

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1565
Wednesday, July 24, 1985, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, July 23, 1985, at 11:21 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:36 p.m.

MINUTES:

Approval of Minutes of July 10, Meeting No. 1563:

On **MOTION** of **WOODARD**, the Planning Commission voted 5-0-3 (Carnes, Connery, Kempe, VanFossen, Woodard, "aye"; no "nays"; Draughon, Paddock, Wilson, "abstaining"; Harris, Higgins, Young, "absent") to **APPROVE** the **Minutes of July 10, 1985, Meeting No. 1563.**

Approval of Amended Verbiage of Minutes of June 26, 1985, Meeting #1562:

Staff informed that the verbiage "(except as noted) and that the west 70' of the property be zoned as Parking District." was added to the end of the motion for Z-6062, Page 39, and the verbiage "containing 10.75 acres more or less to the IL District" was added to the last sentence of the legal description for the IL District of Z-6062 (page 40).

On **MOTION** of **PADDOCK**, the Planning Commission voted 7-0-1 (Carnes, Connery, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Harris, Higgins, Young, "absent") to **APPROVE** the amended verbiage to pages 39 and 40 of the **Minutes of June 26, 1985, Meeting No. 1562.**

7.24.85:1565(1)

CONTINUED ZONING PUBLIC HEARING:

Application No. **Z-6057** Present Zoning: CS, RS-3, IL, IM
Applicant: Williams (City of Tulsa) Proposed Zoning: FD
Location: Cherry and Red Fork Creeks, between the Arkansas River and S. 61st
West Avenue, and West 51st and West 31st Streets South

Date of Application: May 3, 1985
Date of Hearing: July 24, 1985 (cont'd from May 29; continued to
September 25, 1985)

The Chairman informed that this item had been requested by Stormwater Management to be continued until September 25, 1985.

TMAPC Action: 8 members present

On **MOTION** of **CARNES**, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughton, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to **CONTINUE consideration of Z-6057** until Wednesday, September 25, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

Application No. **PUD #109-A** Present Zoning: (RM-1)
Applicant: Norman (Southbank)
Location: North of West 51st Street & East of Jackson Avenue

Date of Application: May 3, 1985
Date of Hearing: July 24, 1985 (cont'd from June 26, 1985)

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building Phone: 583-7571

Staff Recommendation:

The applicant is requesting amendment and removal of all of the RM-1 portion of PUD #109, plus a small part of the RS-3 area and requests that a determination be made that the 228 units of multifamily residential apartments remaining under the PUD be approved as to intensity. The area of the subject tract which is being amended from the PUD is approximately 40% of the total land area. The land area remaining under the provisions of PUD #109 would require a small amount of RM-1 zoning on the southeastern boundary to accommodate the existing 228 dwelling units if the balance of the RS-3 area was given duplex density at 8.7 units per acre. The remaining area and existing density is modest and substantial amounts of open space will remain undisturbed. The Staff supports the removal of the undeveloped portions of the PUD as proposed.

Therefore, the Staff recommends that the requested portion of PUD #109 be removed from the controls of the PUD and that the maximum number of dwelling units be established at 228 multifamily residential units, based on RS-3 duplex densities (1 unit per 5,000 sq. ft.) and enough RM-1 zoning (at 1 unit per 1,700 sq. ft.) to accommodate the existing development.

PUD #109-A (cont'd)

Staff Comments:

Mr. Gardner informed that this item was heard on June 26, but a portion was not advertised; thus the applicant readvertised and provided a new legal description.

Applicant Comments:

Mr. Norman reiterated that this item was heard by the TMAPC and requested that it be approved. He also requested an early transmittal of minutes to the City Commission so that this case might be heard along with its companion zoning case, Z-6062.

TMAPC Action: 8 members present

On **MOTION** of **WOODARD**, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to **APPROVE** PUD #109-A, as recommended by Staff and that the minutes be transmitted early to the City Commission.

Legal Description:

Part of Lot Two (2), Block One (1) of "ROYAL MANOR SOUTH", an addition to the City of Tulsa, Tulsa County, Oklahoma according to the recorded plat thereof, more particularly described as follows:

Commencing at the Southwest corner of said SE/4 of the SE/4 of Section 26; thence North 150.00 feet, said point lying on the East line of South Indian Street; thence N 00°00'19" East along said East line a distance of 588.26 feet to the point of beginning at the Southwest corner of said Lot Two (2), Block One (1) of "Royal Manor South"; thence along the West line of said Lot Two (2) as follows; thence N 03°48'33" West a distance of 150.33 feet to a point; thence N 00°00'19" East a distance of 82.36 feet to a point of curve; thence along said curve to the left, said curve having a radius of 180 feet, a central angle of 12°39'45", a distance of 39.78 feet to a point; thence N 46°28'37" East a distance of 100.40 feet to a point; thence N 65°01'07" East a distance of 269.38 feet to a point on the East line of said Lot Two (2); thence S 20°21'56" East along said East line a distance of 237.80 feet to a point; thence S 31°20'51" East along said East line a distance of 271.30 feet to the Southeast corner of said Lot Two (2); thence West 527.18 feet along the South line of said Lot Two (2), Block One (1) of "Royal Manor South" to the Point of Beginning.

