

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1548  
Wednesday, April 10, 1985, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, April 9, 1985, at 11:37 a.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 1:37 p.m.

MINUTES:

On MOTION of WILSON, the Planning Commission voted 8-0-1 (Carnes, Connery, Draughon, Higgins, Kempe, VanFossen, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Harris, Young "absent") to APPROVE the Minutes of March 27, 1985, meeting No. 1548.

REPORTS:

Comprehensive Plan Committee

Mr. VanFossen informed that the Comprehensive Plan Committee met at 12:00 p.m. today to discuss amendments to the District 10 Plan and would meet at 1:15 p.m. on April 17 in the City Commission Room to make a recommendation to the full Commission.

4.10.85:1550(1)



Z-6017 & PUD #384 (cont'd)

Comprehensive Plan, not supported by adjacent zoning and not compatible with the basically rural and undeveloped character of adjacent and abutting areas. The Staff is supportive of enough CS zoning for the applicant to conduct those activities discussed under PUD #384 which would be permitted uses in Use Unit 15 -- Other Trades and Services.

Therefore, the Staff recommends **DENIAL of IL and CG**, and **APPROVAL of CS** as discussed under PUD #384 with recommended conditions and safeguards.

Staff Recommendation -- PUD #384:

The subject tract is approximately 9.75 acres in size and is located east of the southeast corner of 71st Street and Elwood Avenue. It is partially wooded, steeply sloping and vacant. The site has 486 feet of frontage on the south side of East 71st Street which is a designated primary arterial street. The proposed development will have one point of access from East 71st Street via a service road. The concept of the proposed development is to provide a business park environment intended for high-tech and trade establishments providing service, storage, warehousing and showrooms consolidated into a garden/office atmosphere. A total of 133,600 square feet of floor area is proposed and five (5) buildings are to be built according to the Outline Development Plan. All onsite business activities, other than parking and loading, will be conducted within enclosed buildings, and outside storage or display of products will be prohibited. The PUD has been redesigned since its original submission to cause all building facades to be fronts, except one building at the southwest corner, and most loading areas to be interior between the buildings and away from public view. The minimum building setback from exterior property boundaries is 55 feet on the west side of the project.

The Staff PUD recommendations and findings are based on the TMAPC adoption of an amendment to the Comprehensive Plan for this area (action pending City Commission approval) from Low Intensity -- Residential to Medium Intensity -- No Specific Land Use.

Given the above review, the Staff finds the proposed PUD as revised 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 of the Zoning Code.

Therefore, the Staff recommends **DENIAL of IL and CG** and **APPROVAL of CS** for the east 486.15 feet of the north 550 feet (as measured from the centerline of East 71st Street) and **APPROVAL of PUD #384** with the following conditions:

- (1) That the applicant's revised Outline Development Plan (dated April 2, 1985) and Text be made a condition of approval unless modified herein.

Z-6017 & PUD #384 (cont'd)

(2) Development Standards:

|                                      |   |   |
|--------------------------------------|---|---|
| Land Area: (Gross)                   | 9.75 acres  | 9.75 acres  |
|                                      | <u>Submitted</u>  | <u>Suggested</u>  |
| Permitted Uses:                      | As permitted within an IR Industrial Research District and including Use Unit 15. | Use Unit Nos. 11, 12, 14 and 15 excluding bars, taverns, dance halls, motion picture theaters and nightclubs. |
| Minimum Off-Street Parking:          | 392 spaces  | As per the Zoning Code.   |
| Maximum Building Area:               | 133,600 sq. ft.   | 133,600 sq. ft.   |
| Floor Area Ratio                     | .31   | .31   |
| Maximum Building Height:             | 19 feet   | 19 feet   |
| Minimum Building Setbacks:           |   |   |
| Minimum Landscaped Open Space:       | 20%*  | 20%   |
| From 71st Street (From Section Line) | 200 feet  | 200 feet  |
| From Property Boundaries             | 65 ft., except 55 ft. on west   | 65 ft., except 55 ft. on west.  |

\* Required landscaped open space shall include the perimeter landscaping along 71st Street, but each building site or lot shall contain not less than 5% landscaped area. Required landscaping shall include parking islands and plazas, but shall exclude walkways which solely provide minimum pedestrian circulation. A 15-foot continuous landscape buffer is provided along the west and south boundaries.

(3) That signs comply with Section 1130.2(b) of the Tulsa Zoning Code and the following modified sign standards:

Signs accessory to principal uses shall comply with the restrictions to the PUD Ordinance and the following additional restrictions:

Ground Signs:

Ground signs shall be limited to one monument sign identifying the building or buildings not exceeding 6 feet in height and not exceeding a display surface area of 64 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.

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 principal entrances to the project.

Outdoor Advertising Sign:

Permit an existing sign if nonconforming, but no new signs. Said sign shall be removed prior to occupancy of the first building.

- (4) That a Detail Site Plan 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.
- (5) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including a 6-foot screening fence and landscape buffering along the west and south property lines.
- (6) That the rear of the southwest building shall be compatible with all other building facades and fronts as established per the Detail Site Plan Review.
- (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 PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Applicant Comments:

Mr. Johnsen informed that the application has been heard twice before and advised that one could reasonably expect an extension of the 660' node at the intersection since Jones airport is located to the south and this area is located in its flight pattern, thus influencing development of the area.

The industrial park use created questions by the neighborhood and the City Commission voted 2-2, with discussion centering on the industrial zoning. The concern was that the industrial zoning might be setting a precedent and the neighborhood was afraid there might be some objectionable uses.

Z-6017 & PUD #384 (cont'd)

Mr. Johnsen informed that when this case was under consideration, the District Plan for this area was being considered for amendment (Turkey Mountain) and it was recognized that properties fronting on 71st Street might be considered for IM uses under a PUD.

He informed that he has had a series of meetings with the neighborhood and Mr. Nicks, an attorney representing them. He advised that he had a letter from the neighborhood (Exhibit A-1) and, as a result of these meetings and revision of the Site Plans, they are supportive of this project.

Other Comments and Discussion:

Ms. Wilson asked about the major changes and Mr. Johnsen presented a Site Plan and informed the buildings are smaller; all service drives are interior, except the building on the west; there is more detail on perimeter landscaping and IR uses have been eliminated. He advised that the entrance is off the service road and there are two points of access from the service road onto 71st Street.

Interested Party:

Jeff Nix

Address: 7227 S. Elwood

Mr. Nix informed he was representing the four families whose property adjoined the subject tract and advised that they were all pleased that this new change would be made to the neighborhood.

Other Comments:

Mr. Johnsen informed that the conditions recommended by Staff were acceptable.

Instrument Submitted: Letter from the neighborhood (Exhibit A-1)

TMAPC Action: 9 members present

On MOTION of VANFOSSEN, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Young "absent") to recommend to the Board of City Commissioners that the following described property be **zoned CS** as recommended by Staff and **APPROVAL** of Z-6017 and PUD #384 as recommended by Staff:

Legal Description — Z-6017 — CS Zoning

The East 486.15' of the North 550' (as measured from the centerline of East 71st Street) of the following property described as:

Parcel A — Begin 140' South of the NE corner of the NW/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; thence South 380'; West 208'; North 380'; East 208' to the Point of Beginning; and

Z-6017 & PUD #384 (cont'd)

Parcel B -- West 67.89' of the South 710' of the North 850' of the NE/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; and

Parcel C -- Begin 520' South of the NE corner of the NW/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; thence W. 660'; South 330'; East 660'; North 330' to the Point of Beginning; and

Parcel D -- Begin 208' West and 140' South of the NE corner of the NW/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; thence South 380'; West 210.26'; North 380'; East 210.26' to the Point of Beginning.

Legal Description -- PUD #384:

Parcel A -- Begin 140' South of the NE corner of the NW/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; thence South 380'; West 208'; North 380'; East 208' to the Point of Beginning; and

Parcel B -- West 67.89' of the South 710' of the North 850' of the NE/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; and

Parcel C -- Begin 520' South of the NE corner of the NW/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; thence W. 660'; South 330'; East 660'; North 330' to the Point of Beginning; and

Parcel D -- Begin 208' West and 140' South of the NE corner of the NW/4 of the NW/4 of Section 12, Township 18 North, Range 12 East; thence South 380'; West 210.26'; North 380'; East 210.26' to the Point of Beginning.

ZONING PUBLIC HEARING:

|   |                       |
|---|-----------------------|
| Application No. Z-6036 & PUD #393         | Present Zoning: AG    |
| Applicant: Moody (Romaine)                | Proposed Zoning: RS-1 |
| Location: S. Jamestown and E. 97th Street |                       |

Date of Application: February 28, 1985  
Date of Hearing: April 10, 1985 (cont'd to April 24, 1985)

Size of Tract: 60.05 acres +/-

Presentation to TMAPC by: John Moody  
Address: 4100 BOK Tower  
Phone: 588-2651

Chairman Kempe informed that a request for continuance of these cases until April 24, 1985, had been received and noted that it was a timely request.

TMAPC Action: 9 members present

On MOTION of HIGGINS, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Young, "absent") to CONTINUE

Z-6036 & PUD #393 (cont'd)

consideration of Z-6036 and PUD #393 until Wednesday, April 24, 1985, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

Application No. Z-6032 & PUD #394                      Present Zoning: CH, OM,RS-3  
Applicant: Norman (Kinkaid)                              Proposed Zoning: OMH  
Location: North and West of 15th & South Peoria Avenue

Date of Application: February 28, 1985  
Date of Hearing: April 10, 1985

Size of Tract: 7.45 acres +/-

Presentation to TMAPC by: Charles Norman  
Address: 909 Kennedy Bldg., Suite 1100

Phone: 583-7571

Relationship to the Comprehensive Plan:

The District 6 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 OMH District is not in accordance with the Plan Map.

Staff Recommendation: Z-6032

Site Analysis — The subject tract is approximately 7.14 acres in size and located on the northwest corner of East 15th Street South (Cherry Street) and Peoria Avenue. It is partially wooded, flat, contains a mixture of residential, office and parking uses and zoned RS-3 and OM.

Surrounding Area Analysis — The tract is abutted on the north by the Broken Arrow Freeway zoned RS-3, on the east along Peoria Avenue by various commercial uses zoned CH, on the south by commercial and residential uses which are zoned CS, OL and RS-3 and on the west by four, single-family dwellings which are zoned RS-3.

Zoning and BOA Historical Summary — A mixture of uses have been permitted on the subject tract. The City Commission has approved OM zoning and the Board of Adjustment has approved a four-plex, both of which would be considered medium intensity.

Conclusion — Although the Comprehensive Plan does not support OMH zoning on the subject tract, the Staff would recognize that the area is unique and is in transition from residential to a higher land use. This fact is supported by the present mixed land uses (single-family, multifamily, office, commercial and parking), and the mixed zoning pattern of residential, commercial and office, and exceptions granted by the Board of Adjustment. The most desirable pattern for said transition would be for a plan for the majority of the area to be in place with conditions

Z-6032 & PUD #394 (cont'd)

and safeguards which would minimize the impact upon adjacent areas, such as is proposed under PUD #394. The freeway has isolated this relatively small, triangular-shaped tract of land which is becoming less suitable for residential and more suited to some increase in intensity of use. The site would be basically eligible for Corridor, considering its proximity to the freeway and two abutting arterial streets and the reduced intensity that would be gained under the 1.25 floor area ratio is considered more desirable by the Staff than the 1.31 requested by the applicant for the office area. This would result in some reduction in floor area in the office category and is suggested as a condition of approval for the PUD. Additionally, the Comprehensive Plan designates a similar area to the east of Peoria, south of the freeway and north of East 15th Street Medium Intensity — No Specific Land Use. Although the subject tract is classified Low Intensity — No Specific Land Use, this classification is a reflection of the present zoning of most of the tract for RS-3 Single-Family Residential, whereas most of the above area east of Peoria is zoned CH and RM-2. The requested OMH zoning would be a "may be found" in accordance with the Comprehensive Plan if the Plan designated the subject tract Medium Intensity — No Specific Land Use and an OL buffer along the west boundary and East 15th Street would be in accordance with that designation.

Therefore, the Staff recommends APPROVAL of the requested OMH zoning, less and except the south tier of lots (Lots 5 and 6 of Block 15 and Lot 5 of Block 14) and the west 50 feet of Lots 1, 2, 3 and 4 of Block 14, which shall be zoned OL, subject to the conditions of PUD #394. The Staff further recommends that the Comprehensive Plan should be amended to reflect Medium Intensity — No Specific Land Use on the entire tract, consistent with the area east of Peoria Avenue, between 15th Street and the Broken Arrow Freeway.

Staff Recommendation — PUD #394:

The subject tract is located on the northwest corner of South Peoria Avenue and East 15th Street (Cherry Street) and has a net area of 6.35 acres. The tract is abutted to the north by the Broken Arrow Freeway, on the west by two single-family dwellings and on the east, as well as to the south, across 15th Street, by a mixture of commercial and single-family uses.

The requested underlying zoning of the PUD is proposed to be the present CH along Peoria with the balance of the site being rezoned to OMH. The Staff is recommending a buffer of OL along the south and west as discussed below and is supportive of OMH zoning on the balance.

The development is divided into Development Areas "A" and "B". Two multi-story buildings are proposed, with Development Area "A" as a site of a 266,707 square foot building and Development Area "B" as the site of a 175,494 square foot building — a total floor area of 442,201 square feet. The Staff is recommending a reduction in the floor area of the OMH tract to be more compatible with the present and future capacity of adjacent streets. Two ingress and egress points are located on both East

Z-6032 & PUD #394 (cont'd)

15th Street and Peoria Avenue. The development backs to the Broken Arrow Freeway on the north and the tallest buildings are located at low points on the site to minimize the development's impact on surrounding area.

The PUD Text limits commercial uses to be located entirely within buildings having offices as their principal use. Stormwater will be managed on the site by total detention and area utilities are indicated to be adequate for the proposed redevelopment or specifically addressed as to how the developer proposes to accommodate these facilities. The proposed buildings are arranged in a tiered manner with an approximate range of height on the west from four (4) stories to eight (8) stores in the middle, and to twelve (12) stories on the east.

The applicant is proposing a 90-foot setback from the centerline of East 15th Street, as well as Peoria Avenue. From the west property line, the applicant is proposing a 40-foot setback and from the Broken Arrow Freeway a 10-foot setback. Berms are planned along 15th Street to further buffer the impact from the development upon the surrounding area. A total project summary is as follows:

SUMMARY  
PROJECT DEVELOPMENT STANDARDS  
(Areas "A" & "B")

|               |            |                 |
|---------------|------------|-----------------|
| Area (Gross): | 7.14 acres | 311,068 sq. ft. |
| (Net):        | 6.35 acres | 276,606 sq. ft. |

Permitted Uses: Uses permitted as a matter of right in the OMH District and restaurants, convenience goods and services; shopping goods and services as permitted in Use Units 12, 13 and 14, provided such restaurants, convenience goods and services, and shopping goods and services shall be located entirely within buildings having offices as their principal use.

|                     | <u>Submitted</u>      | <u>Recommended</u>    |
|---------------------|-----------------------|-----------------------|
| Maximum Floor Area: |                       |                       |
| Office              | 406,201 sq. ft.       | 387,600 sq. ft.       |
| Commercial          | <u>36,000 sq. ft.</u> | <u>36,000 sq. ft.</u> |
| Total               | 442,201 sq. ft.       | 423,600 sq. ft.       |

|                   |            |            |
|-------------------|------------|------------|
| Floor Area Ratio: |            |            |
| Office            | 1.31       | 1.25       |
| Commercial        | <u>.12</u> | <u>.12</u> |
| Total             | 1.43       | 1.37       |

Minimum Building Setback:

|                     |        |        |
|---------------------|--------|--------|
| From North Boundary | 10 ft. | 10 ft. |
|---------------------|--------|--------|

4.10.85:1550(10)

Z-6032 & PUD #394 (cont'd)

|   |        |        |
|---|--------|--------|
| From Centerline of East<br>15th Street    | 90 ft. | 90 ft. |
| From West Boundary                        | 40 ft. | 40 ft. |
| From Centerline of South<br>Peoria Avenue | 90 ft. | 90 ft. |

**Maximum Building Height:**

(to the top of the parapet) 54 ft. to 150 ft. 54 ft. to 150 ft.

The Staff finds the proposed circulation plan adequate to serve the project and traffic impact on the public streets is being studied in depth. The Staff finds the proposal to be consistent with the intent of the Development Guidelines, eligible for nodal treatment and can justify a recommendation for amendment of the Comprehensive Plan as discussed in Z-6032. Review of the PUD, with the recommended zoning pattern discussed below indicates that it is: (1) in harmony with the existing and expected development of the area; (2) a unified treatment of the development possibilities of the site; (3) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code and (4) consistent with the intent of the Comprehensive Plan.

The recommended rezoning pattern for Z-6032 under PUD #394 would be to rezone all the site, except for the present CH, from OM and RS-3 to OMH, except the south tier of lots on the north side of East 15th Street (Lots 5 and 6, Block 15 and Lot 5, Block 14) and the west 50' of Lots 1, 2, 3 and 4 of Block 14, which shall be rezoned OL.

Therefore, the Staff recommends APPROVAL of PUD #394, subject to the recommended rezoning patterns and 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:

DEVELOPMENT AREA "A"

|               |            | <u>Submitted</u> | <u>Recommended</u> |
|---------------|------------|------------------|--------------------|
| Area (Gross): | 4.24 acres | 184,744 sq. ft.  | 184,744 sq. ft.    |
| (Net):        | 3.79 acres | 165,092 sq. ft.  | 165,092 sq. ft.    |

**Permitted Uses:**

Uses permitted as a matter of right in the OMH District and restaurants, convenience goods and services; and shopping goods and services as permitted in Use Units 12, 13 and 14, provided such restaurants, convenience goods and services and shopping goods and services shall be located entirely within buildings having offices as their principal use.

Same, except excluding bars, taverns, night-clubs and dancehalls as principal uses.

Z-6032 & PUD #394 (cont'd)

Maximum Floor Area:

|            |                       |                       |
|------------|-----------------------|-----------------------|
| Office     | 244,707 sq. ft.       | 233,335 sq. ft.       |
| Commercial | <u>22,000 sq. ft.</u> | <u>22,000 sq. ft.</u> |
| Total      | 266,707 sq. ft.       | 255,335 sq. ft.       |

Minimum Building Setbacks:

|                                   |                |         |
|-----------------------------------|----------------|---------|
| From the North Boundary           | 10 ft.         | 10 ft.  |
| From Development Area "B"         | 0 ft.          | 0 ft.   |
| From Centerline of East 15th St.  | 240 ft.        | 240 ft. |
| From Centerline of S. Peoria Ave. | 90 ft.         | 90 ft.  |
| From the East Boundary            | Not Specified. | 35 ft.  |

Maximum Building Height

|                              |         |         |
|------------------------------|---------|---------|
| (to the top of the parapet): | 150 ft. | 150 ft. |
|------------------------------|---------|---------|

Off-Street Parking:

|  |      |
|--|------|
| As required by the applicable Use Units. | Same |
|--|------|

Minimum Internal Landscaped

|             |      |      |
|-------------|------|------|
| Open Space: | 18%* | 18%* |
|-------------|------|------|

\* 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.

DEVELOPMENT AREA "B"

|               |            | <u>Submitted</u> | <u>Recommended</u> |
|---------------|------------|------------------|--------------------|
| Area (Gross): | 2.90 acres | 126,324 sq. ft.  | 126,324 sq. ft.    |
| (Net):        | 2.56 acres | 111,514 sq. ft.  | 111,514 sq. ft.    |

Permitted Uses: Uses permitted as a matter of right in the OMH District and restaurants, convenience goods and services; and shopping goods and services as permitted in Use Units 12, 13 and 14; provided such restaurants, convenience goods and services, and shopping goods and services shall be located entirely within buildings having offices as their principal use. Same except excluding bars, taverns, night-clubs and dancehalls as principal uses.

Maximum Floor Area:

|            |                       |                       |
|------------|-----------------------|-----------------------|
| Office     | 161,494 sq. ft.       | 154,265 sq. ft.       |
| Commercial | <u>14,000 sq. ft.</u> | <u>14,000 sq. ft.</u> |
| Total      | 175,494 sq. ft.       | 168,265 sq. ft.       |

Z-6032 & PUD #394 (cont'd)

Minimum Building Setbacks:

|   |         |         |
|---|---------|---------|
| From the North Boundary                     | 10 ft.  | 10 ft.  |
| From the West Boundary                      | 40 ft.  | 40 ft.  |
| From the Centerline of East<br>15th Street; |         |         |
| East 240' of Area "B"                       | 180 ft. | 180 ft. |
| West 140' of Area "B"                       | 90 ft.  | 90 ft.  |

Maximum Building Height  
(to the top of the parapet):

|                                   |         |         |
|-----------------------------------|---------|---------|
| Within 100' of the West Boundary  | 54 ft.  | 54 ft.  |
| More than 100' from West Boundary | 116 ft. | 116 ft. |

Off-Street Parking: As required by the applicable Use Units. Same

Minimum Internal Landscaped  
Open Space: 22%\* 22%\*

\* 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.

- (3) That any parking lot lighting be constructed and shielded in such a manner as to direct light downward and/or away from adjacent residential areas.
- (4) That a Detail Landscape Plan shall be submitted to, and approved by, the TMAPC prior to granting an Occupancy Permit, and that a 6-foot screening fence be provided along the west boundary along with a landscape buffer.
- (5) That a six (6) foot tall screening fence shall be installed along the north and west boundaries of Lot 6, Block 16, of the Broadmoor Addition which is presently zoned RS-3.
- (6) That a Sign Plan be submitted to, and approved by, the TMAPC prior to the granting of an Occupancy Permit.
- (7) That a Detail Site Plan be submitted to, and approved by, the TMAPC prior to the issuance of a Building Permit.
- (8) Signs shall comply with the restrictions of the PUD Chapter of the Zoning Code and the following additional restrictions:

Wall or Canopy Signs:

Aggregate display surface area not exceeding one square foot per each lineal foot of the building wall to which the sign or signs are affixed shall be permitted for retail uses within the

office buildings. Lettering on wall or canopy signs shall not exceed two feet in height. No portable signs shall be permitted. Projecting signs shall be permitted only beneath a canopy. The design of all signs shall be uniform throughout Cherry Street Plaza.

Ground Signs:

Two ground signs on South Peoria Avenue and two ground signs on East 15th Street shall be permitted. The display surface area of each sign on South Peoria Avenue shall not exceed 48 square feet, and the display surface area of each sign on East 15th Street shall not exceed 32 square feet.

The maximum height of a ground sign shall be 8 feet.

Directional Signs:

Directional signage within the interior of Cherry Street Plaza intended to inform the visitor as to the location within the center tenants may be free-standing, if not exceeding 10 feet in height, and if, in the aggregate, the directory signs do not exceed the limitations of the Tulsa Zoning Code. The design of directional signs shall be uniform throughout Cherry Street Plaza.

No off-premise advertising signs shall be permitted. Existing signs, if any, shall be removed prior to occupancy of the first building.

- (9) Because of increased traffic generation as a result of this proposal, the applicant shall pay for the installation of a left-turn traffic signal at Peoria and 15th Street, replacing a similar signal at 18th and Peoria.
- (10) 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 PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

In addition, the Staff would recommend a change in the Comprehensive Plan to reflect the PUD and accompanying Zoning Case (Z-6032).

Staff Comments:

Mr. Gardner informed that the proposal was a 20% reduction in size from the original application and reiterated that Staff's Recommendation was to approve OMH zoning, except the south third of lots on the north side of 15th Street and the west 50' of property which shall be zoned OL. He also noted that Staff had consulted with the Traffic Engineer on item (9) of Staff's Recommendation on the PUD and he had a problem with the left-turn signal because it doesn't move traffic as well as a 4th lane. He presented a Traffic Impact Study and advised the Commission of the

Z-6032 & PUD #394 (cont'd)

current traffic flow counts on 15th Street and on Peoria Avenue. This study showed the 24-hour carrying capacity of Peoria Avenue, north and south of 15th Street at 18,000; East 15th Street west of Peoria at 18,000 and East 15th Street east of Peoria at 6,300. These figures were based on the Okla. Dept. of Transportation design and carrying capacity standards for both two-way traffic with and without on-street parking provisions. The 6,300 figure was based on four, 10-foot lanes with on-street parking provisions on two of the four lanes. Based on gross floor space, the trip generation rate summary showed approximately 11,400 trips would be generated by this development.

To alleviate adverse vehicular impacts, the following recommendations were made:

1. Remove or modify on-street parking provisions east of Peoria Avenue to prevent traffic bottlenecks.
2. Removal of the traffic signal at 18th Street on Peoria to prevent disruptions of the traffic flow.
3. Improve 15th Street and Peoria Avenue intersection if feasible.
4. Enforce within the PUD the conditions pertaining to off-street parking provisions of 1 per 300 square feet of general office floor area and 1 per 225 square feet of commercial usage. The availability of sufficient free parking will alleviate parking by tenants on surrounding residential streets.
5. Conducting a Special Study along 15th Street to analyze existing conditions to determine development strategies for the future.

Other Comments:

Chairman Kempe informed that the Commission had received 46 letters (Exhibit B-1) in opposition to the proposal and 28 letters (Exhibit B-2) in favor of the proposal which would be placed in the case file pertaining to this application.

Ms. Wilson asked what conditions would be necessary for OMH zoning to be in compliance with the Comprehensive Plan. Mr. Gardner informed the reason the area east of Peoria was designated Medium Intensity — No Specific Land Use was because it includes CH and RM-2 and the area to the west was assigned the existing zoning designation. He advised that Staff had consistently recommended denial of zoning changes north of 15th Street because they were piecemeal requests; however, this time all property owners are in accord with the requested zoning.

Applicant Comments:

Mr. Norman informed he was representing Cherry Street Associates and that only seven of the 32 properties involved in the application are

Z-6032 & PUD #394 (cont'd)

owner-occupied, indicating a significant transition in the area. He informed that the construction of the Broken Arrow Freeway has created an almost constant noise and traffic north of 15th Street and the light standards are far in excess of current standards and cast a glow over the neighborhood.

He presented slides of the area and informed that the developers are proposing to approach the State Highway Dept. to request that the portion of the right-of-way to the south of the freeway, approximately 1.5 acres, be declared surplus, thus allowing the buildings to be located further to the north on the tract.

He advised that the larger buildings are located on the lowest area of the site and noted that this development is an office building project and no additional commercial zoning was requested. There would be no freestanding commercial buildings, the main intersection on 15th Street would be buffered by landscaping and the lights would be limited to 12' in height within 180' of 15th Street. He advised that the developers and property owners he represented feel the impact of this type of project on the south side of 15th Street would be significantly less than other types of developments since there are signage restrictions, light controls, etc.

Mr. Norman informed that neighbors to the south of 15th Street have expressed several concerns; they have requested a strong commitment to maintaining zoning no higher than light office in this area and some form of downzoning of other properties nearby and conversion to some type of residential use. Although the developers of this property could not do this, they would participate in efforts to stabilize Peoria south of 15th.

One of the concerns is that the development would generate additional traffic in the area. Although it would generate additional traffic, the property fits CO zoning requirements which would generate even more traffic. Office projects generate traffic at different times, with peak times typically from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. five days per week. Traffic would have to make two left-turns to enter the residential neighborhood. The entrances are significant distances from the intersection and would provide ample stacking and turning space. The neighbors have expressed a desire to block Madison and Owasso Streets to through traffic and the developer supports that.

Other Comments and Discussion:

Chairman Kempe asked where onsite detention would be located and Mr. Norman informed that approximately 65% is impervious development now and new development would require about one acre of detention which could be accommodated on numerous locations on the site.

Mr. Paddock informed he was concerned about the intensity and asked what would happen to the project if one acre of CH zoning was changed to OMH. Mr. Norman informed that the general office floor area ratio was restricted to 1.25 and OMH would permit 2.0 under a PUD. Mr. Paddock

Z-6032 & PUD #394 (cont'd)

asked what type of offices would be located in the buildings and Mr. Norman informed that it would be general office, with no medical uses. Mr. Norman also informed that it would take approximately 30-36 months to complete the project and it was economically unfeasible to reduce the size.

Mr. VanFossen made a motion to limit the time allowed for presentations by interested parties.

TMAPC Action: 9 members present

On MOTION of VANFOSSEN, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Young "absent") to limit the time allowed for presentations by those persons representing homeowners or other associations to 15 minutes and for those persons representing themselves to 3 minutes per person.

Protestants:

|                  |                             |
|------------------|-----------------------------|
| Joe Farris       | Address: 1221 E. 30th Place |
| Grant Hall       | 1202 E. 18th                |
| Sally Camp       | 319 E. 18th                 |
| Jim Lee          | 1520 S. Owasso              |
| Steve Williamson | 1601 S. Owasso              |
| Barb Newcomb     | 1716 S. Newport             |
| Candace Miller   | 1704 S. Owasso              |
| Jim Fehrle       | 1537 S. Madison             |
| Ben Faulkner     | 1522 S. Norfolk             |
| Bob Hardy        | 1505 E. 19th Street         |
| Laura Schultz    | 1216 S. Owasso              |

Joe Farris:

Mr. Farris informed he is an attorney representing the Mapleridge Homeowners Association. He presented a petition (Exhibit B-3) from the association which opposed the proposed zoning and PUD. He informed that the people in the Mapleridge area had moved into the area believing the City had made a commitment that the area would be preserved. He advised that there is a quantum of difference between Residential and OMH zoning and suggested that Mr. Norman justify the economic need for OMH. He advised that the pole lights are 120' tall, but are located on the freeway and it drops down 50'-60'; whereas, the proposed buildings would be 150' from the top of the land surface. He advised that the traffic would result in noxious fumes being emitted in the area of Madison, Norfolk and Owasso Streets and asked why the developer was in a hurry to have this application approved since there is a glut of office space in Tulsa at the present time.

Commission Discussion:

Ms. Wilson asked Mr. Linker if he was familiar with any written commitment to the neighborhood in regard to preserving the neighborhood and Mr. Linker informed he was not.

Z-6032 & PUD #394 (cont'd)

Mr. VanFossen asked if the zoning and PUD were approved, but the area was not developed, would the underlying zoning remain. Mr. Gardner informed that a new PUD would be required to change zoning once granted and it would have to be approved by the TMAPC and the City.

Mr. Connery asked where the individuals live who signed the petitions and Mr. Farris advised that they live between 15th Street and 21st Street and Peoria and Cincinnati, areas immediately to the south of the project. He advised that 289 of the signatures were obtained from the area nearest 15th Street.

Ms. Wilson asked if the majority of the property in the application was rental property or abandoned and Mr. Farris informed he did not think any was abandoned and informed the area was in transition, but wanted to know the justification for changing the zoning from RS-3 to OMH.

Ms. Kempe advised that the application was a request to approve OMH with some OL and that CO zoning was mentioned, which allows apartments, commercial, office and light warehouse uses.

Mr. VanFossen informed that the present policy in District 6 would possibly allow Corridor zoning, which would permit multifamily, high-rise condominiums and asked if Mr. Farris felt this use would be more appropriate. Mr. Farris informed he felt that might be more desirable because the traffic load would be more spread out than OM uses. He indicated that the major problem with the office complex is its proposed location and advised that he felt there were other locations around the City that would be more desirable for this use.

Grant Hall

Mr. Hall advised that he is a board member of the Mapleridge Association and is opposed to the proposal because he felt it would be spot zoning and would be an inappropriate buffer to RS-3. He advised that Staff appeared to suggest that the south side of 15th Street was appropriate for OL zoning.

Commission Discussion:

Mr. Paddock asked Mr. Hall if he did not consider 15th Street to be the boundary for the Association and if there is a difference in land use between the south side (Mapleridge) and the north. Mr. Hall informed that he did not disagree and advised that the decisions made outside the boundaries affect the neighborhood. Mr. Paddock reiterated that there is a provision in this area for an OL buffer on the north side of 15th Street and noted that there are considerable setbacks with landscaping, berming, etc. He asked Mr. Hall if these factors would influence him and Mr. Hall informed he would be happy to see trees since they are better than buildings. He advised he felt OL is a good buffer. Mr. Paddock asked if he felt this proposal would result in further intrusion into the neighborhood to the south and Mr. Hall informed he did.

Z-6032 & PUD #394 (cont'd)

Mr. Draughon noted that there seemed to be a great number of people involved in the protest who did not live adjacent to the proposed site and asked what the distance was under the Ordinance in regard to what is an adjacent location. Mr. Gardner informed it is 300', or about one block in every direction. He noted there is nothing that says someone further away may not be interested in a zoning change and advised that the Commission has to judge what affect the proposal would have on other properties.

Mr. VanFossen asked Mr. Hall what the neighborhood association felt would be appropriate for this area and he informed that the association would like to have a park, but that low intensity residential or low intensity office would be possible uses.

Ms. Wilson asked where else in Tulsa a project of this type with OMH zoning could be found on a secondary arterial. Mr. Gardner informed that since this is a relatively new category there aren't many locations, but cited the area near I-44 and 51st Street as an example. Ms. Wilson advised she was concerned about the traffic impact and Mr. Gardner informed that the critical problem is that there is no left-hand turn signal on Peoria and without a left-hand turn, it would be difficult to keep traffic moving north.

Sally Camp

Ms. Camp informed she is a past president of the Mapleridge Homeowners Association and advised that Mapleridge has been cited as an historic area and 11,400 cars would cause Madison Street to be a north/south cut-through. She felt that 15th and Peoria could not withstand all the traffic. She informed that a precedent was set near Riverside by the Mansion House and University Tower apartments and advised that 12-15 story buildings are not in keeping with the area and would set a precedent for this area. She also advised that since most of the watershed would be removed, it would be difficult to retain the water on the site.

Jim Lee

Mr. Lee informed he lives within 300' of the proposal and was opposed to the high density and increased traffic. He advised that even with a left-hand turn signal some of the cars would use the side roads. He questioned how three highrise, high density buildings could be compatible with single-family residences.

Steve Williamson

Mr. Williamson informed he lives one block south of the proposed site and he was opposed to the plan because of the density of the proposed use. He advised he felt this zoning would set a precedent for other uses and would create traffic problems. He requested that the area be reviewed for alternative uses.

Barb Newcomb

Ms. Newcomb informed she was opposed to the project because the area in which she lives is basically free of traffic problems and pollution and she was concerned about the effect of increased traffic.

Candace Miller

Ms. Miller informed that she is president of the Mapleridge Homeowners Association and stated that the Board is opposed to the zoning change because the area south of 15th Street is on the National Register of Historic Places and she felt this proposal could result in a deterioration of the area. She advised that there is a traffic problem on Cincinnati.

Jim Fehrle

Mr. Fehrle advised that if the OMH zoning was approved, it would be the only high intensity zoning outside the downtown area, except for the area along the Broken Arrow Freeway and noted there is no close entrance onto the freeway. He also advised that OMH zoning appears to be in conflict with the Comprehensive Plan. He informed that he felt Madison Avenue would be the natural access point to the site instead of Boulder Avenue.

Mr. Paddock advised that one solution to the cut-through of traffic would be to stub the streets and asked Mr. Fehrle for his opinion of this. Mr. Fehrle informed that he had consulted with Mr. Norman to try to find viable projects for the area and if those types of procedures were in place and part of the proposal, he felt it would be acceptable. Mr. Fehrle further informed that no one had said why OMH was necessary except for economics and he felt a seven-acre, light office park would probably be the most acceptable solution.

Ben Faulkner

Mr. Faulkner informed he lives one block south of the proposed project and expressed concern about the traffic near the schools. In regard to stubbing the streets (making cul-de-sacs), he advised that if these roads were closed to through traffic the only access would be 18th or 21st Streets and if Madison Avenue was left open, the traffic would cycle down that street.

Bob Hardy

Mr. Hardy informed he is president of the Swan Lake Homeowners' Association and presented petitions (Exhibit B-4) signed by the residents, opposing the project. He advised he felt the project would create a negative affect on retaining the current zoning in the area south of 15th Street. He cited the glut of office space in the Tulsa area and requested a low intensity configuration. He advised that the buildings currently zoned CH are old buildings and would probably be replaced by some other type use. He noted that the plans would allow 1,500 parking spaces for off-street parking; however, the developer would not own the project when it is built and he felt this might be changed. He also noted that the proposed site is immediately across the street from one school and less than two blocks from another school. In regard to the plan for onsite water detention, he informed that water runoff could pose a problem.

Z-6032 & PUD #394 (cont'd)

Interested Parties Favoring the Application:

|                  |                             |
|------------------|-----------------------------|
| David Toliver    | Address: 1202 E. 14th Place |
| Lee Price        | 1719 S. Peoria              |
| Mrs. Jack Martin | 1399 E. 26th Street         |
| Larry Pinkerton  | 1517 S. Owasso              |

David Toliver

Mr. Toliver informed he was representing seven of the owner-occupied properties and owners and advised that the area is in demise. He advised that his property has a fence around it because of crime in the area and advised that the property values in the area have declined by 30-40% since the Inner Dispersal Loop was opened to traffic. He informed that this area has been in transition for a number of years and if something isn't done, it will be even more of a problem. He stated that there has always been a traffic problem and there is cut-through traffic now; if cul-de-sacs are not the answer, he suggested that the property owners to the south of 15th Street devise a solution. He advised that the lights on the freeway cast light on the area 24 hours a day. Although there is a glut of office space, there appears to be a future need for this office development or the Warren Place development project at 61st and Yale would not be built. He further advised that there is constant noise from traffic on the freeway. Finally, he advised that this project had been proposed for six months and no one had come forward with any other possible proposals.

Lee Price

Mr. Price informed he wanted to keep zoning to something that is compatible and didn't feel it was incumbent to get another plan. He advised that the cafeteria at Lincoln School fronts Peoria and it has trucks and traffic.

Mrs. Jack Martin

Mrs. Martin informed she was representing Martha Watters, 1528 E. 20th Street, who had to leave the meeting and requested that Mrs. Watter's letter to the Commission be read. Mr. Paddock read Mrs. Watter's letter in favor of the zoning, which alleged the majority of Swan Lake owners were not represented by the president of the Swan Lake Homeowners' Association.

Rebuttal by Bob Hardy, President of Swan Lake Homeowners' Association

Mr. Hardy informed that he had not found out about the proposed development until the day of the first neighborhood meeting and presented his past involvement with zoning and planning matters. He expressed his objection to Ms. Watters' letter.

Additional Protestant:

Laura Schultz

Ms. Schultz presented a petition from 25 members of the Tracey Park Homeowners' Association (Exhibit B-5) which objected to the proposal because it would change the overall Comprehensive Plan for historic neighborhoods. She advised she would like to see something more in keeping with the area.

Additional Interested Party Favoring the Application:

Larry Pinkerton

Mr. Pinkerton informed he lives inside the Mapleridge area and is in favor of the project. He advised that he is an attorney in the practice with Mr. Norman and advised that the light and noise from the freeway were not conducive to single-family or apartment uses for this area. He advised that OL was the buffer for the area and he had insisted that landscaping berms be included (as proposed) along E. 15th Street.

Other Discussion:

Mr. Paddock noted that the main concern seemed to be density or intensity of use and asked if Mr. Pinkerton had any thoughts on how the concerns could be alleviated and how the residential neighborhood to the south could be insulated. Mr. Pinkerton advised that he didn't have any good technical insight and noted that the developers said they would try to address those matters.

Ms. Kempe asked what the calculations would be if the area was zoned OM and Mr. Gardner informed that the retail would not change, but 150,646 square feet would be 34% of what is proposed, which would be floor area ratios of .5/OM, .4/OL and .75/CH.

Applicant Rebuttal:

Mr. Norman informed that the Comprehensive Plan Map in this area was drawn to reflect the current zoning and the Plan for District 6 could allow CO zoning. He advised that this property meets all the guidelines for CO zoning and reiterated that this is not a total OMH application — that would produce a floor area ratio of 2.00; whereas, this application is revised for 1.25. He also advised that this project did not have any feasibility at OM intensity due to financial considerations. Multifamily would have to be RM-3 and a height equal to, or greater than, the proposed buildings in order to be economically feasible. He informed that Mapleridge boundaries stop at 15th Street and no one has considered extending it to the north. Mapleridge has stabilizing influences that don't exist in this location. Mr. Norman indicated that there are a number of differences in Tracey Park and this area — there is no access to the expressway in Tracey Park, the traffic is reduced by 13th or 14th Street, etc.

Mr. Norman noted that this is not a commercial project; it is an office park and all landscaping berms, signs, lighting, etc. are for office.

He also advised that the Staff's generation studies included grocery store trips and other commercial uses that would not be located in this type office complex. He advised that office use is not a high-intensity use; it consists of a five-day work week and the work day is technically over at 5:00 p.m. He informed that the current commercial uses have unlimited hours of operation, several entrances and exits and the concern should be to stabilize the area through zoning and PUD. The developer

Z-6032 & PUD #394 (cont'd)

would attempt to make OL development only on the south side of the project to make certain the uses are in keeping with the neighborhood. He cited numerous historical precedents for this type zoning plan which did not result in a deterioration of the adjacent areas, but increased the property values and general appearance of the areas, including 21st and Utica (Helmerich and Payne); 21st and Lewis (Texaco); 55th and Yale (Terra Resources, etc.) and 61st and Yale (Warren Place).

Other Comments and Discussion:

Mr. Carnes informed he was in agreement that an office park would not be a detriment and advised he would like to have a study of the traffic problem.

Mr. VanFossen informed that all of the examples given by Mr. Norman were for less than OM zoning. He advised that it was difficult to understand the economics of the project in regard to the flexibility of square footage. He further advised that he could not accept the proposed density.

Ms. Higgins asked if the buildings would act as a sound barrier for the noise from the freeway and Mr. Norman informed he thought it would.

Mr. Paddock asked Mr. Norman if he could live with the Staff Recommendations in regard to the rezoning and FAR and Mr. Norman informed he could. Mr. Paddock asked if the proposal could be for anything less and still be a profitable project and Mr. Norman informed he did not have the information available and advised that the developers had done a thorough study on the project and the profitability.

Mr. VanFossen disagreed that this project would be appropriate for CO zoning and made a motion for denial of the application.

Mr. Connery informed he felt there was a lot of merit to the proposal.

Ms. Wilson informed she was concerned because the site is located on two secondary arterials which pose additional stress on residential.

Mr. Carnes informed he felt a "class" office complex would do more for a neighborhood to bring it back and he noted that once an area is zoned "piecemeal", there is a small area that falls apart for lack of financing. Ms. Kempe informed she agreed with Mr. Carnes' statements.

Mr. Draughon informed he felt the idea of protecting the area south of 15th Street with OL zoning along 15th Street is a good idea, but he was unsure if he agreed with a 150' tall office building. He advised he felt this would be a good project for that neighborhood.

Mr. Paddock informed he felt this was a good project and would make the best possible use of the land in that location, but he had difficulty with the intensity of use. He informed that if the Commission voted to approve the proposal, based on the Staff Recommendation, a positive

Z-6032 & PUD #394 (cont'd)

recommendation should be made with respect to protecting the residential neighborhood to the south of 15th Street and to address the traffic problems in that area.

Mr. Connery informed he felt the concept of the project was good, but he had a problem with the intensity. He advised that he would overlook this and vote for the project, but suggested the application be continued in order for the applicant to review and respond to the density question. Mr. Paddock informed that the applicant has the right of appeal to the City Commission and he was not in favor of a continuance. Mr. VanFossen asked Mr. Norman if he would prefer a vote or a continuance and Mr. Norman advised that his client reaffirmed that he would prefer to go ahead with a vote.

Instruments Submitted: Letters Opposing the Application (Exhibit B-1)  
Letters in Favor of the Application (Exhibit B-2)  
Petitions-Mapleridge Homeowners Assn. (Exhibit B-3)  
Petitions-Swan Lake Homeowners Assn. (Exhibit B-4)  
Petitions-Tracy Park Homeowners Assn. (Exhibit B-5)

TMAPC Action: 9 members present — Z-6032 & PUD #394

On MOTION of VANFOSSEN, the Planning Commission voted 3-6-0 (Paddock, VanFossen, Wilson, "aye"; Carnes, Connery, Draughon, Higgins, Kempe, Woodard, "nay"; no "abstentions"; Harris, Young "absent") to **DENY Z-6032 and PUD #394** and the motion failed.

Other Discussion:

Mr. Paddock reiterated that he would like to do something in regard to the neighborhood and the traffic problem and Ms. Kempe informed that the Commission had a Traffic Analysis and was unsure what further steps the Commission could take. Mr. Paddock noted that there was a recommendation for a special study on 15th Street and Mr. Gardner advised that the study had to do with amending the Comprehensive Plan. Mr. Gardner also reiterated that Staff's Recommendation is that a left-turn signal be installed in order to move traffic and noted that there is no room for an additional traffic lane at the intersection.

Mr. Carnes asked if the Commission could place the burden on the applicant in regard to the traffic light and Mr. Gardner informed that this issue would have to be decided by Traffic Engineer.

Mr. Draughon asked if the application could be forwarded to the City Commission without prejudice and Mr. Linker informed it could not.

Mr. Paddock informed he would like the record to clearly reflect the Commission's concern about preserving the integrity of the residential neighborhood south of E. 15th Street and that it be noted that the Commission is not in favor of any further intrusion into that neighborhood. He requested that Staff make a study of the problems in the area and derive guidelines for future cases.

Z-6032 & PUD #394 (cont'd)

TMAPC Action: 9 members present — Z-6032

On MOTION of CARNES, the Planning Commission voted 6-3-0 (Carnes, Connery, Draughon, Higgins, Kempe, Woodard, "aye"; Paddock, VanFossen, Wilson, "nay"; no "abstentions"; Harris, Young "absent") to recommend to the Board of City Commissioners that the subject property be rezoned as follows:

Legal Description — Z-6032

OMH:

Block Nine (9), Lots Six (6), Seven (7), Eight (8); Block Ten (10), Lot Five (5); Block Sixteen (16), Lots Seven (7), Eight (8), Nine (9), Ten (10); Block Fifteen (15), Lots One (1) through Four (4), and Lots Seven (7) through Ten (10), Block Fourteen (14), East 75' of Lots One (1) through Four (4);

AND

OL:

Block Fifteen (15), Lots Five (5) and Six (6); and Block Fourteen (14), All of Lot Five (5) and the West 50' of Lots One (1) through Four (4), all in BROADMOOR ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

TMAPC Action: 9 members present — PUD #394

On MOTION of CARNES, the Planning Commission voted 6-3-0 (Carnes, Connery, Draughon, Higgins, Kempe, Woodard, "aye"; Paddock, VanFossen, Wilson, "nay"; no "abstentions"; Harris, Young "absent") to **APPROVE PUD #394**, with the following amendments to the Staff Recommendation: (8) Wall or canopy signs — lettering should not exceed 1 foot in height; Ground signs would be limited to one on Peoria and one on 15th Street; Directional signs — No directional signs will be placed closer to the east or south property lines than 150' and that a condition be added that the type of office space be limited to general office; and that medical, dental and similar type uses be excluded.

Legal Description — PUD #394

Lots Two (2) through Eight (8), Block Nine (9); Lot Five (5), Block Ten (10); Lots One (1) through Five (5), Block Fourteen (14); Lots One (1) through Ten (10), Block Fifteen (15); Lots Seven (7) through Ten (10), Block Sixteen, all in BROADMOOR ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

OTHER BUSINESS:

PUD #354-2 Johnsen E. of the NE corner of 91st and Yale (RS-3, RM-T)

Staff Recommendation — Minor Amendment to Reduce Front Setbacks from  
20' to 16' on Lots 1 and 2, Block 2, Fox Pointe  
Addition

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The subject tracts are located at, and adjacent to, the northeast corner of East 90th Court South and Canton Avenue. Lot 1 is the corner lot and Lot 2 is the lot east of Lot 1. Construction has started on the subject properties and the builder has discovered that the front setbacks approved in the PUD were encroached upon. No construction has commenced on Lot 3, and the homes on Lots 1 and 2 are to be model homes for the Addition. The PUD conditions require that the garages be setback from the street at 20 feet, but the building or residence could be as close as 15 feet to the property line.

The applicant was issued a permit by the Building Inspections Dept. and said permit was approved with the garages at a 16-foot distance from the property line. The streets in Fox Pointe are private. Staff has reviewed this request, finding it to be minor in nature and recommends **APPROVAL**.

TMAPC Action: 7 members present

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Paddock, Woodard, "aye"; no "nays"; no "abstentions"; Harris, VanFossen, Wilson, Young "absent") to **APPROVE PUD #354-2 Johnsen**, as recommended by Staff for Lots One (1) and Two (2), Block Two (2) only.

PUD #298-3 Reinkeneyer North of the NW corner of 91st & S. 92nd E. Avenue

Staff Recommendation — Minor Amendment to Allow 388 Dwelling Units on  
17.87 Acres Instead of 21.53 Acres

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PUD #298 is located north of 91st Street at approximately South 92nd East Avenue. It contains a total of 120 acres and has been divided into four separate tracts. Attached residential dwelling units were permitted on Tracts 1, 2 and 3, with detached residential dwelling units permitted on Tract 4. The applicant is now requesting a minor amendment to the original PUD to maintain the approved 388 dwelling units on Tract 1 which now contains only 17.87 acres.

Upon further examination, it was discovered that the acreage discrepancy was due to three reasons. First, the existing subdivisions to the north encroached some 30 feet to the south and second, South 92nd East Avenue was relocated slightly to the east, taking some of Tract 1 area. The third reason, which probably accounts for the most area taken, was that Reserve Area "B" to the

PUD #298-3 Reinkemeyer (cont'd)

south of Tract 1 actually extends farther north than the original PUD had planned. This reserve area has been dedicated to the City for drainage purposes and cannot be built upon. With a difference of 3.66 acres between the original approval and the final product, the Staff finds this request to be minor in nature and consistent with the original PUD. The Staff recommends **APPROVAL** of the minor amendment to allow 388 dwelling units on 17.87 acres.

TMAPC Action: 7 members present

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Carnes, Connery, Draughon, Higgins, Kempe, Paddock, Woodard, "aye"; no "nays"; no "abstentions"; Harris, VanFossen, Wilson, Young "absent") to **APPROVE PUD #298-3 Reinkemeyer** minor amendment as recommended by Staff.

PUD #392 The Trade Center North side of E. 11th & E. of 11th & I-44

Staff Recommendation -- Detail Site Plan Review

The subject tract is located on the north side of East 11th Street, south and east of the intersection of East 11th Street and I-44, Skelly Bypass. This tract has 634 feet of frontage on the north side of East 11th Street, 215 feet on the west side of South 123rd East Avenue, and a net area of 3.73 acres. The west boundary of the tract abuts the east side of the private drive which serves the Lowrance Electronics Facility located to the north and west. The PUD was approved per conditions on March 27, 1985 and the applicant is now requesting Detail Site Plan approval. Elevations have also been submitted by the applicant for TMAPC review. After review of the applicant's site plan it can be seen that the building shape for Building A has changed. The Staff sees no problem with this, in fact it should aid internal circulation of traffic. The west drive on East 11th Street has been moved to the east and its final location should be subject to approval of the Traffic Engineer. It should also be noted that screening and landscape requirements were waived by the TMAPC on the north side for the west 319.50 feet. A 13 foot landscape buffer and screening fence is indicated on the east 314.5 feet of the north boundary and along the arterial street frontage. Upon further discussion with the applicant it was discovered that Building B-2 will have no retail activity, but only office/storage use. Buildings A and B-1 are to be utilized for retail/storage and uses classified under Use Unit 15 - Other Trades and Services. A final parking determination will be a function of the actual use of the spaces and be determined by the Building Inspector at occupancy. The proposed ratio, as presented on the site plan, would be sufficient if the entire site was developed for retail. Given the above review, the Staff finds the Detail Site Plan for The Trade Center to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Ordinance.

PUD #392 The Trade Center (cont'd)

Therefore, the Staff recommends APPROVAL of the Detail Site Plan subject to the following conditions:

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

|                    | <u>Submitted</u> | <u>Recommended*</u> |
|--------------------|------------------|---------------------|
| Land Area (Gross): | 4.61 acres       | 4.6 acres           |
| (Net):             | 3.7 acres        | 3.73 acres          |

Permitted Uses: Uses permitted in a CS district by right plus Use Units 15 and 17, excluding bars, taverns, nightclubs, liquor stores, pool halls, and video game parlors.

|                                      |   |  |
|--------------------------------------|---|--|
| Maximum Building Area:               | 51,258 sq. ft.  | 55,000 sq. ft.   |
| Floor Area Ratio:                    | 26%   | 28%  |
| Maximum Building Height:             | Not specified   | 35 feet, 2 stories   |
| Minimum Building Setbacks:           |   |  |
| From centerline of East 11th Street  | 121 feet  | 100 feet   |
| From centerline of 123rd East Avenue | 63 feet   | 50 feet  |
| From north boundary                  | 45 feet   | 35 feet  |
| From west boundary                   | 50 feet   | 25 feet  |
| Minimum Off-Street Parking:          | 1 space per 225 sq. space per 300 sq. ft. for office; and 1 space warehouse or storage. | As required per the Zoning Code for each Use Unit.           |
| Signs:                               | Not specified.  | In accordance with the Tulsa Zoning Code, Section 1130.2(b). |

PUD #392 The Trade Center (cont'd)

Minimum Landscaped  
Open Space:                      None specified.                      10%\*\*

\* "Recommended" corresponds to conditions as approved under standards for PUD #392.

\*\* Landscaped open space includes interior landscape buffers, landscaped yards and plazas, pedestrian areas and park areas, but excludes arterial and other street landscaped areas.

(3) That parking lot lighting, and in particular all lighting on the northside of the project, be constructed so as to direct light downward and away from abutting residential areas.

(4) That trash and utility areas be screened from public view and not be allowed to be located adjacent to the boundary upon which an abutting single-family residence exists or could be built.

(5) That a Detail Landscape Plan shall be submitted to and approved by the TMAPC prior to granting an Occupancy Permit and that a 6-foot screening fence and a 10-foot landscape buffer be provided along the north boundary (except the west 319.5 feet where waived by the TMAPC). The landscaping may be located on the applicant's property or abutting RS property.

(6) That a Sign Plan be submitted to and approved by the TMAPC prior to granting of an Occupancy Permit.

(7) The western most entrance to the subject tract from East 11th Street be approved by the City of Tulsa, Traffic Engineering Division.

(8) 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 PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

There being no further business, the Chairman declared the meeting adjourned at 7:00 p.m.

Date Approved April 24, 1985

Marilyn A. Wilson  
1st Vice Chairman

ATTEST:

AB Padock  
Secretary

4.10.85:1550(30)