

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1578
Wednesday, October 23, 1985, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 22, 1985 at 12:48 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice Chairman Wilson called the meeting to order at 1:43 p.m.

MINUTES:

Approval of Minutes of October 9, 1985, Meeting No. 1576:

On MOTION of PADDOCK, the Planning Commission voted 6-0-0 (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to APPROVE the Minutes of October 9, 1985, Meeting No. 1576.

REPORTS:

Chairman's Report:

Due to some confusion and possible discrepancies in the amendment to the Arkansas River Corridor Study and the proposal made by TMATS Policy Committee regarding the right-of-way minimums and/or maximums, First Vice Chairman Wilson asked if the Commission desired to leave the record as is or withdraw support of the motion adopted by TMAPC at the October 2, 1985 meeting. Mr. Paddock made a motion to amend the previously approved motion of the October 2, 1985 meeting to strike, "including the amendment of the TMATS Policy Committee", and refer the matter back to the Policy Committee for its reconsideration. Discussion followed among the Commission members and Staff as to the time elements involved and the possibility of TMATS holding a special meeting on this item to try and meet the tentative November 20, 1985 public hearing. Mr. Paddock further added his request was for clarification of this

Chairman's Report (cont'd)

amendment and he felt that, although this involves the Major Street and Highway Plan, it should be dealt with as a separate issue from the 96th Street Corridor Study. Mr. Jerry Lasker stated he felt the issue had been thoroughly discussed at the TMATS meeting and reminded the Commission that he had brought up the minimum and maximum issue at the Comprehensive Plan Committee meeting held to discuss this matter. Mr. VanFossen commented he would be in favor of the motion only if it did not create a problem with time as he felt it could be resolved at the public hearing.

On **MOTION** of **PADDOCK**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **AMEND** the previously approved motion of the October 2, 1985 meeting by striking "including the amendment of the TMATS Policy Committee" and refer the matter back to the Policy Committee for its reconsideration.

Committee Reports:

Mr. Paddock advised the Rules and Regulation Committee is scheduling a meeting for Thursday, October 31, 1985 to begin a review covering the PUD Chapter and the Corridor District Chapter of the zoning code and any other items that may be involved in review due to problems the Staff and/or the Commission may have had in administering the Code.

Director's Report:

Mr. Jerry Lasker commented, in reply to Ms. Wilson, that there would be adequate notice of any future meetings regarding Special Housing (Group Homes), as it was an oversight that the previous meeting was not posted. Mr. Lasker advised the Metro Human Services Commission would be meeting November 6, 1985 to discuss this issue and the TMAPC public hearing was tentatively scheduled for December 4, 1985. In response to Mr. Draughon, Mr. Lasker clarified that Special Housing involved more than group homes and did involve changes in use units from one category to another.

Mr. Lasker also commented on the Citizen Planning Teams, which replace the Greater Tulsa Council. The Citizen Planning Teams elections for Chairmen and Co-Chairman are slated for Monday, October 28th, and will be coordinated by the League of Women Voters and INCOG Staff members.

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6068
Applicant: Alexander
Location: 1300 Block South Trenton
Size of Tract: 1 acre, more or less

Present Zoning: RM-2
Proposed Zoning: OM

Relationship to the Comprehensive Plan:

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - Residential.

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 approximately one acre in size and is located South of the southeast corner of 13th Street and Trenton Avenue. It is partially wooded, flat, contains two single-family dwellings and is zoned RM-2.

Surrounding Area Analysis: The tract is abutted on the north and west by single-family dwellings zoned RM-2, on the east by duplex and single-family dwellings zoned RM-2, and on the south by the Broken Arrow Expressway zoned RM-2.

Zoning and BOA Historical Summary: The area was blanket zoned RM-2 in 1970 based on existing development patterns and the anticipation that the area would redevelop multi-family in time. Much of the redevelopment that has occurred since that time has been multi-family in nature.

Conclusion: Although the area is zoned RM-2, it is developed for the most part for single-family or apartment uses. The only zoning within 600' from the subject tract is RM-2 residential. The Staff sees the request as a clear case of spot zoning and encroachment into the residential neighborhood by nonresidential uses.

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

Comments & Discussion:

Mr. Paddock inquired if this particular proposal had recently been before the BOA. Mr. Gardner advised that this particular area had not, but one to the south did go before the Board and was denied. The applicant was not present at the meeting.

Z-6068 Alexander (cont'd)

TMAPC ACTION: 6 members present

On **MOTION** of **WOODARD**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **DENY Z-6068 Alexander for OM**, as recommended by Staff.