AND

Lot Two (2), Block Two (2) and the South 518.32 feet of Lot One (1), Block Two (2) of "Royal Manor South" an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

ZONING PUBLIC HEARING:

Application No. **Z-6064** Present Zoning: RS-3
Applicant: Jones (Property Co. of America) Proposed Zoning: OM
Location: East of the Northeast Corner of 91st and Yale Avenue

Date of Application: May 31, 1985
Date of Hearing: July 24, 1985

Presentation to TMAPC by: Bill Jones
Address: 201 W. 5th Street 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 OM District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis — The subject tract is 2.35 acres in size and located east of the northeast corner of 91st Street and Yale Avenue. It is partially wooded, flat, vacant and is zoned RS-3.

Surrounding Area Analysis — The tract is abutted on the north by a multi-story office building zoned OL, RS-3 and PUD, on the east by a future office site and developing residential subdivision zoned RM-1 and PUD, on the south by vacant property zoned RS-1 and on the west by an unoccupied single-family dwelling zoned CS.

Zoning and BOA Historical Summary — The TMAPC approved the typical nodal pattern, commercial 660' x 660' and a 300' strip of office, on the northeast corner of the intersection. In addition, RM-1 zoning was approved through the confines of a PUD on 20 acres located east of the subject tract. The PUD allowed 50,400 sq. ft. of office use, a maximum of two stories tall, on Block 4. Block 4 is the large, vacant tract abutting the subject tract to the east.

Conclusion — The subject tract falls within the 300' buffer of the commercial district to the west. The requested OM zoning would not be consistent with the existing zoning pattern and the Comprehensive Plan; however, OL zoning would meet both of these tests.

Based on the Comprehensive Plan and existing zoning patterns, the Staff recommends DENIAL of OM zoning and APPROVAL of OL zoning.

Z-6064 (cont'd)

For the record, if the applicant wishes increased floor area ratio and multi-story construction, a PUD could be filed on the subject tract similar to the property to the east and north, with OL underlying zoning if approved by the Commission.

Comments and Discussion:

Ms. Wilson asked why OM zoning was permitted on the northwest corner and Mr. Gardner informed that area falls within the guidelines; however, this site is outside the nodal zone.

Applicant Comments:

Mr. Jones informed that the application is not in accordance with the District 18 Plan, but he felt that conditions which have changed since the Plan was adopted should be taken into account. He advised that the area would justify a higher intensity zoning than would be permitted under OL zoning and advised that the present use of adjacent property would indicate that OM zoning was appropriate. He advised that OL zoning and a PUD would not handle the needs of the proposed tenant and advised that if an application conforms with what is in the area, the applicant should not have to take additional time and expense to make application for a PUD. He further advised that he felt it would be reasonable to permit an exception to the zoning requirement on this property without a PUD because there is CS and RS-3 zoning on the west and OL zoning on the north and south.

Other Comments and Discussion:

Mr. VanFossen asked what density ratio was for the Geophysical Center and Mr. Jones informed there would be a FAR of about .25.

Mr. VanFossen informed that he didn't consider this to be a good example of why to approve OM zoning on this property. Mr. Jones informed that OL zoning would not permit a comparable structure without a PUD.

Mr. Carnes made a motion to approve OM zoning on the subject tract, but the motion died for lack of second.

TMAPC Action: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted 7-1-0 (Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; Carnes, "nay"; no "abstentions"; Harris, Higgins, Young, "absent") to **DENY OM** zoning, but to **APPROVE OL** zoning on the following described tract:

Legal Description:

The East 220.00' of the following described tract of land:

BEGINNING at the Southwest Corner of Section 15, T-18-N, R-13-E,, Tulsa County, State of Oklahoma; thence due North along the West line of said Section 15, a distance of 464.00 feet to a point; thence South 89°55'41"

Z-6064 (cont'd)

East a distance of 880.77 feet to a point; thence due South and parallel with the West line of Section 15, a distance of 464.20 feet to a point on the South line of Section 15; thence North 89°54'59" West along the South line of Section 15, a distance of 880.77 feet to the Point of Beginning.

