

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1595
Wednesday, March 12, 1986, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Kempe	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	VanFossen	Gardner	Counsel
Draughon	Woodard	Setters	
Paddock, Secretary	Young	Lasker	
Parmelee, Chairman		Taylor	
Selph			
Wilson, 1st Vice- Chairman			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 11, 1986 at 10:35 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of Minutes of February 26, 1986, Meeting #1593:

On **MOTION** of **CARNES**, the Planning Commission voted **7-0-0** (Carnes, Doherty, Draughon, Paddock, Parmelee, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE** the **Minutes of February 26, 1986, Meeting No. 1593.**

REPORTS:

Report of Receipts and Deposits:

On **MOTION** of **DOHERTY**, the Planning Commission voted **7-0-0** (Carnes, Doherty, Draughon, Paddock, Parmelee, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE** the **Report of Receipts and Deposits** for the month ended **February 28, 1986.**

Chairman's Report:

Chairman Parmele announced that Staff was requesting a Joint Committee meeting be set for Wednesday, March 19th at 11:30. Mr. Gardner stated there were several items for review, some of which need Comprehensive Plan Committee consideration and some for the Rules and Regulations Committee.

Chairman Parmele reviewed with the Commission a letter received from Mr. William G. Elliott, Chairman of the District 11 Citizen Planning Team (attached as an exhibit). In summary, Mr. Elliott addressed items relating to public liability of the Citizen Planning Team (CPT) officers and possible conflict of interest matters. Mr. Linker advised that there was only a remote possibility the CPT officers would be sued as long as the CPT officers act truthfully and within their assigned areas of responsibility. Should an officer be sued, the City Commissioner would be the body to determine if the City Legal Department would represent the CPT officer. Mr. Linker further advised the officers of the Citizen Planning Teams should withdraw from any activity that might constitute a conflict of interest.

Ms. Wilson agreed with the statements made by Mr. Elliott as to the importance for standardization and consistency between the Citizen Planning Teams as necessary to establish communication. Chairman Parmele stated it might be appropriate to schedule another joint meeting of the TMAPC and the Citizen Planning Team officers in the near future.

CONTINUED ZONING PUBLIC HEARING:

Application No.: **Z-6100** Present Zoning: RM-2
Applicant: **Dale (Corbridge)** Proposed Zoning: OL
Location: 733 South Owasso Avenue

Date of Hearing: March 12, 1986 (Requested Continuance Date: April 9, 1986)
Presentation to TMAPC: Mr. Rick Popp, 10 East Third (584-1471)

Comments & Discussion:

Mr. Popp stated he was representing Family and Children's Services in requesting the continuance to April 9th. Staff advised the request was submitted in a timely manner.

On **MOTION** of **DOHERTY**, the Planning Commission voted **7-0-0** (Carnes, Doherty, Draughon, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Kempe, VanFossen, Woodard, Young, "absent") to **CONTINUE Consideration of Z-6100 Dale (Corbridge)** until Wednesday, **April 9, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: **CZ-142** Present Zoning: RS
Applicant: **Harrington (OK Fireworks)** Proposed Zoning: IL
Location: North Side of 55th Place and East of 45th West Avenue
Size of Tract: 1 acre

Date of Hearing: March 12, 1986 (previously heard by TMAPC 10/23/85 & 1/8/86)
Presentation to TMAPC by: Mr. Roy Johnsen, 324 Main Mall (585-5641)

Staff Recommendation:

This case was initially heard by the TMAPC on October 23, 1985 at which time the TMAPC recommended DENIAL by a vote of 6-0-0. The application was presented to the Board of County Commissioners on November 12, 1985. The Board of County Commissioners referred the application back to the TMAPC to allow an amended legal description to be filed. The intent of the amended application is to provide for a more orderly transition from RS to IL by including a larger area in the area of request which did not isolate an RS zoned lot between areas zoned IL.

Staff recommendation is unchanged from that included in the October 23rd TMAPC minutes, which is reviewed below. A revised zoning case report and area map have been submitted to the file.

Site Analysis: The subject tracts are approximately one acre in size 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.

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.