Application No: Z-6052	City of Tulsa: Mingo Creek
Z-6057	City of Tulsa: Red Ford/Cherry Creek
Z-6060	City of Tulsa: Cooley Creek
Z-6063	City of Tulsa: Vensel Creek

Comments & Discussion:

Ms. Wilson advised the above cases concern FD zoning, and read a letter from Stan Williams (Stormwater Management) to Cherry Kempe requesting a continuance to November 6, 1986.

TMAPC ACTION: 6 members present:

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **CONTINUE Consideration of Z-6052, Z-6057, Z-6060 and Z-6063** until Wednesday, November 6, 1985 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: Z-6081	Present Zoning: RS-3
Applicant: Henderson (Huelett)	Proposed Zoning: OL
Location: 1400 Block of South Norfolk	
Size of Tract: 1 acre, more or less	

Date of Hearing: October 23, 1985
Presentation to TMAPC by: Mr. Ron Henderson, 1643 East 15th (585-1030)

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - No Specific Land Use.

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

Z-6081 Henderson/Huelett (cont'd)

Staff Recommendation:

Site Analysis: The subject tract is approximately one acre in size and located on the north side of 15th Street and both sides of Norfolk Avenue. It is partially wooded, gently sloping and contains four single-family dwellings. One of the dwellings appears to have been converted for home/office use. The subject tracts are zoned RS-3.

Surrounding Area Analysis: The property is abutted on the north and west by the Inner Dispersal Loop which is zoned RS-3 and RM-2 on the east by similar single-family dwellings zoned OL, and on the south by 15th Street. Across 15th Street is a developed single-family neighborhood zoned RS-3.

Zoning and BOA Historical Summary: A comprehensive office development has been approved east of the subject tract allowing multi-family office buildings and some commercial development.

Conclusion: The subject property is part of an isolated residential area that is in transition to a higher intensity use than single-family residential. Considering approval of a PUD for office use on the abutting tract, this request would be consistent with existing zoning and development patterns. The requested OL zoning would act as a buffer or transition between the expressway and residential area south of 15th Street.

Based on the Comprehensive Plan and existing zoning and development patterns in the area, the Staff recommends APPROVAL of the requested OL zoning.

Comments & Discussion:

In reply to Mr. Paddock, Mr. Gardner confirmed this request would take all the remaining property to the west of the Cherry Street office complex, less the sections belonging to the State.

Applicant's Comments:

Mr. Ron Henderson presented a review of this request and the surrounding property. He also advised of leasing some excess right-of-way land from the Highway Department. Ms. Wilson and Mr. Draughon obtained clarification of the actual area under consideration. Mr. VanFossen asked Staff what procedures the applicant would have to take on the section zoned residential. Mr. Gardner advised the process has been explained to the applicant and BOA approval for a special exception for parking on the State owned property would be needed.

Z-6081 Henderson/Huelett (cont'd)

Additional Comments & Discussion:

Mr. VanFossen, while making the motion for approval of OL, commented that TMAPC was making no restrictions on anything that was proposed; it would be open to anything OL zoning would permit. Mr. Paddock then questioned if the Commission wished to make a comment to the City on this case, as further development in this area would impact traffic on 15th Street.

Mr. Gardner commented this type of zoning is the most restrictive, lowest density office zoning available and, from that standpoint, traffic should not be significantly affected. Mr. VanFossen remarked this case was very appropriate for the area of land in question. Mr. Carnes asked if it would be legal to allow the zoning and request a site plan at a later time. Mr. Gardner advised that it would not be legal. Mr. Paddock then inquired if it was possible the BOA would set certain conditions and require a site plan or plot plan. Mr. Gardner affirmed the BOA would make that requirement.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **APPROVE Z-6081 for OL**, as recommended by Staff.

Legal Description:

Lots 6, 7 and 8, Block 14 and Lot 4 and East 10' of vacated alley, Block 13 and Lot 3 and East 10' of vacated alley less beginning with the northwest corner of Lot 3, thence east 65', thence southwesterly 90.23', thence north 50', thence east 10' to point of beginning in Block 12, all within Broadmoor Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Application No.: **Z-6082** Present Zoning: **RS-3**
Applicant: **Hall (Bailey)** Proposed Zoning: **CS**
Location: **SW/c of 48th Street & 33rd West Avenue**
Size of Tract: **.2 acre, more or less**
Date of Hearing: **October 23, 1985**
Presentation to TMAPC by: **Dennis Hall, 4989 South Union (446-3311)**

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - Residential.

Z-6082 Hall/Bailey (cont'd)

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

Staff Recommendation:

Site Analysis: The subject tract is approximately .2 acres in size and located at the southwest corner of 33rd West Avenue and 48th Street. It is non-wooded, flat, contains an accessory building and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north, south and west by single-family dwellings zoned RS-3, and on the east by office uses including a converted dwelling zoned OM. To the northeast is a CS Commercial District and uses.