Application No. **Z-6065**

Present Zoning: RM-1

Applicant: Everett (Land)

Proposed Zoning: CH

Location: Southeast corner of Ute and Joplin

Date of Application: June 11, 1985

Date of Hearing: July 24, 1985 (cont'd to August 28, 1985)

Presentation to TMAPC by: Mr. Pat Reibel

Address: 520 N. Virginia, Okla. City, OK

Phone: N/A

Relationship to the Comprehensive Plan:

The District 16 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity — Residential.

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

Staff Recommendation:

Site Analysis — The subject tract is approximately .4 acres in size and located at the southeast corner of Ute Street and Joplin Avenue. It is nonwooded, flat, vacant, currently being used for off-street parking and is zoned RM-1.

Surrounding Area Analysis — The tract is abutted on the north and east by single-family dwellings zoned RM-1, on the south by what appears to be light industrial uses within enclosed buildings zoned CH, and on the west by a church zoned RM-1.

Zoning and BOA Historical Summary — CH zoning was adopted in its present configuration in 1970. The subject tract has been granted a Special Exception by the Board of Adjustment for employee parking. Property to the north, east and west, even though zoned RM-1, is used for single-family dwellings.

Conclusion — Although property to the south of the subject tract is zoned CH and adopted by map in 1970, most of the commercial uses would fit into a CG classification. Presently, there is no commercial encroachment into the residential zoned area to the north. The Staff cannot support any commercial zoning on the subject tract as it is not in accordance with the Comprehensive Plan Map and would be an encroachment into the single-family area to the north.

Z-6065 (cont'd)

Therefore, the Staff recommends DENIAL of CH, CG or CS zoning on the subject tract.

Applicant Comments:

Mr. Reibel informed that he is President of the Flasher Company and partner in the subject company. He advised that CH zoning was requested in order to allow outdoor storage of signs, to permit trucks to park on the site and that there was no intention of building on the site. He expressed concern that the application may have been requested for too great a zoning classification and advised that he would accept whatever zoning would permit the requested uses.

Other Comments and Discussion:

Ms. Kempe asked about the possibility of the "P" District. Mr. Gardner informed that the applicant would need something which would accommodate his use; i.e., CH, IL or CG with Board of Adjustment exception; however, the applicant was not advertised for IL zoning.

Ms. Wilson asked what prompted the application. Mr. Reibel informed that when he purchased the property last year, it was tied up in the Republic Bank bankruptcy proceedings and was only now available for use. He also informed that no activity was currently being conducted on the site.

Mr. Carnes asked if the case could be continued to permit the applicant to obtain letters from the neighborhood. Mr. Gardner informed that the neighbors were present at the hearing and anything that could be done under CH, IL or CG zoning would be an encroachment into the neighborhood.

Ms. Kempe asked if a PUD was a possibility and Mr. Gardner said it was, but advised that whatever action was taken must be considered appropriate under the Plan.

Mr. Paddock asked why the applicant wished to locate his business on this site. Mr. Reibel informed that he purchased this site along with a site which has a building on it, and later found out that the back portion of the property was not zoned the same as the front.

Interested Parties:

David Bailey

Address: N/A

Mr. Bailey informed that he is pastor of the Northeast Christian Church located across the street from the subject tract. He presented four petitions (Exhibit "A-1") that opposed heavy commercial use. He advised, however, that the petitioners were not opposed to the Flasher Company utilizing the site as was requested since they had cleaned up the site.

Ms. Wilson asked Mr. Bailey if he felt the petitioners would be in opposition to IL zoning and he advised he didn't think they would be.

Z-6065 (cont'd)

Other Comments and Discussion:

Mr. Reibel requested some guidance as to how to proceed to obtain the necessary zoning. Mr. Paddock advised that the petitioners were apparently objecting to CH zoning and appeared not to object to a variance. He asked Mr. Gardner if there were circumstances under which the BOA might grant a variance at this location. Mr. Gardner informed that would be difficult to say, but advised that the fact that there are two different zoning classifications on the property could possibly be considered by the BOA as a hardship.

Mr. VanFossen informed that he is familiar with this site and advised that he felt it would be an appropriate consideration for the BOA. He also informed that he would be willing to assist the applicant in obtaining a variance. Mr. VanFossen asked Mr. Gardner if the TMAPC could refer the application to the BOA. Mr. Gardner informed that an application is usually continued with reference in the minutes that the TMAPC considers the application appropriate for a variance. During the time of continuance, the applicant could appear before the BOA to see if it could be approved. Mr. VanFossen informed that he felt this would be the appropriate action. Mr. Gardner informed that there would almost be enough detail required for the BOA that the applicant could apply for a PUD.