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

CZ-142 Johnsen (OK Fireworks) - Cont'd

Applicant's Comments:

Mr. Roy Johnsen, representing OK Fireworks, reviewed the actions of the previous hearings on this application. Mr. Johnsen advised of the efforts made by the applicant in regard to improvements to the lots. He also stated the fireworks on the premises were only Class C, which are stored, not manufactured, at that site. Mr. Johnsen submitted photos of the surrounding areas, indicating those areas not residential, which substantiates the transitional condition of this particular area away from residential. Mr. Johnsen pointed out that OK Fireworks has received favorable reports from the State Fire Marshal's office after their inspection.

Commissioner Selph established, with Mr. Johnsen, that no fireworks were manufactured on the subject tract; they are only assembled for packaging. There are no Class B fireworks on the premises, only Class C, which do not explode. Mr. Johnsen clarified, for Commissioner Selph and Ms. Wilson, the location of the trailers and the construction of the six foot fence on the south and east side.

Mr. Robert Flanagan, Executive Vice President of OK Fireworks, briefed the Commission on the differences of Class A, B and C fireworks, and testing done by the Consumer Products Safety Commission. Mr. Flanagan advised that the Inspectors from OSHA had recently inspected the facilities at OK Fireworks and issued a favorable report.

Commissioner Selph stated one of the major concerns of the residents is the fireworks stored in the trailers, and asked if there was any danger from Class C products should there ever be a fire. Mr. Flanagan replied there is no detonation, and it would take a direct flame from someone purposely trying to ignite the trailers. This could only be done by going through the security guard on premises, breaking the locks on the trailer, opening a carton and applying a direct flame. In response to Mr. Doherty, Mr. Flanagan stated that, according to the Department of Transportation (DOT), in a worse case scenario, should there be a fire, residents further than 20' to 40' should not be affected.

Ms. Wilson inquired as to what type of driveway was planned to limit the amount of property damage to the neighbors along the southern boundary. Mr. Flanagan advised the trailers at the south end will be set back 20' from the property line to allow room to move them out, if necessary. Mr. Flanagan further advised that the fence on the south side will have 8' sections that can be removed to help accommodate the moving of trailers. Mr. Flanagan confirmed for Chairman Parmele that no driveway was planned for the south side of the property, but the intent is to keep this side fenced in, only removing the 8' sections when necessary. In response to Mr. Draughon, Mr. Flanagan indicated on the map the access points to OK Fireworks, which is restricted to the north side. Ms. Wilson inquired as to the maximum number of trailers that could be stored on the site and Mr. Flanagan stated that the projection is 60 to 74 trailers.

Interested Parties:

Ms. Mary Lou Watson	Address: 4408 West 55th Place
Ms. Lillian Hancock	4430 West 55th Street
Mr. Bill Mitts	4151 West 54th Street
Mr. H.C. McCamey	4143 West 54th Street

Ms. Watson stated concerns as to the location of the trailers next to residential areas and stated they should be set back at least 75'. Ms. Hancock stated there was fear of an explosion among the residents, and agreed the trailers should not be next to residential.

Mr. Mitts remarked most of the residents in the area have had some kind of property damage due to the semi traffic and the streets not being wide enough to accommodate these semis. Mr. McCamey stated concerns as to property values dropping and safety.

Applicant's Rebuttal:

Mr. Johnsen remarked the existing zoning calls for industrial and Staff's recommendation was for approval of IL zoning. Mr. Johnsen stated the fireworks were restricted to Class C and the applicant has received a clean bill from the appropriate inspections agencies.

Mr. Johnsen confirmed for Mr. Paddock that Class C fireworks would be stored in the trailers, as well as in the warehouse, during peak periods. Ms. Wilson asked, if the application were approved, would OK Fireworks be going before the Board of Adjustment. Mr. Johnsen advised he was not sure, but feels the application now meets the Code and may not require BOA review. Mr. Johnsen continued by stating there is a category in the Code called "storage not elsewhere classified" and since the trailers are not buildings, it appears this section might apply. If so, storage not elsewhere classified is a "by right" use in an IL District.