Zoning and BOA Historical Summary: The CS and IM zoning districts were designated Medium Intensity areas by the Comprehensive Plan Map in 1970. These two tracts were zoned commercial and office prior to 1970 and prior to the Comprehensive Plan update. However, the balance of the area was designated Low Intensity - Residential by the Plan.

Conclusion: Although office and commercial zoning are across 33rd West Avenue from the subject tract, there is no commercial zoning on the west side of 33rd West Avenue in the area until 51st Street. The request, if approved, would be a deviation from the typical nodal commercial zoning since 48th Street is only a residential street. The Staff cannot support the requested commercial zoning and feels it would be an encroachment into the residential neighborhood and would lead to striping along 33rd West Avenue.

Based on the above information and the Comprehensive Plan, the Staff recommends DENIAL of CS zoning.

Applicant's Comments:

Mr. Dennis Hall, representing Mr. Bailey (owner) and Mr. Snow (developer), stated the needs in this area of Tulsa for a retail center. Mr. Hall noted the zoning of the surrounding areas and requested favorable consideration of this request.

In reply to Ms. Wilson, Mr. Hall stated the owner has owned this property an extensive length of time. Mr. VanFossen discussed with Mr. Hall the boarded facility on the lot, and the residential area around the subject tract. Mr. Paddock asked what the uses and zoning of the property to the north across 48th Street. Mr. Hall advised the zoning was residential. Mr. Paddock further inquired as to the location of the tract recently approved for CS, and asked Mr. Hall what relevancy this had on his case. Mr. Hall commented the tract, located one block south on 33rd West Avenue from 50th to 51st Street, had been approved within the last three or four years and felt it presented a situation where the TMAPC approved CS

Z-6082 Hall/Bailey (cont'd)

zoning, not only on 33rd West Avenue, but allowed encroachment into some residential neighborhoods. In reply to a comment from Mr. VanFossen, Mr. Gardner pointed out that the previous zoning at 51st was an intersection of arterial streets and it is just a matter of how much of a node is to be placed at an intersection. Mr. Gardner further informed the CS on the northeast corner of 33rd and 48th Street has been there for many years, and the southeast corner was denied CS but granted OM office.

Interested Parties:

Ms. Susie Grove, 2812 South 33rd, stated concerns as to what is intended to be built on the subject property, as she would not wish to see a business that would increase traffic. In reply to Ms. Wilson, Ms. Grove stated she had not had any discussions with Mr. Hall as to the intended use. Ms. Grove pointed out on the map, for Mr. Draughon, the location of her house in relation to the subject area.

Applicant's Rebuttal:

Mr. Hall asked Mr. Snow to explain what the development plans were for the site. Mr. Snow, 800 North Lynn Lane, stated a Rainbow Bread Wholesale Store was planned to be located at the subject site, and there would be no convenience stores. In response to a comment from Mr. Paddock, Mr. Snow advised that, at his other three centers, he had always done what he had stated he would do, and he had built privacy fences to block any possible disturbance to the abutting residences.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **DENY Z-6082 for CS**, as recommended by Staff.

Application No.: **PUD #407** Present Zoning: OM
Applicant: **Johnsen (Frates Equities)** Proposed Zoning: Unchanged
Location: NW/c of 68th & Yale
Size of Tract: 24.7 acres (gross)

Date of Hearing: October 23, 1985
Presentation to TMAPC by: Mr. Roy Johnsen, 324 Main Mall (585-5641)

Staff Recommendation:

The subject tract has a net area of approximately 22.26 acres and underlying OM zoning. The site is currently developed with eleven office buildings ranging from two to fifteen stories in height. The purpose of the PUD is to divide the tract into twelve areas for the purpose of possible future sales and to build two new buildings, one twelve story

PUD #407 Johnsen (cont'd)

building of 150,000 square feet and a one story building of 31,000 square feet. Existing floor area is 353,750 square feet, proposed new area is 181,000 square feet and total building area proposed is 534,750 square feet. The .5 Floor Area Ratio (FAR) for a PUD with OM underlying zoning would allow 537,966 square feet. A structured parking garage is proposed adjacent to the new twelve story building which will be located at the northwest corner of 68th and Yale. The new three story building will be located in the northwest portion of the PUD. The subdivided areas of the tract will be referred to as Parcels A - L. The tract currently has three curb cuts on Toledo Avenue which forms the southwest boundary. One new curb cut is proposed on 68th Street and Yale Avenue.

Based on existing traffic problems in the abutting neighborhood, the Staff is only conditionally supportive of the proposed PUD and does not consider it appropriate to give an intensity bonus, nor additional curb cuts on 68th Street if the proposal would lead to additional traffic problems for the interior residential neighborhood to the west. The Staff is supportive of those elements of the PUD that would require improved landscaped buffers along the south and west boundaries of the PUD, and at the main entrance at Yale to provide storage for northbound left turns, as suggested by the Traffic Engineer at the TAC meeting. The Staff is not supportive of any proposal under the PUD that would create potential additional traffic in the adjacent neighborhood beyond what the property owner would be entitled to under a .5 FAR (net area) in OM zoning, or 484,823 square feet of floor area.

The Staff has reviewed PUD #407 and finds that it is: (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 Code. Therefore, Staff recommends APPROVAL of PUD #407, subject to the following conditions:

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

Land Area (Net):	969,646 sf	22.26 acres
Permitted Uses:	As permitted by right in an OM District, including restaurant and bar, if located within a mid-rise or high-rise building in accordance with Section 640.3 of the City of Tulsa Zoning Code.	
Maximum Building Height:	15 stories	
Maximum Building Floor Area:	484,823 sf	.5 FAR *
Minimum Off-Street Parking:	1 space/300 sf **	

PUD #407 Johnsen (cont'd)

Minimum Building Setbacks:
from Centerline of Yale 110'
from Centerline of Abutting Nonarterials 55'
from North Boundary 20'

Minimum Landscaped Open Space: 35% of net area ***

* The applicant is requesting the PUD bonus on 24.7 acres gross at .5 FAR or 538,234 square feet per Text. The Staff is not supportive of the maximum amount requested.

** The applicant has requested one space per each 400 square feet for existing building and proposes one space per each 300 square feet for new buildings. Prior to conveyance of a parcel, the required parking for existing buildings shall be in place. Required parking for new buildings shall be in place prior to occupancy.

*** The applicant has proposed increased landscaping at various locations within the project. The Staff recommends that a Detail Landscape Plan be submitted to the TMAPC for review and approval and installed prior to conveyance of any Parcels created by the PUD and Plat.

PARCEL DEVELOPMENT STANDARDS:

PARCEL A

Net Area: 60,375 sf
Maximum Floor Area:
Existing Buildings: 16,911 sf
New Buildings: None
Minimum Landscaped Area: 60% of net area
Maximum Height: 2 stories

PARCEL B

Net Area: 250,750 sf
Maximum Floor Area:
Existing Buildings: 169,041 sf
New Buildings: None
Minimum Landscaped Area: 20% of net area
Maximum Height: 15 Stories

PARCEL C

Net Area: 104,275 sf
Maximum Floor Area:
Existing Buildings: 16,111 sf
New Buildings: 100,000 sf *
Minimum Landscaped Area: 20% of net area
Maximum Height: 12 Stories

PUD #407 Johnsen (cont'd)

* Applicant requests 150,000 square feet. Floor area from Parcel "L" may be transferred to this tract at the applicant's option; however, Staff recommends that building floor area for Parcel "C" not exceed 131,073 square feet.

PARCEL D

Net Area:	50,825 sf
Maximum Floor Area:	
Existing Buildings:	16,111 sf
New Buildings:	None
Minimum Landscaped Area:	45% of net area
Maximum Height:	2 Stories

PARCEL E

Net Area:	79,506 sf
Maximum Floor Area:	
Existing Buildings:	16,111 sf
New Buildings:	None
Minimum Landscaped Area:	60% of net area
Maximum Height:	2 Stories

PARCEL F

Net Area:	45,775 sf
Maximum Floor Area:	
Existing Buildings:	16,111 sf
New Buildings:	None
Minimum Landscaped Area:	35% of net area
Maximum Height:	2 Stories

PARCEL G

Net Area:	82,800 sf
Maximum Floor Area:	
Existing Buildings:	37,264 sf
New Buildings:	None
Minimum Landscaped Area:	20% of net area
Maximum Height:	4 Stories

PARCEL H

Net Area:	52,715 sf
Maximum Floor Area:	
Existing Buildings:	16,111 sf
New Buildings:	None
Minimum Landscaped Area:	45% of net area
Maximum Height:	2 Stories

PUD #407 Johnsen (cont'd)

PARCEL I

Net Area:	44,400 sf
Maximum Floor Area:	
Existing Buildings:	16,111 sf
New Buildings:	None
Minimum Landscaped Area:	50% of net area
Maximum Height:	2 Stories

PARCEL J

Net Area:	73,800 sf
Maximum Floor Area:	
Existing Buildings:	17,757 sf
New Buildings:	None
Minimum Landscaped Area:	55% of net area
Maximum Height:	2 Stories

PARCEL K

Net Area:	46,425 sf
Maximum Floor Area:	
Existing Buildings:	16,111 sf
New Buildings:	None
Minimum Landscaped Area:	45% of net area
Maximum Height:	2 Stories

PARCEL L

Net Area:	78,000 sf
Maximum Floor Area:	
Existing Buildings:	None
New Buildings:	31,073 sf *
Minimum Landscaped Area:	15% of net area
Maximum Height:	3 Stories

* Applicant's request was 31,000 square feet. This building area could be transferred to Parcel "C" at the applicant's option.

- 3) That ingress and egress shall be subject to approval of the Traffic Engineer. One new curb cut is proposed on Yale which shall be right turn only. The Staff further recommends that Limits of No Access be a condition of PUD approval of the replat. One additional curb cut may be allowed on 68th Street subject to approval of the Traffic Engineer and shall be designed in such a manner as to not cause additional traffic to travel into the abutting residential neighborhood.
- 4) Signs accessory to office use shall comply with the restrictions of the PUD Ordinance and the following additional restrictions:
Ground Signs: Ground signs shall be limited to two monument signs identifying the project, one located at the Yale entrance to the project, and one located at the Toledo entrance, each not exceeding six feet tall and not exceeding 64 square feet in

PUD #407 Johnsen (cont'd)

display surface area, and one monument sign for each building not exceeding four feet in height and 32 square feet in display surface area. (**Note:** The Staff recommends no new ground signs be permitted on Toledo Avenue.)

Wall or Canopy Signs: For each building, if no monument sign has been erected, wall or canopy signs shall be permitted not exceeding one sign for each building, and not exceeding a display surface area of 32 square feet for each sign; provided, however, if a monument sign has been erected, the aggregate display surface area of the monument and wall signs shall not exceed 32 square feet.

A Detail Sign Plan shall be submitted to the TMAPC for review and approval prior to installation.

- 5) A Parking Plan for each Parcel shall be submitted to and approved by the TMAPC prior to conveyance of any Parcel demonstrating that the required parking will be provided on the site.
- 6) All parking lot and building lighting shall be constructed in such a manner as to direct parking lot and building lighting downward and/or away from abutting residential areas.
- 7) That all trash and utility areas shall be screened from public view.
- 8) A Detail Landscape Plan shall be submitted to the TMAPC for review and approval prior to issuance of a Building Permit, for any new buildings. The Detail Landscape Plan materials and products shall be installed prior to issuance of an Occupancy Permit on any new buildings.
- 9)) No Building Permit shall be issued on Parcels "C" and "L" until a Detail Site Plan has been submitted to the TMAPC for review and approval.
- 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.

Comments & Discussion:

After reading of the Staff recommendation, Staff further clarified this PUD for the Commission by addressing questions regarding conveyances, square footage, etc. Ms. Wilson stated she would be abstaining from the vote as her husband is an employee of the Frates Companies (owner).

Applicant's Comments:

Mr. Roy Johnsen made his presentation to the Commission reviewing the uses of the surrounding areas along Yale from 61st to 71st. Mr. Johnsen also reviewed the proposed and present signage, and the parcelization and landscape maps submitted as exhibits to this PUD.

PUD #407 Johnsen (cont'd)

Mr. Johnsen answered questions from the Commission regarding the traffic situation in the residential areas surrounding this project. There was much discussion among Staff and Commission regarding the traffic problems, and possible solutions.

Interested Parties:

Mr. Robert Soder	Address: 6316 South Richmond
Mr. Russ Palmer	6321 South Richmond
Ms. Teresa Albreck	6425 South Richmond
Ms. Mary Martin	6247 South Richmond
Ms. Judy Altrey	6310 South Richmond

The consensus among the above parties was the concern of additional traffic into the neighborhoods behind the Resource Sciences Office Park. While not opposed to the project itself, the Interested Parties asked the Commission to direct the applicant to consider other alternatives to divert traffic away from Richmond and Toledo and not add any exits/entrances from the office park into the residential area. They pointed out that, although traffic counts were made by Traffic Engineering, the counts were done at the time Richmond Avenue was partially closed.

Applicant's Rebuttal:

Mr. Johnsen, while recognizing the importance of the traffic issue, stated the project is good planning and does meet the Comprehensive Plan. Mr. Johnsen added he did not feel this project had as great an impact on the traffic as stated by the above parties, as there were other commercial properties in the area.

Additional Comments:

Several of the Commission members stated agreement to a continuance of this case to allow proper time for consultation with Traffic Engineering on possible alternatives to the traffic into and out of the RSC complex.

Mr. Johnson stated that, if a continuance was granted, the applicant would use that time to contact Shell and Warren to pursue other alternatives, even though as private property owners they would not legally be obligated to accommodate RSC traffic needs.

The final consensus of the Commission was need to contact Traffic Engineering or other City offices to document and try to seek solutions to the traffic problems in this area, and to allow more time for a proper study. Mr. Paddock suggested a letter requesting traffic counts be addressed to Commissioner Metcalf, with a reply requested on or before November 20th.

PUD #407 Johnsen (cont'd)

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **5-0-1** (Carnes, Draughon, Paddock, Woodard, VanFossen, "aye"; no "nays"; Wilson, "abstaining"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **CONTINUE Consideration of PUD #407** until Wednesday, November 27, 1985 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: **CZ-142** Present Zoning: **RS**
Applicant: **Harrington (OK Fireworks)** Proposed Zoning: **IL**
Location: **North Side of 55th Place East of 45th West Avenue**
Size of Tract: **.8 acres (total)**

Date of Hearing: **October 23, 1985**
Presentation to TMAPC by: **Mr. Roy Johnsen, 324 Main Mall (585-5641)**

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - Industrial.

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

Staff Recommendation:

Site Analysis: The subject tracts are approximately .8 acre in size (total) and located on both 55th Street and 55th Place, between 45th West Avenue and the Tulsa-Sapulpa Union Railroad. They are partially wooded, flat, contain both vacant property and two single family dwellings and are zoned RS.

Based on the above facts, the Staff recommends APPROVAL OF CZ-142 for IL.

Surrounding Area Analysis: The tracts are abutted on the north by both single family residences and a fireworks warehouse zoned RS and CG, on the east by industrial uses including an auto salvage and truck storage zoned RS, and on the west by both vacant property and single family dwellings zoned IL and RS.

Zoning and BOA Historical Summary: Several IL rezoning cases have been approved in the surrounding area.

Conclusion: From the map and previous actions, it can be seen that the area located between I-44 Expressway and the Tulsa-Sapulpa Union Railroad is in transition from residential to industrial. The applicant's request is consistent with the Comprehensive Plan and present zonings in the area. Other provisions of the Zoning Code (75' setback from R district) should adequately protect the remaining residences.

CZ-142 Harrington (cont'd)

Applicant's Comments:

Mr. Roy Johnsen presented a review of the area and the request for IL zoning stating that the area has been in transition to industrial. Mr. Draughon asked Mr. Johnsen if there were any particular restrictions as far as the City fire codes in regard to the placement of the trailers, and if the building contained any fireworks. Mr. Johnsen replied there were fireworks stored in the trailers on a seasonal basis, and inspections are conducted by the Fire Marshall and State agencies for safety standards.

Interested Parties:

Ms. Mary Lou Watson	Address: 4408 West 55th Place
Mr. Sarge N. Watson	4408 West 55th Place
Ms. Lillian Hancock	4430 West 55th Street

Ms. Watson, who lives across the street from the subject area, presented pictures of the lots showing the placement of trailers. Ms. Watson informed the Commission the applicant has not met the guidelines of the zoning ordinances, as previously requested, as the lots are graveled (not paved) and not fenced. She related damages to her property made by the tractor/trailers going into the lots, and advised she observed year round storage of the fireworks. In reply to Mr. Draughon, Ms. Watson described the building on the premises. Mr. Paddock asked if the mentioned violations have been reported to the County Code Enforcement and Ms. Watson stated she has called several times, as well as contacting Commissioner Selph.

Mr. Watson asked the Commission who is responsible for enforcing the zoning codes and was told the County Building Inspector was the responsible party. Mr. Watson discussed with the Commission the 75' building setback requirement. Mr. Gardner advised the Commission the 75' setback would apply to buildings, but not the trailers stored on the lot. It was also determined the applicant had filed a BOA case requesting a variance to the 75' building setback.

Ms. Hancock advised she had attended the zoning meeting three or four years ago where the applicant was directed to blacktop the lot and place a fence around the lots. To date, this has not been done. Ms. Hancock also voiced concern over being in danger because of the fireworks and the traffic from the trucks going into the area. Ms. Hancock asked the Commission to deny the IL zoning request.

Additional Comments & Discussion:

First Vice Chairman Wilson discussed with Staff the lack of enforcement by the County Building Inspectors. Staff was directed to send a letter to the County Commissioner requesting a review of the definition of a hard surface and the fence requirements of the current IL zoning, as well

CZ-142 Harrington (cont'd)

as the requirements for the possible storage of explosives. Mr. Johnson advised that, due to Ms. Watson's contacts with Code Enforcement, an application has been made to the County BOA to consider this case.

Mr. Linker advised if the applicant is storing explosives, it would require a higher Use Unit. IL would not permit explosives, therefore, the Building Inspector would have jurisdiction to enforce the County codes. Mr. VanFossen stated he felt the physical facts indicate the owner is not living up to what was previously approved. Mr. VanFossen continued by stating that, although he thought this was an appropriate area for eventual conversion to IL, he did not feel it should be done next to residential.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **DENY CZ-142 for IL.**

Application No.: **CZ-143**

Applicant: **Seitsinger**

Location: 14503 North Cincinnati

Size of Tract: 2 acres, approximately

Present Zoning: AG

Proposed Zoning: IL

Relationship to the Comprehensive Plan:

The District 13 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract. However, the Skiatook Comprehensive Plan designates the subject tract as Recreational/Open Space and Agriculture - Development Sensitive.

Staff Recommendation:

Site Analysis: The subject tract is approximately two acres in size and located on the east side of Cincinnati Avenue at approximately 138th Street North. It is partially wooded, flat, contains three mobile homes and an industrial use and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north and east by vacant property zoned AG, on the south by scattered single family dwellings on large tracts zoned AG, and on the west by mostly residential uses with some commercial zoned CG.

Zoning and BOA Historical Summary: The City of Skiatook has permitted a variety of zoning districts along Cincinnati Avenue within their jurisdiction.

CZ-143 Seitsinger (cont'd)

Conclusion: Although the west side of Cincinnati hosts a variety of zonings, there has been no zoning activity on the east side. The Staff cannot support Industrial zoning on the subject tract due to the lack of IL zoning in the area, the Skiatook Comprehensive Plan and the existing residences facing the subject tract.

The Staff recommends DENIAL of IL zoning and APPROVAL of FD on that portion of the subject tract located in a designated floodway.

For the record, Staff would recommend the applicant seek relief through the Tulsa County Board of Adjustment. If the BOA determined the use to be appropriate, a specific use could be approved and the necessary safeguards to protect the remaining residences could also be adopted.

Applicant's Comments:

Mr. Rick Seitsinger, 316 South Cincinnati, Skiatook, asked for clarification of the Staff recommendation. In response to Mr. Gardner, Mr. Seitsinger explained that he has operated at this site for the past two years without any complaints from neighboring residences, and was across the street for twelve years. Mr. Seitsinger stated that, as a trucker who hauls sand, gravel and topsoil, he occasionally uses this site for storage of surplus sand, gravel and fill dirt but mainly uses the site to store his trucks. Mr. Seitsinger continued by stating that only after making application to place a mobilehome on the site for security did he find out that he was possibly violating a zoning code. This has prompted him to appear today to clear up the matter. Mr. Gardner stated Staff has received nothing from the City of Skiatook as far as a recommendation. Mr. Seitsinger submitted to Ms. Wilson the document he received at the Skiatook Planning Commission meeting.

Comments & Discussion:

Mr. Carnes verified with Staff that IL would permit the applicant to continue his operation as is, and made a motion to approve this request since the applicant has been operating in the area for several years without any problems from neighbors. Mr. Paddock stated he could not support this motion and felt the solution would be to go to the Board of Adjustment. Mr. VanFossen inquired if TMAPC had the right to rescind the zoning fees and direct this case to the BOA. Mr. Gardner advised the TMAPC could elect to have the applicant file with the BOA and not pay any additional fees and approve a refund. Mr. Linker remarked that a use variance through the BOA is not always that easy to obtain. Mr. Gardner established, as requested by Mr. VanFossen, that the County Engineer could provide the maps and elevations necessary to determine the FD portion of the property. Mr. Seitsinger advised that the Building Inspector had previously provided him the information in order to establish proper placement of any buildings on the property, and he had complied with these requirements, and had raised at least one acre of the property to exceed the requirements.

CZ-143 Seitsinger (cont'd)

Ms. Wilson asked Staff what INCOG could do to assist Skiatook regarding their Comprehensive Plan in order to further help the TMAPC. Mr. Gardner stated that, when Skiatook updates their plan, they should make changes on what they are going to allow on the highway. Mr. Gardner also advised that the next application of this nature to be presented will be handled differently. The physical facts, in these cases, dictate and the Skiatook Plans appear to be in error, and Staff will be supportive of Industrial zoning.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the Planning Commission voted **4-2-0** (Carnes, Draughon, Woodard, VanFossen, "aye"; Paddock, Wilson, "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to **APPROVE CZ-143 Seitsinger for IL**, less and except that portion which is FD.

Legal Description:

A tract of land in the N/2 of the N/2 of the SW/4 of the NW/4 of Section 25, T22N R12E, Tulsa County, Oklahoma; more particularly described as follows, to-wit: Beginning at a point on the West line of the NW/4 of Section 25 T22N R12E that is 115' South of the NW corner of the SW/4 of the NW/4 thereof. Thence S 89° 55' 44" E a distance of 175'. Thence North and parallel to the said West line a distance of 115' to a point on the North line of the SW/4 of the NW/4. Thence S 89° 55' 44" E along said North line a distance of 1,136.85'. Thence S 0° 25' 40" E a distance of 328.81'. Thence N 89° 58' 53" W a distance of 654.32' to a point that is 660' to a point on said West line. Said point being the centerline of Oklahoma State Highway #11. Thence North along said centerline of highway a distance of 50' to the point of beginning. Containing 6.97 acres, more or less; Less .05 acres for road.

OTHER BUSINESS:

PUD #282 David Broach

Southwest Corner of 71st & Lewis

First Vice Chairman Wilson announced a request had been made by the applicant to withdraw this case.

PUD #401 Norman

Northwest Corner 17th Place & South Victor

Staff Recommendation - Detail Site Plan, Declaration of Covenants

The subject tract has a frontage of 100' on Utica Avenue, 140' on 17th Place and 250' on Victor Avenue, being located at the northwest corner of 17th Place north of the St. John's Medical Complex. The PUD was

PUD #401 Norman (cont'd)

approved for a maximum floor area of 18,000 square feet and the Plan includes only 17,428 square feet. The underlying zoning of the subject tract is OM, OL and RS-3. A proposed two story structure to be located along Victor will be cut into the site per the submitted elevations to minimize the height impact on the single family dwellings east of Victor. The office development will have no access to Victor in accordance with the PUD and proposed signage is limited to Utica Avenue and 17th Place.

The Staff review of the proposed Detail Site Plan indicates that it is: (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 Code.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan for PUD #401 subject to the following conditions:

1) That the applicant's Detail Site Plan with Elevations and Text be made a condition of approval, unless modified herein.

2) Development Standards:

Land Area (Gross):	67,000 sf	1.50 acres
(Net):	52,500 sf	1.21 acres

Permitted Uses: Principal and accessory uses permitted as a matter of right in an OL District, excluding drive-in bank facilities and funeral homes.

	Approved	Submitted
Maximum Building Height:	26'	25' 8"
Maximum Building Floor Area:	18,000 sf	17,428 sf
Minimum Off-Street Parking:	As required per the Zoning Code - 1 space per 300 sf for General Office; 1 space per 250 sf for medical.	70 spaces; 1 space per 249 sf
Minimum Building Setbacks:		
from Centerline of S. Utica	60'	60' 4"
from Centerline of S. Victor	50'	50' 4"
from Centerline of 17th Pl.	55'	58' 4"
from West Interior Boundary	70'	70'
from South Interior Boundary	50'	50'
from North Boundary	5' except for the East 25'	5' 4" & 70' for East 25'

PUD #401 Norman (cont'd)

Signs: Two ground Identification signs which shall not exceed 6' in height, or 32 sf in surface area. Subject to Detail Sign Plan

Minimum Landscaped Open Space: 20% (net) * 20% required *

* Landscaped open space shall include internal and external landscaped open areas, parking lots, islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.

- 3) That all trash, utility and equipment areas shall be screened from public view, and any roof mounted equipment shall also be screened from public view of persons standing on ground level in adjacent residential areas east of Victor Avenue.
- 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas.
- 5) That all signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation.
- 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit, and that a 25' landscape buffer shall be required along the entire eastern boundary.
- 7) On July 11, 1985 the TAC reviewed the aboved named PUD, both as a "PUD Review" and "Plat Waiver". Rights-of-way, existing easements and access were discussed, as well as the PUD proposal. The TAC anticipated that the applicant would request the PUD conditions be filed by separate instrument to meet Section 260 of the Zoning Code, and had no objection to that process. Since this has not formally been acted upon by the Planning Commission, this is being included as part of the site plan review. Summary of conditions and/or comments by TAC are as follows;
 - a) Waiver of additional right-of-way on Utica as per the street plan. (Applicant's request).
 - b) No access to South Victor.
 - c) Vacating or closure of existing easements. (Done, or in progress.)
 - d) Grading and drainage plan approval through the permit process.
 - e) File PUD conditions by separate instrument.

DECLARATION OF COVENANTS:

The Staff has reviewed the Covenants submitted as a condition of the Plat Waiver and finds them to be consistent with the PUD conditions of approval. Therefore, the Staff recommends approval of the Declaration of Covenants subject to review and approval by the City of Tulsa Legal Department.

PUD #401 Norman (cont'd)

Comments & Discussion:

In reply to Mr. Draughon, Mr. Norman advised that onsite detention is being provided.

TMAPC ACTION: 6 members present

On MOTION of DRAUGHON, the Planning Commission voted 6-0-0 (Carnes, Draughon, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Connery, Kempe, Higgins, Harris, Young, "absent") to APPROVE the Detail Site Plan and Declaration of Covenants to PUD #401, as recommended by Staff.

Mr. Gardner announced that in the approval process of the latest sign code amendments, one condition had inadvertently been left out and the matter would be brought back to the TMAPC on November 13, 1985.

There being no further business, the Chairman declared the meeting adjourned at 5:55 p.m.

Date Approved Nov. 13, 1985

Marilyn L. Wilson
1st vice - Chairman

ATTEST:

R. P. Paddock
Secretary