

REPORTS: Chairman's - Cont'd

Chairman Kempe advised receipt of a letter from Mr. Jerry Lasker regarding the INCOG 1988-89 Work Program. She requested input from the TMAPC members as to projects and programs that would take the TMAPC into the 1990's, and stated a special Budget & Work Program Committee (Cherry Kempe, Bob Parmele and Marilyn Wilson) would gather this input to coordinate with INCOG for their budget program.

Ms. Kempe announced a Resolution of Appreciation had been prepared for Mr. Gary VanFossen to be presented to him at next week's meeting. After hearing the contents of the resolution, Mr. Paddock moved for its adoption as he felt Mr. VanFossen's contribution to the TMAPC merited such recognition.

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Doherty, Parmele, "absent") to **APPROVE** a **Resolution of Appreciation for Mr. Gary VanFossen**, to be presented at the 3/16/88 TMAPC meeting.

Director's Report:

On behalf of the Department of City Development, Ms. Dane Matthews requested a meeting of the Comprehensive Plan Committee to review the Capital Improvement Program (CIP) for FY 88-89. Ms. Matthews suggested Wednesday, March 9th, at 1:00 p.m.; there was no objection from the Committee members.

ZONING PUBLIC HEARING:

Application No.: **PUD 229-A (Major Amendment)** Present Zoning: RM-0
Applicant: **Fehrenbacher** Proposed Zoning: Unchanged
Location: South of the SE/c of South 90th East Avenue & I-44 Skelly Bypass
Date of Hearing: March 9, 1988
Presentation to TMAPC by: Mr. Paul Fehrenbacher, 8207 East 32nd Street

Staff Recommendation:

The applicant has advised Staff he will be requesting this application be withdrawn and a refund of fees. Staff supports the withdrawal and a refund of \$180.28.

TMAPC ACTION: 7 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-0** (Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Doherty, Parmele, "absent") to **APPROVE** the **Withdrawal of PUD 229-A Fehrenbacher and a Refund of Fees** in the amount of \$180.28, as recommended by Staff.

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Application No.: Z-6189 Present Zoning: RS-3
Applicant: Porter (Williams) Proposed Zoning: CS
Location: SW/c of East 21st Street & South Jamestown Avenue
Date of Hearing: March 9, 1988
Presentation to TMAPC by: Mr. Gary Porter, 2131 North Atlanta (583-5149)

Relationship to the Comprehensive Plan:

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

According to the Zoning Matrix the requested CS District, is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is .16 acres in size and is located at the southwest corner of East 21st Street and South Jamestown Avenue. It is nonwooded, flat, contains a single-family dwelling, and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north across East 21st Street, by various office uses, zoned OL; on the east across South Jamestown Avenue by residential single-family dwellings, zoned RS-3; on the south by a single-family residence, zoned RS-3; and on the west by commercial use, zoned CS.

Zoning and BOA Historical Summary: Nonresidential zoning, OL, was denied on the same block as the subject tract, and CS zoning has been limited to the intersection of East 21st Street and Harvard.

Conclusion: Based on the Comprehensive Plan, existing zoning pattern south of East 21st Street South and previous denial of OL zoning in the area, Staff cannot support the requested CS zoning or any less intensive, nonresidential zoning. Staff views the request as an encroachment into the single-family neighborhood and the start of strip zoning on the south side of East 21st Street South.

Therefore, Staff recommends **DENIAL** of CS zoning or any less intense office classification in the alternative for Z-6189.

For the record, the condition of the residence is not a basis for justifying poor zoning practices.

Comments & