal:

Mr. May advised that he regretted that Mr. Lamb and Mr. Bullard had not been notified of the second hearing of the Board of County Commissioners, but it had been noted that it would be continued to a designated future date. He informed that the County was requiring that a septic field be installed and advised that the property is covered by the fire district. He further informed that he felt the commercial zoning would be more restrictive than the current industrial zoning. He advised that he could understand the protestants' desire not to have a development nearby, but noted that they had recently objected to a church being located on the site.

CZ-131 (cont'd)

Other Comments and Discussion:

Ms. Wilson asked Mr. Gardner what examples of commercial uses would be for this property and he informed that Use Unit 15 would allow trades and services and would permit many more uses with BOA exception than CG zoning.

TMAPC Action: 7 members present.

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughton, Harris, Young, "absent") to recommend to the Board of County Commissioners that CG zoning on the following described property be DENIED:

Legal Description:

South-Half, South-Half, Southwest Quarter, Northwest Quarter, Southwest Quarter, (S/2, S/2, SW/4, NW/4, SW/4) Less .06 acres for ROW, Section 5, T-21-N, R-14-E, Tulsa County, State of Oklahoma.

Application No. Z-6028

Present Zoning: AG

Applicant: Jones (Adwon)

Proposed Zoning: RS-3

Location: E. Side of Sheridan at 86th Street South

Date of Application: January 15, 1985

Date of Hearing: February 27, 1985

Size of Tract: 20 acres

Presentation to TMAPC by: Bill Jones

Address: 201 W. 5th Street, Suite 400

Phone: 581-8200

Relationship to the Comprehensive Plan:

The District 18 Plan Map, 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 requested RS-3 District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 20 acres in size and located north of the northeast corner of East 86th Place South Sheridan Road. It is partially wooded, rolling, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north and east by mostly vacant property with a single-family dwelling zoned AG, on the south by a developed single-family subdivision zoned RS-3 and on the west by vacant property zoned RS-1.

Z-6028 (cont'd)

Zoning and BOA Historical Summary — Past zoning cases allowed RS-3 conventional single-family residential in the area.

Conclusion — The request is in conformance with the Comprehensive Plan and abuts RS-3 zoning to the south; the Staff can support continued expansion of RS-3 zoning along Sheridan Road. Based on the above-mentioned facts, the Staff recommends APPROVAL of RS-3 zoning as requested.

Applicant Comments:

Mr. Jones informed that all of the nearby area is zoned RS-3 and that this proposal is in keeping with the zoning pattern and in conformance with the Comprehensive Plan. He further informed that the developer had met with the homeowners of the area and had reached an agreement that the site would be developed in accordance with the other developments in the area.

Interested Parties:

Larry Henry, attorney
Ms. Nadine Worthen
Mr. Lee Garrett

Address: 1000 ONEOK Plaza
6609 E. 86th Pl.
8604 S. 68th E. Ave.

Mr. Henry informed he was a representative of Chimney Hills Estate and under the agreement with the developer, the homeowners would support the RS-3 zoning change with a restriction on the plat that the homes would be compatible with the homes to the south. He also advised that there is a drainage problem in the area.

Ms. Worthen informed that her property adjoins the subject property and she wanted to address the question of development of the property since there is a flood problem during heavy rains. Ms. Worthen presented photos (Exhibit A-1) of the area from the latest rainfall. She also presented a petition (Exhibit A-2) which requested that the City Engineer make an onsite inspection prior to granting the requested zoning change due to the flood potential and the need for proper drainage in connection with the property. She further informed that Pinnacle Hills, a nearby addition, has a pond that is contributing to the drainage problem.

Mr. Garrett informed that the drainage problem is not a problem of the subject tract, but is a problem resulting from the pond in the addition across the road. He suggested this should be reviewed by the City Hydrology Department.

Other Comments and Discussion:

Chairman Kempe asked Mr. Gardner if he had any knowledge of this manmade pond and he was not familiar with it, but it might be used for agricultural purposes.

Z-6028 (cont'd)

Mr. Paddock asked if this situation had been brought to the attention of the City and Ms. Wilson advised that the Commission might like to request that the City Hydrology Dept. inspect this pond. Mr. VanFossen informed that the developer was only responsible for the waterflow on the subject property and he did not feel a restriction should be made on the development for this purpose. Mr. Gardner advised that the developer would receive whatever rate of water that is being discharged onto the property, but he could not increase the flow onto other property.

Mr. Paddock asked if a permit would have been required in regard to the Earth Change Ordinance and Mr. Linker informed that Engineering could answer the question. Mr. Paddock asked if the City Engineer had some responsibility to look further into this question and Mr. Linker informed a request could be made to the City to review this question.

Instruments Submitted: Photos of the area (Exhibit A-1)
Petition (Exhibit A-2)

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connerly, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned RS-3:

Legal Description:

The South Half of the Southwest Quarter of the Northwest Quarter (S/2 SW/4 NW/4) of Section 14, Township 18 North, Range 13 East of the Indian Base and Meridian according to the U. S. Government Survey there, Tulsa County, State of Oklahoma.

Application No. Z-6029 & PUD #389 Present Zoning: RS-3
Applicant: Norman (Little Hill Foundation) Proposed Zoning: RM-0
Location: South and East of 81st and South Yale Avenue

Date of Application: N/A
Date of Hearing: February 27, 1985
Size of Tract: 18 acres

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building Phone: 583-7521

Relationship to the Comprehensive Plan:

The District 18 Plan Map, 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 requested RM-0 District may be found in accordance with the Plan Map.

2.27.85:1544(7)

Z-6029 and PUD #389 (cont'd)

Staff Recommendation -- Z-6029:

Site Analysis — The subject tract is approximately 18 acres and is located adjacent to the southeast corner of East 81st Street and South Yale Avenue. It is wooded, steeply sloping and vacant.

Surrounding Area Analysis — Abutting property north of East 81st Street is presently vacant and zoned RS-3 and AG, area east of the subject tract is zoned AG and is the present site of the Holland Hall School, area south of the tract is zoned RS-3 and is vacant, and area west of the subject tract is zoned RM-1 and RS-3 and is vacant.

Zoning and BOA History — The subject tract was part of a larger parcel which was rezoned from AG to CS, RM-1 and RS-3; RS-3 is the present zoning classification for all of the subject tract.

Conclusion — Although the requested RM-0 rezoning is a "may be found" in accordance with the Comprehensive Plan, adjacent zoning classifications and largely vacant land suggests that a reduced intensity be allowed which would be more consistent with the Comprehensive Plan and Development Guidelines. The Staff is not supportive of the RM-0 rezoning requested for the subject tract, but is supportive of the west 300' of the north 1,290' of the subject tract to RD with the balance of the east portion remaining RS-3 as discussed under PUD #389. The recommended RD rezoning would represent a logical transition downward in intensity and utilization of the "RS-3 duplex densities" would allow the applicant to accomplish his proposed objectives, while maintaining the integrity of the Comprehensive Plan and Development Guidelines. The recommended rezoning pattern will also provide a wrap of RS-3 zoning around the proposed RD District.

Staff Recommendation -- PUD #389:

The subject PUD is located adjacent to the southeast corner of East 81st Street and South Yale Avenue. The subject tract has a total frontage of approximately 765 feet on East 81st Street and 621 feet on South Yale Avenue. The tract is divided into two development areas: Development Area "A", upon which 296 units are proposed; and Development Area "B" upon which 252 units are proposed. Blake Hills is a multifamily development composed of two and three-story buildings with two clubhouses, swimming pools, a tennis court and associated accessory uses. The total net area of the tract is approximately 31 acres. The outstanding physical feature of this property is its topography which begins at an elevation of approximately 730 feet at Yale and East 81st to a high point of 880 feet in the east central portion of the tract. The site is heavily treed and includes several ravines. The bottom floors of the buildings will be cut into the hillsides to minimize otherwise extensive grading requirements which will be needed to accomplish this project. Great care will have to be taken during construction to minimize the impact of the site grading and to insure that careful attention is given to safeguard natural areas from the effects of erosion and possible sliding both during and after construction. The "Soils" section of the PUD document should be expanded to identify those measures to be taken during and after construction to address concerns of soil

stabilization, erosion controls, etc., and these measures should be a condition of PUD approval. Drainage from the majority of the site will be in a north to northwesterly direction into the Vensel Creek drainage basin toward a planned regional detention facility to be located south and west of the intersection of E. 81st Street and S. Yale. Only about 5 acres of the site will drain to the southwest. The underlying zoning for Development Area "A" is presently RM-1. RM-0 rezoning from RS-3 is requested for all of Area "B". The Staff would be supportive of rezoning the west 300' of the north 1,290' of "B" to RD with the balance remaining RS-3. The recommended rezoning would be indicative of decreased intensities and be in accordance with the Comprehensive Plan and Development Guidelines as said areas progress eastward from the intersection node. The proposed rezoning pattern also provides a low intensity RS-3 wrap of zoning around the existing RM-1 and RD which is consistent with good planning practice and reduced intensity away from intersection nodes.

The internal circulation of the PUD is good and includes two points of access on South Yale and also on East 81st Street. Curvilinear drives flow throughout the project along the hillside contours to serve the dwelling units. A proposal is being considered to provide an additional point of access along the south boundaries of the two development areas to Holland Hall which is located east of Development Area "B". This roadway would be beneficial to both Holland Hall and Blake Hills if it can be finalized.

Given the above review and recommendations, the Staff finds the proposed PUD #389 to be (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter.

Therefore, the Staff recommends APPROVAL of PUD #389 subject to the existing RM-1 zoning on Development Area "A", and rezoning the west 300' of the north 1,290' of Development Area "B" to RD, less and except the balance of the tract which shall remain RS-3, and subject to the following conditions:

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

Land Area (Gross):	32.72 acres
(Net):	31.00 acres

Z-6029 and PUD #389 (cont'd)

Permitted Uses: Attached residential dwelling units and customarily related accessory uses such as off-street parking, private drives, clubhouses and recreational facilities, including tennis courts and swimming pools, open spaces (use of which shall be restricted to residents and their guests), and security gates.

Development Area "A"

Land Area (Gross): 14.71 acres
 (Net): 13.51 acres

	<u>Submitted</u>	<u>Recommended</u>
Maximum No. of Units:	296 units	296 units
Maximum Building Height:	39 feet	39 feet
Minimum Building Setbacks:		
From S. Yale Ave.	35 feet	95 feet from Centerline
From E. 81st St.	35 feet	85 feet from Centerline
From S. Property Line	100 feet	100 feet
From Area "B"	15 feet	15 feet
Minimum Off-Street Parking:	As required in the RM-1 Zoning Dis- trict.	As required in the RM-1 Zoning Dis- trict.
Minimum Landscaped and Natural Open Space:	52%*	52%*
Signs:	As permitted in the RM-1 Zoning District.	As permitted in the PUD Chapter of the Zoning Ordinance, Section 1130.2(b).

Development Area "B"

Land Area (Gross): 18.01 acres
 (Net): 17.49 acres

	<u>Submitted</u>	<u>Recommended</u>
Maximum No. of Units:	252 units	252 units
Maximum Building Height:	39 feet	39 feet
Minimum Building Setbacks:		
From E. 81st Street	35 feet	85 feet from Centerline
From E. Property Line	20 feet	20 feet
From S. Property Line	65 feet	65 feet

Z-6029 and PUD #389 (cont'd)

Minimum Building Setbacks (cont'd):

From Area "A"	15 feet	15 feet
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Minimum Off-Street Parking:	As required in the RM-1 Zoning District.	As required in the RM-1 Zoning District.
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Minimum Landscaped and Natural Open Space:

63%*	63%*
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Signs:

As permitted in RM-1 Zoning District.

As permitted in the PUD Chapter of the Zoning Ordinance Section 1130.2(b).

* Landscaped open space includes landscaped entrance areas, landscaped parking islands, landscaped yards and plazas and pedestrian areas, but does not include parking, building or driveway areas. Natural open space includes existing wooded and open areas which are preserved in a mostly natural condition with minimum clearing.

- (3) Trash and utility areas shall be screened from public view.
- (4) That the "Soils" section of the PUD shall be expanded to stipulate those measures which will be taken during and after construction to protect against erosion, soil slippage and other problems which can be associated with grading on such steep slopes.
- (5) That a Detail Site Plan shall be approved by the TMAPC prior to issuance of a Building Permit.
- (6) That a Detail Landscape Plan and Sign Plan shall be submitted for review and approval by the TMAPC prior to occupancy.
- (7) That a second point of vehicular access be required to the southern portion of Development Area "B" by extending the existing drive located at the southwest corner of Area "A" along the southern boundary (generally) of the project. In addition, that this drive also be extended to the west boundary of Holland Hall to provide a second point of access to the campus providing the two parties agree and can work out the details in the platting process.
- (8) Consideration should be given to locating the clubhouse east of the access drive and relocating the proposed "A-6" building in Area "B" to where the clubhouse is proposed. This would still give the clubhouse good visibility and access for leasing and tenants, plus make it more of an integral part of the development.

Z-6029 and PUD #389 (cont'd)

- (9) 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, conditions of approval, making the City of Tulsa beneficiary of said Covenants.

Applicant Comments:

Mr. Norman informed he is representing the Hardesty Company. He advised that Area "A" is presently zoned RM-1, which would allow for the requested development, but by putting the areas "A" and "B" together, it would reduce development in one area and add development to the other area, thus spreading the development over a greater area. By increasing the height of the buildings to three stories, the open space would be increased. Mr. Norman indicated that negotiations with Holland Hall had resulted in an agreement that the Hardesty Company would dedicate a 30' wide roadway to Holland Hall to provide access for Holland Hall onto Yale Avenue. If this is not possible due to the cost, it is possible that another access point could be achieved. Under the proposal, there would be only minimum clearing of brush from the site.

Other Comments and Discussion:

Mr. Paddock asked if the proposal hinged on working out the access to Holland Hall, or if the developer could proceed with development of the site. Mr. Norman informed that Hardesty Company could proceed with the development, but only if Hardesty is able to complete the purchase of Development Area "B".

Mr. Norman informed that his client was not in opposition to Staff's Recommendations on zoning or PUD. In regard to moving the clubhouse, success of multifamily developments are directly related to the visibility of the clubhouse and he was not sure that the clubhouse could be changed.

Mr. Connery asked if there was anything in the Comprehensive Plan which called for widening or straightening Yale Avenue and Mr. Gardner informed the plan only calls for improving the intersection of 81st and Yale.

Interested Parties:

Charles Cleveland
Lee Garrett
Nadine Worthen
Jerry Field
Kathleen Larson

Address: 8364 S. Urbana
8604 S. 68th E. Ave.
6609 E. 86th Pl.
6931 E. 73rd Pl.
8328 S. Vandalia

Z-6029 and PUD #389 (cont'd)

Mr. Cleveland asked who would pay for the roadway if it was dedicated to Holland Hall, and Mr. Norman informed this issue was currently being discussed. Mr. Gardner informed the road would not be a public road, so would be paid for with private funds.

Mr. Garrett informed that there is a backup of traffic on 81st Street and noted that there is an apartment complex at the corner of 81st & Sheridan and with traffic from Holland Hall, he did not feel the road could handle any additional vehicle traffic. He also informed he felt it would be dangerous to locate an access road onto Yale Avenue because it is a two-lane, winding road.

Ms. Worthen informed she felt there had been little information concerning this development and she felt the quality of life in the area was rapidly deteriorating because of the lack of responsibility in allowing multifamily development. She also informed she felt there were problems with plans for carrying additional traffic on 81st Street and Yale Avenue since these streets are already heavily traveled. Due to these considerations, she recommended that this proposal be denied.

Mr. Cleveland informed he supports the comments in regard to the traffic because the traffic travelling south on Yale Avenue backs up almost to 71st Street. He also informed that he felt multifamily zoning would overload that area. He further informed that water drainage is a problem because water drains across 81st Street due to seepage into the hills and he felt that payment of a fee-in-lieu of water detention would increase the water runoff since the water detention area is not yet built.

Mr. Field asked if an impact study had been done on the traffic in this area and advised that he was opposed to this development because he felt there would be a minimum of an additional 500 automobiles travelling these streets.

Ms. Larson informed she agrees with the comments regarding the problems of traffic and drainage and advised she felt the street should be widened and water retention facilities built prior to development of this site.

Applicant's Rebuttal:

Mr. Norman reiterated that Area "A" is already zoned multifamily and of the 33 acres listed in the application, he is only requesting rezoning for 8 acres. He noted that the zoning pattern has already been established and Development Area "A" does not require further approval. He advised that this property would never be developed as single-family because of the topography of the land. He informed that the fee-in-lieu of was a requirement of the City and advised that traffic will be a problem until the City gets a method of funding in the master plan for street and highway. He advised that the access points are at the crest of the hill and would give the best access point east and west.

Other Comments and Discussion:

Mr. VanFossen asked who was requesting the Holland Hall access point and Mr. Norman informed that Holland Hall had initiated the request because they felt they needed another access.

Mr. VanFossen informed he is strongly opposed to the proposed access on Yale and Mr. Gardner informed that the PUD requires a Detail Site Plan and Traffic Engineering would decide if this access should be permitted. He further informed that the primary point is to get another access point to the proposed buildings.

Mr. VanFossen informed he did not like the access to Holland Hall and noted that it is a valid point that the water flow on Vensel Creek would be increased. Mr. Gardner informed that the Commission had requested a report from the City Hydrologist which would address the question of onsite detention or fee-in-lieu of and that this report would be presented to the Commission on March 20, 1985.

Mr. Norman informed that the proposed plan would result in fewer drainage runoff problems than single-family.

Mr. VanFossen informed the use of the land is the question and advised he would like to continue this case in order to obtain answers on the traffic and drainage questions. Mr. Gardner informed that a requirement of the PUD is that it go before the Technical Advisory Committee to determine if the access points were inappropriate.

Mr. Norman informed that the access points would be reviewed when the Detail Site Plan is completed. Mr. Paddock asked if Mr. Norman had discussed the access points with the Traffic Engineer and Mr. Norman informed he had not, but that he understood the architect had. Mr. Gardner informed that the Technical Advisory Committee said there needed to be a second access point, but did not designate where it should be located. Mr. Gardner advised that even if the project was approved by the Commission on this date, Mr. Norman's client couldn't get a building permit until this question is resolved.

Mr. Paddock informed he was opposed to the access on Yale Avenue for Holland Hall and he felt there should be more information available on the concerns expressed prior to the Commission voting on the PUD. He further informed he had a reservation on the density and if the RS-3 should possibly be rezoned to RD. Mr. Norman informed that would increase the number of units by 50. Mr. Paddock asked what would happen if the zoning remained RS-3 and Mr. Norman informed it would reduce the density by 20-30 units.

Mr. Norman informed he had no problem with flagging the access points as a specific condition for the Detail Site Plan Review. Ms. Kempe informed she felt there would be no definite plans for widening 81st Street or Yale, or information on detention available for sometime, thus she recommended that action be taken on the proposal.

Z-6029 and PUD #389 (cont'd)

Mr. Connery asked to what extent a developer could be held responsible for widening an intersection and Mr. Gardner informed he could not be held responsible except by making recommendations on development or inspection fees which would be used to improve major intersections.

Mr. VanFossen informed he was in agreement with the Staff Recommendation for approval, but he would prefer to have the questions of access and drainage answered prior to final TMAPC action.

Ms. Wilson informed she would vote against the proposal because she was not in agreement with the zoning change and PUD since she felt it would add too much density for the area.

TMAPC Action: 7 members present - Z-6029 & PUD #389

On MOTION of VANFOSSEN, the Planning Commission voted 6-1-0 (Connery, Higgins, Kempe, Paddock, VanFossen, Woodard, "aye"; Wilson, "nay"; no "abstentions"; Carnes, Draughon, Harris, Young, "absent") to approve Z-6029 and to approve PUD #389 as recommended by Staff with the following conditions: deletion of the reference of the access point to Holland Hall in item 7 of the Staff Recommendations and subject to a two-week continuance to provide additional information concerning drainage, traffic and access points to the PUD.

Application No. CZ-132	Present Zoning: AG
Applicant: Wallace (Harvard Club)	Proposed Zoning: CS
<u>Location: Southeast Corner of 131st Street South and Peoria</u>	

Date of Application: January 16, 1985
Date of Hearing: February 27, 1985
Size of Tract: 10 +/- acres

Presentation to TMAPC by: Casper Jones
Address: N/A

Relationship to the Comprehensive Plan:

The District 21 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area does not cover the subject tract.