Ms. Wilson informed that she felt it would be appropriate to permit the applicant to return for a PUD or obtain a variance from the BOA and asked what the hardship could be in this case. Mr. Gardner informed that the Board sometimes considers the fact that the property has multiple zoning classifications, but it oftentimes takes more than that to justify the hardship. The location of the church (primarily a non-residential use) to the west might also assist the Board in making its decision. Mr. Gardner advised that if Mr. Reibel made application to the BOA by noon, Friday, July 26, his case could be heard by the BOA on August 22. He also noted that Mr. Reibel would need only a plot plan for a PUD.

Mr. Reibel asked if he needed to make additional application to the TMAPC and Ms. Kempe suggested that he meet with Staff for guidance as to what would be the best way to pursue this.

Instruments Submitted: Petitions from Neighborhood Opposing Rezoning
(Exhibit "A-1")

TMAPC Action: 8 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to **CONTINUE consideration** of **Z-6065** until Wednesday, August 28, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center to permit the applicant to make application for a variance with the Board of Adjustment or to file a PUD.

Application No. Z-6066

Present Zoning: RS-3

Applicant: Smith

Proposed Zoning: OL

Location: West of the Southwest Corner of 28th and Sheridan

Date of Application: June 11, 1985

Date of Hearing: July 24, 1985

Presentation to TMAPC by: Ms. Betty Smith

Address: 4141 E. 41st

Phone: 743-0744

Relationship to the Comprehensive Plan:

The District 5 Plan Map, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity — Residential.

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

Staff Recommendation:

Site Analysis — The subject tract is approximately .2 acres in size and located west of the southwest corner of 28th Street and Sheridan Road. It is partially wooded, flat, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis — The tract is abutted on the north, south and west by similar single-family dwellings zoned RS-3, and on the east by the Tulsa Branch of the University of Oklahoma Medical School zoned OL.

Zoning and BOA Historical Summary — TMAPC and BOA actions have allowed property abutting Sheridan Road for commercial and office uses between 31st Street and one lot north of 28th Street.

Conclusion — Presently, a district boundary line exists for commercial and office zoning some 350 feet west from the centerline of Sheridan Road. The zoning lines are well-established and the existing Medical School/OL buffer is adequate to buffer the residential area. Any non-residential zoning west of this line would be a detrimental encroachment into the residential neighborhood.

Based on the above-mentioned facts and the Comprehensive Plan, the Staff recommends DENIAL of the OL request.

Applicant Comments:

Ms. Smith informed that she planned to use this site for a real estate office and didn't want OL zoning, but it was apparently the only zoning available to achieve the requested use. If the application is approved, there would be a 6' tall privacy fence erected on the west and south sides of the property and the rear would be paved for parking.

7.24.85:1565(9)

PUD #401 (cont'd)

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building, Suite 1100 Phone: 583-7571

Staff Recommendation:

The subject tract has a frontage of 100 feet on South Utica Avenue, 140 feet on East 17th Place and 250 feet on South Victor Avenue. The underlying zoning of this tract is OL for the South Utica frontage, OM at the intersection of East 17th Place and South Victor, and RS-3 along South Victor north of the OM area. The proposed use of the PUD is for principal and accessory uses permitted as a matter of right in an OL District. The gross area of the tract is 67,000 square feet. The Outline Development Plan indicates a proposed one-story structure to be built along South Utica and a two-story structure to be built along South Victor. The topography of the site causes the residential properties on the east side of Victor to be approximately 5 feet higher than the subject tract and a 3 to 4-foot cut is proposed to construct the two-story building — this will minimize the impact of the two-story office building on the residences and improve compatibility. The two-story structure will back into the single-family residential area to the east and across the street, and a heavily landscaped 25-foot buffer will be installed along South Victor. Because of the manner in which the buildings are sited, elevation drawings should be required in conjunction with the Detail Site Plan for TMAPC review. A similar 25-foot landscape buffer is proposed along the 17th Place frontage south of the east building. Total internal landscaped area will be 20% of the net area. Access to the site is proposed to be at one point each on Utica, 17th Place and Victor Avenue — the Staff and TAC recommend that no access be granted to Victor and this site to provide a measure of protection to the abutting residential neighborhood. The Staff also recommends that the proposed signage be restricted to Utica and 17th Place, and that no identification signs be allowed on Victor. The PUD Text restricts parking lot lighting to be directed downward and away from the eastern boundary and exterior lighting of any building face to be ground-mounted along Victor, directing lighting upward and away from the adjacent residential area. The tract slopes from the east and south, downward to the north and west. The Text indicates that storm water will be managed in the paved parking areas in shallow detention basins. The Outline Development Plan concept design could be improved if the parking lot located on the north side of the two-story building would be shifted to the south side and the proposed 25-foot landscape buffer along Victor continued the full distance. This change would concentrate traffic on the site away from the houses on the east side of Victor and would relocate this activity more in conjunction with similar activity which now exists south of 17th Place.

The Staff has reviewed the proposed PUD and Outline Development Plan and Text, and with the above changes and recommendations, finds it 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.

PUD #401 (cont'd)

Therefore, the Staff recommends APPROVAL of PUD #401 as follows:

(1) That the applicant's Outline Development Plan and Text be approved, except as modified herein.

(2) Development Standards:

Land Area (Gross):	67,000 sq. ft.	1.54 acres
(Net):	52,500 sq. ft.	1.21 acres

	<u>Submitted</u>	<u>Recommended</u>
Permitted Uses:	Principal and Accessory uses as a matter of right in an OL District.	Same, except excluding drive-in bank facilities and funeral homes.

Maximum Floor Area:	18,000 sq. ft.	18,000 sq. ft.
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Maximum Building Height:	26 ft.	26 ft.
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Minimum Building Setbacks:

From Centerline of S. Utica	60 ft.	60 ft.*
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From Centerline of S. Victor	50 ft.	50 ft.
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From Centerline of 17th Place	55 ft.	55 ft.
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From North Property Line	5 ft.	5', except for east 25'
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From South Interior Property Line	50 ft.	50 ft.
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From West Interior Property Line	70 ft.	70 ft.
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Minimum Offstreet Parking:	As required per the Zoning Code.	Same
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Minimum Internal Landscaped Open Space (Net):	20%	20%
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Signs:	Two ground identification signs which shall not exceed 6 feet in height or 32 square feet in surface area.	Same, except no signs shall be placed along South Victor Avenue.
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PUD #401 (cont'd)

- * This setback should not be less than the building setback to the Doctor's Building located at the northeast corner of 17th Place and Utica Avenue.
- (3) Subject to review and recommendations of the Technical Advisory Committee.
- (4) That all trash and utility areas shall be screened from public view and any roof mounted equipment shall be screened from the public view of persons standing on ground level in adjacent residential areas east of Victor Avenue.
- (5) That the Outline Development Plan shall be redesigned to provide that the parking area on the east building shall be located on the south side of said building with a landscape buffer 25 feet wide along the entire eastern boundary, and no right of access from the development shall be granted to South Victor.
- (6) That a Detail Site Plan shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit and shall include a 25-foot landscape buffer along the entire eastern boundary. Further, that the Plan shall include north and east elevations of all buildings on the east-half of the project.
- (7) That a Detail Landscape Plan and Sign Plan shall be submitted to and approved by the TMAPC prior to granting of any Occupancy Permit.
- (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.

Comments and Discussion:

Mr. Gardner informed that Staff is not so much concerned if the building is moved north and the parking lot moved south, but that the 25' buffer run the full length of the eastern boundary and that there be absolutely no access to Victor (condition #5).

Mr. Paddock advised that he didn't see all conditions set forth in the detailed conditions. He questioned if the proposed 25' landscape buffer along 17th Place should be included as a condition, as was the 25' landscape buffer along the eastern boundary. He advised that he was not sure what "heavily" landscaped means and suggested that the word "heavily" should be included in condition (6). In regard to signage, he noted that Staff advised that signage should be restricted to Utica and

PUD #401 (cont'd)

17th Place with no identification on Victor, but there appeared to be no reference restrictions in the specific conditions. Mr. Gardner informed that the signs were referred to in the "signage" portion of the conditions; in regard to the word "heavily", it was recommended that the landscaping used on 17th Place be similar to that used on the eastern boundary of the parking garage south of 17th Place. He advised that the items noted by Mr. Paddock were in the final agenda information and were possibly omitted from the tentative information.

Ms. Wilson informed that the parking lot lighting did not appear to be listed on the restrictions and felt it should be an added condition. Mr. Gardner informed that condition was included in the applicant's text and informed that if the Commission doesn't change it, he is bound by it, but advised that it could be enumerated.

Applicant Comments:

Mr. Norman represented the applicant, St. John's Medical Center. He presented a Concept Illustration of the proposal (Exhibit "B-1") and photographs of the area (Exhibit "B-2") and advised that all items noted by the Planning Commissioners were addressed in the Text submitted by the applicant. He advised that the Landscape Plan and landscape planting list were included in the Text and would ultimately be made part of the Staff's Recommendations. He further advised that the applicant included a lighting standard which was not included in the Staff Recommendation that any exterior lighting of the face of the buildings along South Victor "shall be ground mounted and directed upward and away from the eastern boundary". He stated that this is an example of an occasion in which the text is more expansive than the Staff Recommendation.

St. John's has attempted to utilize existing properties and existing zoning for a medical office project without requesting a change in the office zoning. The proposed PUD utilizes less density than would be permitted in the area. He advised that the Medical Center owns five homes on the east side of the proposed development and has no plans to remove them.

He informed that the access point on Victor Avenue would be closed as recommended. He advised that the applicant prefers to retain the building in its proposed location and requested approval of the Staff Recommendation, except for this condition.

Other Comments and Discussion:

Mr. VanFossen informed he had only one problem with the proposal, that being the two-story structure on Victor. Mr. Norman informed that there would be no openings on that side and on the east side the first floor and second floor offices would be about the same height.

Ms. Wilson asked for a clarification of the minimum building setback. Mr. Gardner informed that Staff felt a 60' setback from the centerline of Utica would be more than adequate, but when the Detail Site Plan is presented, this would be reviewed.

PUD #401 (cont'd)

Ms. Wilson asked if the applicant would be requesting a waiver of the right-of-way requirement on Utica. Mr. Norman said that would not be addressed until later in the process. Ms. Wilson asked if Mr. Norman might request a waiver at a later date and he informed he might. Mr. Gardner informed this question would be addressed under condition (8).

Mr. Carnes asked how many points of difference there are between the applicant and Staff and was informed there is only one — condition (5).

Interested Parties:

Ms. Eleanor Craig	Address: 1814 E. 17th Street
Ms. Elizabeth Rogers	16th & Yorktown
Mr. Charles Craig	1814 E. 17th Street
Ms. Nell Bradshaw	1628 S. Victor

Ms. Craig asked if the two-story building could be increased in height and Mr. Gardner informed that it would be restricted to two-story under the PUD. She expressed concern about the amount of traffic on Victor and asked if anything was being done to make this a one-way street. Mr. Gardner informed her that there would be no exit onto Victor under the proposal and that the hospital doesn't own all the property; if it did, the hospital could vacate the street. The Staff previously conducted a study which addressed this issue and if the hospital obtains control of the ownership in the area, it would be desirous of cul-de-sacing the street.

Ms. Craig asked where the neighborhood could apply to have something done about the street problem and was informed that they could contact the Traffic Engineer (Bill Thomas).

Mr. Paddock asked why she was concerned about a two-story building and Mrs. Craig informed that the day care center located on the property was originally proposed to be one-story, but was then amended to two-story.

Mr. VanFossen advised that if 17th Place had no access onto Victor from the west, this would reduce traffic on Victor and suggested that this be referred to Traffic Engineering for its review. Mr. Gardner informed that the streets could not be closed or reworked without 100% agreement from the neighborhood and that was part of the consideration.

Mr. Norman informed that the hospital has included a recommendation for cul-de-sacing the street in its long-range plans in order to block the hospital from the neighborhood. Petitions have been submitted to property owners on Victor and Wheeling to address this problem. He advised, however, that he didn't feel that Traffic Engineering would approve closing 19th Street. Mr. Norman also clarified the statement of Mrs. Craig in regard to the child care center. He advised that it was originally approved as two-story, but was later redesigned to one-story and expanded farther on the property.

PUD #401 (cont'd)

Ms. Rogers expressed concern about traffic problems and suggested that nearby streets be ended at 16th Street or 16th Place.

Mr. Craig asked where the access would be to accommodate the proposed buildings if Victor is closed. Mr. Gardner informed that traffic could enter or leave via Utica or 17th Place, but there would no access east.

Ms. Bradshaw asked how the storm water would be managed and Mr. Gardner informed that the applicant would be required to provide detention by trapping the water in the parking lot, etc. She asked how she could protest the proposed two-story building and Mr. Gardner informed that under the proposal the building would be limited to two-story, but present OM zoning on the property would permit dwellings taller than two-story. She also asked about the possibility of installing stop signs, closing the street to parking, etc. and Mr. Gardner informed that she would need to address this question to Traffic Engineering. She suggested that a sign such as "Slow, School Children" be installed by the day care center to slow traffic.

Instruments Submitted: Concept Illustration of the Proposal (Exhibit "B-1")
Photographs of the Area (Exhibit "B-2")

TMPC Action: 8 members present

On **MOTION** of **WILSON**, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughton, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to recommend to the Board of City Commissioners that **PUD #401** be APPROVED as recommended by Staff except that condition (5) be amended to exclude the provision for relocating the building. Condition (5) would thus read, "A landscape buffer 25 feet wide along the entire eastern boundary and no right of access from the development shall be granted to South Victor."

Legal Description:

Lots Four (4), Five (5), Six (6), Seven (7) and Eight (8), and Lots Twelve (12) and Thirteen (13), Block Seventeen (17), ORCUTT ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma.

SUBDIVISIONS:

FINAL APPROVAL AND RELEASE:

Eleven Trade Center (PUD #392) (594) NW/c E. 11th & S. 123rd E. Ave. (CS)

Stringer Nursery and Gardens (1984) 10020 E. 91st St. (CO)

Staff informed that all release letters have been received and final approval and release was recommended.

Eleven Trade Center (PUD #392) (594) & Stringer Nursery and Gardens (1984)
(cont'd)

TMAPC Action: 8 members present

On MOTION of WILSON, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to APPROVE the final plat of Eleven Trade Center (PUD #392) (594) and Stringer Nursery and Gardens (1984) and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #343 Southwest Corner of 81st & Memorial Memorial Bank at Echelon Center

Staff Recommendation -- Detail Landscape Review

The subject tract is located at the southwest corner of East 81st Street South and Memorial Drive and has a triangular shape with a net area of .97 acres. It is described in the PUD as Development Area "A" with a principle use as a drive-in bank. The tract received Detail Site Plan approval by the TMAPC on January 16, 1985. The applicant is now requesting Detail Landscape Plan approval.

After review of the applicant's submitted plans, Staff finds one major discrepancy between the applicant's plans and previous plans submitted with the PUD. Along both Memorial Drive and 81st Street the PUD is bordered by a double row of Red Maple trees. The applicant's submitted plans do not show this landscaping. Landscaping abutting the proposed structure is adequate and the applicant more than exceeds the required 15% open space requirement; however, the majority of this open space consists of grassed areas only without shrubs or trees. The plan includes a detailed schedule of tree and shrub types as well as size. Staff would recommend that the triangular island directly west of the subject tract have more landscaping than the one Water Oak as shown.

Therefore, with these recommendations, Staff could find the Plan to be consistent with existing landscape for the entire PUD which should appear as one office/commercial complex instead of three independent developments. Staff recommends APPROVAL of the landscaping plan subject to provision of additional landscaping of the triangular island west of the building, and subject to installation of a double row of Red Maple trees on the west and north abutting right-of-way consistent with adjacent development.

Comments and Discussions:

Mr. Frank informed that the shrubbery to the south of the triangular-shaped area being considered for the Landscape Plan is meant to depict the double row of Red Maple Trees. It is along the Memorial frontage and to the west of the area of request and areas adjacent to the areas being considered for landscape approval. Although it was shown on the Outline Development Plan to also be included on the 81st Street and Memorial frontage on the Landscape

PUD #343 (cont'd)

Plan, it was not indicated on the Plan. This is why the Staff made its recommendation subject to the additional landscaping. The applicant was not present, but Mr. Frank informed that he had been notified of the Staff's Recommendation. Ms. Wilson asked what the applicant's response was and Mr. Frank informed that he had not responded. Ms. Wilson informed that the Red Maple Trees currently in existence are large trees and stated that she felt it was well put and noted that under the PUD, the area was supposed to appear as one development. If the applicant doesn't install this landscaping, it would appear to be separate office, commercial and a bank. She asked if it should be more specific as to what "additional" landscaping was being suggested. Mr. Frank suggested that the TMAPC might wish to indicate on the record that the TMAPC was in support of the Staff's Recommendation and require that the applicant continue the application and return with a Plan. Chairman Kempe informed that she would be rather not approve this conditionally and Ms. Wilson concurred.

Mr. Frank, therefore, recommended that this item be continued to August 7 to permit the applicant to resubmit the plan. Chairman Kempe informed that she felt this would be appropriate.

TMAPC Action: 8 members present

On **MOTION** of **WILSON**, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to **CONTINUE consideration of PUD #348, Detail Landscape Plan** until Wednesday, August 7, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center to consider what is presented in respect to additional landscaping prior to final approval. The TMAPC noted that it is supportive of Staff's Recommendation for additional landscaping and installation of the double row of Red Maple trees and wished to have the applicant respond in person.

PUD #111-B Eagle Ridge Condominiums Phase IV
North of the NE/c of E. 31st Street and S. 129th E. Avenue

Staff Recommendation -- Minor Amendment:

The majority of the units are setback from the front property line 24 feet; however, "D" units in Buildings 3004 and 13509 sit on the 20-foot front building line which appears applicable throughout Phase IV. A minor amendment was approved for Phase I changing the 20-foot front setback to 24 feet; however, this does not appear to be applicable to Phase IV.

PUD requirements for building separation are met and the rear yard requirement of 20 feet is not met in only one case for a "D" unit in Building 3017. Again, similar circumstances were considered minor in earlier Phases.

PUD #111-B (cont'd)

Therefore, the Staff recommends APPROVAL of the Minor Amendment for the rear yard "D" unit in Building 3017 from 20 feet to 16 feet and Detail Site Plan for Phase IV of the Eagle Ridge Condominiums subject to the following conditions:

(1) That the submitted Detail Site Plan be made a condition of approval, unless modified herein.

(2) Development Standards:

Land Area: 3.63 acres, plus or minus

Permitted Uses: Attached single-family townhouses

Maximum Number of Units: 32

Maximum Height: 35 feet

Minimum Building Setbacks:

From Front Yard	20 feet*
Rear Yard	20 feet**
Building to Building	10 feet

Minimum Livability Space: 900 square feet per unit

* This setback was changed to 24 feet from 20 feet per a minor amendment in Phase I for several locations and enforced for Phases II and III. The motion of the TMAPC on Phase I; however, indicates that this setback would be properly interpreted as 20 feet maximum for Phase IV.

** The requested minor amendment will, if approved, modify the rear yard on Building number 3017 for the most westerly "D" unit from 20 feet to 16 feet. The Staff considers this minor in nature and recommends APPROVAL. Abutting land is a City Park.

(3) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy of any units.

(4) That signs shall conform to Section 420.2(d)(2) of the Zoning Code.

(5) That drainage plans be approved by the City Engineer.

Applicant Comments:

Tom Sullivan represented the applicant and informed that this property was originally platted by the Salvation Army under PUD #111. He clarified that the purchaser of the townhome purchases a common interest in the overall development, but not in the land.

PUD #111-B (cont'd)

Staff Recommendation — Detail Site Plan:

The total area of the PUD was 10.9 acres and the subject tract has been approved for attached single-family townhouse development. The development was planned for 113 units with 27 units in Phase I, 54 units in Phases II and III, and 32 units proposed in Phase IV. The area of Phase IV is approximately 3.63 acres. Detail Site Plan and Landscape Plan approval has been previously granted for Phases I, II and III. Although this area is platted, the units are built across lot lines in Phase IV as is typical with other Phases.

TMAPC Action: 8 members present

On **MOTION** of **WILSON**, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Higgins, Young, "absent") to **APPROVE** the **Detail Site Plan** and **Minor Amendment to PUD #111-B Eagle Ridge Condominiums Phase IV**, as recommended by Staff.

OTHER DISCUSSION — MINUTES:

Some of the Commission members expressed a desire to have more discussion included in the minutes. Mr. Gardner informed that the minutes are not meant to be a transcript of the meeting, but comments which lead to the motion; (i.e., the reasons for support or non-support of an item) are usually included. If a Commissioner feels that a comment is important and should be included in the minutes, he or she may request that it be included in the minutes.

OTHER DISCUSSION — AUTHORITY OF TMAPC IN ZONING MATTERS:

Mr. Draughon noted that there is a matter coming before the Commission on August 7. He advised that it is his understanding that the TMAPC is a screening committee, but not the final authority on zoning or PUDs. It does, however, have final authority on land matters pertaining to lot splits and plat waivers. Mr. Linker informed that was correct.

Mr. Draughon asked if a condition was recommended by the TMAPC, must it also be adopted by the City Commission and Mr. Linker informed it could. He also informed that the TMAPC would want to make sure that a specific condition was transmitted in the manner it was recommended. Mr. Linker informed, in regard to the particular case Mr. Draughon was commenting on, the individual contends that he had an arrangement in regard to water runoff, but such a private agreement is not really a City Commission or TMAPC matter. The man has reviewed his case with members of the City Staff (including Stormwater Management, Commissioner Metcalfe, City Legal Counsel, etc.). There is nothing that can be done by the City; however, he may have legal recourse against the developer of the property in question as a civil matter.

There being no further business, the Chairman declared the meeting adjourned at 4:05 p.m.

Date Approved August 7, 1985

Cherry Kenge
Chairman

ATTEST:

RS Paddock
Secretary

7.24.85:1565 (21)