Additional Comments & Discussion:

Mr. Paddock stated agreement with Mr. Draughton as to concern over the fireworks being stored, and as indicated in a letter from the County Inspector's office, feels assured that the Class C fireworks are not explosive and the responsibility for monitoring the storage of these fireworks will be handled by the County Inspectors. Mr. Paddock asked Staff for comments as to why the Code does not specifically provide for fireworks. Mr. Gardner began by stating this entire area is designated for industrial and there has been a great deal of time concerned about what is inside the trailers, when it is between the applicant, the Building Inspector and the various agencies dealing with safety. It appears the industrial zoning has never been the issue in this case, as it has been the OK Fireworks, primarily because most people think the fireworks explode. Mr. Gardner stated these fireworks are restricted to Class C fireworks (nonexplosive), and we have to rely on the Building Inspector to assure this is not violated. Mr. Gardner further stated

CZ-142 Johnsen (OK Fireworks) - Cont'd

that, as far as the use, this entire tract could be covered up with trailers and semis, but you have to look at the Comprehensive Plan and the existing zoning patterns and rely on the Ordinance to specifically do the job. Mr. Gardner commented he thought firecrackers, etc. was not specifically listed because they were not explosive. Explosives, which are the primary concern, are listed and they have to go into an IH District designation.

Mr. Paddock inquired if there was any place in the Code where Class A and B fireworks (explosives) fall into a different use unit and, thus, into a higher category. Mr. Gardner stated that when fireworks are classified in the explosive range, then it is spelled out in the Code. The Building Inspector must first determine if the fireworks being stored are explosive or nonexplosive before issuing a permit.

Mentioning this did not pertain to this particular case, Mr. Paddock added he would like to see the TMAPC direct an inquiry to the appropriate City/County health authority for condition of the yards of some of these residential areas where broken down cars/trucks, etc. were stored. Ms. Wilson stated agreement with Mr. Paddock. Commissioner Selph advised this has been sent to the City/County Health Department, who has ordered the people in this area to clean up the lots. Unfortunately, it appears the people have not responded and the matter is being pursued with the District Attorney's office.

Mr. Draughon stated he would be abstaining from the vote as it is unclear in the Code as to where to place fireworks or how best to handle these issues.

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the Planning Commission voted **6-0-1** (Carnes, Doherty, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; Draughon, "abstaining"; (Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE CZ-142 Johnsen (OK Fireworks) for IL**, as recommended by Staff.

Legal Description:

Lots 7, 8, 22, 23, 24, 27 and 28 of Block 4, OPPORTUNITY HEIGHTS ADDITION, Tulsa County, State of Oklahoma.

* * * * *

Application No.: Z-6099
Applicant: Williams (Conner)
Location: 1848 North Cincinnati
Size of Tract: .3 acres, more or less

Present Zoning: RS-3
Proposed Zoning: CS

Date of Hearing: March 12, 1986 (continued from 2/26/86)

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 1 - Neighborhood Development Plan and Development Sensitive.

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

The Tulsa Urban Renewal Neighborhood Development Plan (NDP) designates the property as single-family residential and a representative of their office has been in contact with INCOG Staff and stated they could not support the commercial zoning.

Staff Recommendation:

Site Analysis: The subject tract is approximately .3 acres in size and located at the southwest corner of Cincinnati Avenue and Tecumseh Street. It is non-wooded, flat, contains one single-family structure with detached garage and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by Tecumseh Avenue and Burroughs Elementary School zoned RS-3, on the east by Cincinnati Avenue and single-family residences zoned RS-3, and on the south and west by single-family residences zoned RS-3.

Zoning and BOA Historical Summary: Current zoning patterns in existence around the subject tract are well established residential districts. The closest non-residential zone is OL, 400' to the south and 200' to the north.

Conclusion: Although the Comprehensive Plan indicates CS may be found in accordance, there is presently no commercial encroachment in the area. Commercial zoning of this property would also be considered spot zoning. The Staff cannot support commercial zoning on the subject tract as it would be considered encroachment into the single-family area.

Therefore, the Staff recommends **DENIAL** of CS zoning on the subject tract.

Comments & Discussion:

As the applicant was not present, Ms. Wilson inquired if Staff had received any communication from the applicant or any interested parties. Mr. Gardner advised that Staff has heard nothing from the applicant since the requested continuance at the February 26th meeting, and the interested parties at that meeting were protesting this request.

TMAPC ACTION: 7 members present

On **MOTION** of **CARNES**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **DENY Z-6099 Williams (Conner) for CS**, as recommended by Staff.

ZONING PUBLIC HEARING:

Application No.: Z-6101 & PUD 412 Present Zoning: AG
Applicant: **Moody (Highland Park)** Proposed Zoning: CS, RM-1, RS-3
Location: SE/c of Memorial & 81st Street
Size of Tract: 60 acres, approximate

Date of Hearing: March 12, 1986
Presentation to TMAPC: Mr. John Moody, 4100 BOK Tower (588-2651)

Relationship to the Comprehensive Plan:

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the proposed **CS** District **is** in accordance with the Plan Map. The proposed **RM-1** District **may be found** in accordance with the Plan Map and the proposed **RS-3** District **is** in accordance with the Plan Map.

Staff Recommendation: Z-6101

Site Analysis: The subject tract is approximately 66 acres in size and located at the southeast corner of 81st Street and Memorial Drive. It is partially wooded, gently sloping, vacant and zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by mostly vacant property and a developed single-family subdivision zoned CS, RM-1 and RS-3, on the east by a private country club zoned AG, on the south by mostly vacant property with two dwellings along Memorial zoned AG, on the west by a retail/office complex zoned CS, RM-1 and PUD.

Zoning and BOA Historical Summary: A similar, but not identical, zoning pattern to the one requested was approved abutting the subject tract to the north of 81st Street on a 30 acre tract.

Conclusion: The subject tract has a gross area of 66.3 acres and would qualify as a Type II Node under the Development Guidelines and Comprehensive Plan (10 acres CS), being the intersection of a Primary and Secondary Arterial Street. The requested zoning pattern, if approved, would establish ten acres of CS at the intersection, 30 acres of RM-1 and 26.3 acres of RS-3. The requested zoning pattern exceeds what has been granted along Memorial and would result in RM-1 zoning to a depth of 1,320' on the entire tract. Similar intersections of Memorial have been limited to 20 acres of RM-1, which is the maximum RM-1 zoning pattern Staff could support. The recommended RM-1 zoning pattern would impose an RM-1 buffer on the south 660', and limit this zoning to a maximum depth of 660'. Therefore, Staff recommends DENIAL of the application as submitted, and APPROVAL of ten acres of CS, 20 acres of RM-1 and RS-3 on the balance.

Staff Recommendation: PUD 412

The subject tract is 66.34 acres (gross) and 59.77 (net) in size and is located at the southeast corner of East 81st Street and South Memorial Drive. Memorial is classified as a Primary Arterial and East 81st Street is a Secondary Arterial. The tract is presently vacant. The subject tract is abutted to the north by both vacant property and a developed single-family subdivision. Abutting the tract to the south is vacant property and the Echelon Center is existing west across Memorial with commercial uses at the node and office uses on the South.

The applicant has proposed the development in such a configuration that commercial usage would extend the entire length of the subject tract fronting Memorial Drive (1,320 feet). It is noted that this pattern does not provide an office or multi-family buffer on the subject tract and, therefore, would promote the stripping out of Memorial for commercial uses. The illustrative Site Plan also shows the office portion of the subject tract to extend east of the proposed commercial development along the remaining East 81st Street frontage, which would be directly across from existing single-family residential uses to the north. We seriously question extending the office development this far east of the node given the physical facts of the area. The Site Plan proposes multi-family development at the extreme southeast corner of the tract which is an interior location on a proposed 28' wide private collector street. No street outlet is proposed from the south to East 81st Street.

Z-6101 & PUD 412 Moody (Highland Park) - Cont'd

The Staff is not supportive of the proposed underlying zoning patterns, and Staff cannot support the proposed PUD due to the lack of a sufficient buffer between the proposed commercial areas and the vacant property to the south, and also because commercial is spread beyond existing commercial uses west across Memorial. It is Staff's recommendation that the PUD be redesigned to provide a buffer along the south boundary in order to discourage commercial stripping out of the east side of Memorial. Staff is also not supportive of the proposed office complex across from the existing residential neighborhood and feels that it would more be appropriate for this office use to be wrapped around the commercial development at the intersection. The intensity of the proposed PUD would be reduced by the recommended zoning pattern, and the reduced intensity could be spread in such a manner as to be more compatible with existing land uses.

Therefore, Staff recommends DENIAL of PUD 412 as submitted and further suggests that the TMAPC continue action to allow the applicant to redesign the Illustrative Site Plan as discussed above.

Comments & Discussion:

Chairman Parmele inquired as to the zoning of the office area across the street from the subject tract. Mr. Gardner advised the office was located in RM-1 and the shopping was in CS. Mr. Paddock asked for clarification of the Staff recommendation as approval is recommended for 10 acres of CS, 20 acres of RM-1 with RS-3 on the balance and no mention of OL. Mr. Gardner stated that, under the PUD, this is what the applicant is proposing, and using RM-1 to equate some to office and some to apartments. Ms. Wilson stated it appeared the recommendation on the zoning reflects the 71st to 121st and Memorial Drive Study where there was concern as to commercial stripping along Memorial. Mr. Gardner confirmed this and stated one of the scenarios of the study was based on approximately 300' foot depth of RM-1, which is substantial. But in this particular instance, there is a precedent for the 660' depth. Ms. Wilson mentioned the zoning application previously approved by the TMAPC in the 91st and Memorial area and reminded that the approval of the RM was not to be considered as setting a precedent.

Applicant's Comments:

Mr. John Moody, representing the Austin Fairchild Corporation, addressed the underlying zoning issue and stated the Staff recommendation on this application was not accurate in any respect on what the City of Tulsa has done on Memorial from 51st to 101st Street. Mr. Moody stated the City of Tulsa has approved the same pattern depth (1,320') directly across from the subject tract, and reviewed the application request in relation to previously approved applications in the 91st and Memorial area. Mr. Moody reviewed the topography of the site, drawing attention to the drainage/floodway and soils analyses, as well as the illustrative site plan and landscaping, and stressing that the applicant is using the natural slope and features of the tract.

Mr. Moody remarked that, if approved as recommended by the Staff, this would be the only site in the area limited to a 660' depth area, with the exception of the church property. Mr. Moody stated the plan, as submitted, was the best way to utilize this area, but suggested a zoning pattern of 960' for RM-1, as a compromise to Staff's recommendation and the plan as proposed. Mr. Moody asked the Commission to either approve the plan, as submitted, or deny the plan and continue the PUD so the applicant can see if a redesign is feasible. The applicant instructed Mr. Moody to inform the TMAPC that they cannot and will not do a conventional Tulsa development on this site. Mr. Moody requested the plan be approved as it is a good land use plan based upon the site features, and is a zoning pattern consistent with others approved on the east side of Memorial.

In response to Mr. Carnes, Mr. Moody reviewed the landscape buffer indicating the amount of open or park space. Mr. Paddock inquired as to difference, acreage wise, of the 660' of RM-1 to 960'. Mr. Moody informed it equated to approximately seven acres. Ms. Wilson asked Mr. Moody, if the plan as proposed was approved, if he envisioned Meadowbrook County Club land to come in, at a future date, for single-family houses. Mr. Moody referred a reply to Mr. Ed Cowen, the representative of the sellers (Highland Park). Mr. Moody pointed out that the area to the north, south and west of Meadowbrook is zoned RS-3 and he could not see RM-1 zoning being allowed, should Meadowbrook lose their lease. Ms. Wilson added that this plan was not unique or innovative as it seemed to follow several other PUD where there is, typically, commercial with office, followed by multi-family.

Mr. Paddock remarked that one of the things that appealed to him was the fact that the existing physical features were used in the design. Mr. Paddock asked Mr. Moody the purpose or reasoning for proposing the additional RM-1 in the middle portion of the southern sector of the tract. Mr. Moody stated that economics and planning was considered, and the soils tested indicate the land is not suitable for single-family. Mr. Carnes stated he definitely liked the plan, but felt there should be a reduction in the number of apartments. Mr. Draughon commended the applicant's efforts to work with Stormwater Management in thoroughly investigating and presenting the drainage and watershed.

Interested Parties:

Mr. Carroll Irwin	Address: 8002 South 85th East Avenue
Mr. Greg Tragett	8027 South 86th East Avenue
Mr. Russell Gibbs	8006 South 86th East Avenue
Mr. Larry Shipp	8022 South 85th East Avenue
Mr. Ed Cowen	c/o 9300 East 81st

Z-6101 & PUD 412 Moody (Highland Park) - Cont'd

The general consensus among the interested parties was strong objection to any more multi-family apartments so close to the single-family housing across 81st. Mr. Cowen, as a member of the Highland Park Board, assured that Meadowbrook County Club had lease options through 1993 and their attitude was that this remain a country club.

Applicant's Rebuttal:

In response to comments made by some of the interested parties, Mr. Moody advised of efforts to locate their homeowners association. In addition to the Staff's mailing to the residents within 300', Mr. Moody advised he had sent a separate mailing from his office. Mr. Carnes agreed with Mr. Moody that maybe a continuance might be in order to allow time to go back to his client and the neighborhood to take into consideration the objections and suggestions of the interested parties. Mr. Moody stated that to continue the PUD, the applicant needed some kind of guidance on the zoning. If the Commission approved Staff's recommendation, his client will not be presenting the PUD. Mr. Draughon stated favor of a continuance as suggested by Mr. Carnes.

Mr. Paddock asked Mr. Moody to comment on the matter of the additional RM-1 underlying zoning and how that can result in fewer dwelling units per acre than what was on the illustrated Site Plan. Mr. Moody stated this would result in reducing the number of acres of RM-1 from 30 acres (as proposed by the applicant) to 27 acres.

Additional Comments & Discussion:

Chairman Parmele called for a review of the zoning application before proceeding with the PUD. Mr. Paddock agreed that this should not be looked at as a package and stated favor of the suggested compromise. Mr. Carnes stated he had no objections with the compromise, but if the compromise is approved, would the applicant still have to come back with the PUD before proceeding. Mr. Gardner advised the only thing that could happen in the RS-3 is to go single-family under the straight zoning, without coming back with a PUD or BOA action. This being the case, Mr. Carnes stated he would have no problem with the compromise. Ms. Wilson added that, when they do come back with a PUD, it appears their intent is the multi-family and, if allowed the additional RM-1, it could be developed as a PUD as presented here (even though the illustrative Site Plan is not, necessarily, what could be built there). Mr. Paddock stated he felt the applicant realized, if the PUD is addressed today, there is considerable feeling, as expressed by the interested parties, there be no multi-family dwellings built on the northern part of the tract facing 81st Street. Therefore, if they proceed with the PUD, they will have to redesign it.

Z-6101 & PUD 412 Moody (Highland Park) - Cont'd

Chairman Parmele stated he could not see much difference between the compromise and what the applicant is requesting, and the RM-1 to the north was zoned not because of the 20 acres, but that was the amount of land owned. He continued by stating the ten acre strip of AG could probably have a good case for being zoned RM-1, and he sees nothing wrong with what the applicant has requested. Commissioner Selph stated he understood the rationale behind the Staff recommendation, but he also thought Mr. Moody made a good case on his compromise and could support it. However, the apartment issue should be looked into.

Ms. Wilson stated having a problem with the compromise as she did not see anything to be gained, and also had a problem with the depth as it is too much RM-1. Mr. Draughon stated favor of the Staff recommendation.

TMAPC ACTION: 6 members present

On **MOTION** of **WILSON**, the Planning Commission voted **2-4-0** (Draughon, Wilson, "aye"; Carnes, Paddock, Parmele, Selph, "nay"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE** the Staff recommendation for **Z-6101 Moody (Highland Park)**.

That motion falling, Mr. Carnes made a motion to accept the compromise as suggested by the applicant.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the Planning Commission voted **4-2-0** (Carnes, Paddock, Parmele, Selph, "aye"; Draughon, Wilson, "nays"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE Z-6101 Moody (Highland Park)** as recommended by Staff, amending the depth of RM-1 to 960' from the Memorial frontage, as well as the 81st Street frontage.

Legal Description:

CS: The west 660' of the north 660' of the north half of the NW quarter of Section 13, Township 18 North, Range 13 East of the IBM, Tulsa County, State of Oklahoma.

RM-1: Commencing at the northwest corner of the north half of the NW quarter of Section 18, Township 18 North, Range 13 East, Tulsa county, State of Oklahoma; thence north 89°46'20" East along the north line thereof a distance of 660' to the POB; thence continuing along said north line a distance of 660' to a point; thence south 0°04'10" west parallel to the west line of said Section 13, a distance of 1,320.11' to the south line of said north half; thence south 89°46'26" west a distance of approximately 1,320' to the west section line of said Section 13; thence north 0°04'10" east along said line a distance of 660' to a point; thence north 89°46'20" east a distance of 660' to a point; thence north 0°04'10" east a distance of 660' to the north line of Section 13 and to the Point and Place of Beginning, less and except the east 360' of the south 360' of the above described tract.

Z-6101 & PUD 412 Moody (Highland Park) - Cont'd

Legal Description (Z-6101) continued:

RS-3: Commencing at the NW corner of Section 13, Township 18 North, Range 13 east of the IBM, Tulsa County, Oklahoma; thence north 89°46'20" east a distance of 1,320' to the POB, thence continuing along the north line of said Section 13 a distance of 830' to a point; thence south 0°13'40" east, a distance of 140' to a point; thence south 9°19'05" east a distance of 253.18' to a point; thence south 0°13'40" east a distance of 930.16'; thence south 89°46'26" west a distance of 876' feet to a point; thence north 0°04'10" east a distance of 1,320' to a point in the north line of Section 13 and to the POB, and including the south 360' of the east 360' of the NW quarter of the NW quarter of said Section 13, Township 18 North, Range 13 East.

Mr. Paddock asked Staff, if the applicant would like to ask for a continuance of the PUD for redesign, could we not hold the transmittal of this recommendation to the City Commission until such time as it could be paired with an approved PUD. Mr. Gardner stated this could be done at the time the minutes are approved.

TMAPC ACTION: 6 members present

On **MOTION** of **CARNES**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **CONTINUE Consideration of PUD 412 Moody (Highland Park)** until Wednesday, **April 9, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

FINAL PLAT APPROVAL & RELEASE:

Hedlund Heights West of the NW/c 101st and South 129th East Avenue (AG)

Union School Addition 7600 Block South Garnett Road (CO)

On **MOTION** of **WILSON**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE the Release of the Final Plat for Hedlund Heights and Union School Addition**, as recommended by Staff.

OTHER BUSINESS:

PUD 355: North of the Northwest Corner of South Yale and East 91st Street South.

Staff Recommendation: Amendment of Deeds of Dedication and Declaration of Covenants, Grant of Mutual Access Easements and Allocation of Permitted Floor Area

The subject property has been approved for a mixed use office, restaurant, and accessory commercial uses. PUD 355-3 was approved by the TMAPC on October 2, 1985 which permitted a lot split for phasing the development, and allocated floor area to Phases I and II. The purpose of this application is to affirm the conditions of the minor amendments as approved by the TMAPC. The proposed amended deeds are in compliance with TMAPC action and have been submitted to the City Legal Staff for review.

Staff recommends APPROVAL of the Amendment of Deeds of Dedication and Declaration of Covenants, Grant of Mutual Access Easements and Allocation of Floor Area as submitted, subject to approval by the City Legal Staff.

NOTE: TMAPC action on this matter will be final and no further approval is required by the City Commission.

On **MOTION** of **PADDOCK**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE** the Amended Deeds of Dedication and Declaration of Covenants, Grant of Mutual Access Easements and Allocation of Permitted Floor Area for **PUD 355**, as recommended by Staff.

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PUD 179-C-1: Located East of the Southeast Corner of East 71st Street South and South Memorial Drive.

Staff Recommendation - Minor Amendment for Sign

The proposed Minor Amendment is requested to permit a ground sign 8' wide x 20'-6" tall (see attached sketch and plot plan) to be located along the west boundary of the Centre 71 Shopping Center. The subject tract has an existing pylon sign on East 71st Street which has an estimated display surface area of 102 square feet (a 30 square foot reader board and a 72 square foot cube sign at the top of the pole). The applicant is eligible for the additional signage under the PUD provisions of the Zoning Code and also consistent with CS zoning regulations. The area between the proposed sign and East 71st Street is developed for commercial purposes and the proposed sign would, if approved, be one of a number of similar pole and pylon signs in this general area.

Staff review of this request indicates that it is minor in nature; therefore, recommends APPROVAL of PUD 179-C-1 for one additional sign to be constructed in accordance with the submitted plans.

NOTE: Staff would advise the applicant that no additional ground signs would be permitted on the subject tract. Notice of this request has been given to the record owner of the shopping center.

On **MOTION** of **CARNES**, the Planning Commission voted **6-0-0** (Carnes, Draughon, Paddock, Parmele, Selph, Wilson, "aye"; no "nays"; no "abstentions"; (Doherty, Kempe, VanFossen, Woodard, Young, "absent") to **APPROVE** the **Minor Amendment for Sign for PUD 179-C-1**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 5:30 p.m.

Date Approved 3-20-82
Randy J. [Signature]
Chairman

ATTEST:

RBPaddock
Secretary