Staff Recommendation:

Site Analysis — The subject tract is approximately 10 acres in size and located at the southeast corner of 131st Street South and Peoria Avenue. It is partially wooded, flat, vacant and is zoned AG.

Surrounding Area Analysis — The tract is abutted on the north, south and east by vacant property which is zoned AG, and on the west by mostly vacant property with a mobile home and single-family dwelling zoned AG.

CZ-132 (cont'd)

Zoning and BOA Historical Summary — Medium intensity IM zoning has been established south, but does not abut the subject tract. The balance of the adjacent and abutting area remains basically vacant, rural in character and zoned AG.

Conclusion — Although not covered by the Comprehensive Plan, the Development Guidelines would apply to the subject tract. The Guidelines indicate that this is a Type I Node being the intersection of two secondary arterial streets; further, the Guidelines allow 5 acres of commercial zoning per intersection corner. The request exceeds the Guidelines; therefore, the Staff recommends DENIAL of the full 10 acres as requested and APPROVAL of 5 acres of CS (467' x 467').

Comments:

Mr. Gardner noted that a letter from the City of Jenks was included in the agenda packet which says essentially the same thing as recommended by Staff — 5 acres of commercial with 300' wraparound. He informed that the property was not advertised to consider the wraparound, but was advertised for 5 acres of CS, with the remaining balance zoned AG. At some later date the Commission could entertain another request for the wraparound zoning.

Applicant Comments:

Mr. Jones informed he was representing the applicant, Mr. Wallace. He advised that he attended the Jenks Planning Commission meeting and the City Council meeting and the applicant is in agreement with the Jenks City Council with the 5-acre CS and wraparound of OL.

Other Comments and Discussion:

Ms. Kempe informed that the wraparound had not been advertised and could not be considered as part of the agenda. Mr. Gardner informed it is not properly advertised to consider any "R" categories as recommended. He further informed that light office uses are permitted in CS districts. He advised that Staff's position was that the applicant stay with the 5 acres; if they want to park on it, there is another classification that is parking and OL wraparound is more than what the guidelines call for because it is a non-residential category.

Mr. VanFossen informed he was unsure in regard to Staff's Recommendation and was informed that "OL" or "P" could be considered. Mr. Gardner informed that Staff is recommending 5 acres of CS and denial of the balance; applicant is saying 5 acres of CS and approval of OL on the balance and this could be considered.

Mr. Paddock informed that the language in the letter from the City of Jenks appeared to be in line with the thinking of the Planning and City Council of the City of Jenks.

CZ-132 (cont'd)

Ms. Kempe requested clarification of the intent of the Jenks Planning Commission and Mr. VanFossen contacted Ms. Fernandez (Jenks City Planner) by telephone, who clarified that the intent was for 5 acres of CS and approval of OL wraparound on the balance, as requested by the applicant.

Interested Party:

Ms. Robin Crowell

Address: 210 E. 131st St. South

Ms. Crowell informed she owns property west of the subject site and is opposed to rezoning the land because it is currently zoned AG and she felt this would be spot zoning.

Applicant Comments:

Mr. Jones informed that people surrounding the area had been advised of the proposed zoning change, but there were not protestants at the Jenks meeting.

TMAPC Action: 6 members present

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connerly, Higgins, Kempe, Paddock, VanFossen, Wilson, "aye"; no "nays"; no "abstentions"; Carnes, Draughton, Harris, Woodard, Young, "absent") to recommend to the Board of County Commissioners that 5 acres of the following described property be zoned CS, with the balance of the 10 acres zoned OL and the notation that this is not meant to set a precedent:

Legal Description:

The North 660' of the West 660' of Lot 1, Section 7, Township 17 North, Range 13 East, Tulsa County, Oklahoma.

There being no further business, Chairman Kempe declared the meeting adjourned at 4:45 p.m.

Date Approved March 13, 1985

Cherry Kempe
Chairman

ATTEST:

BBPaddock
Secretary

2.27.85:1544(17)

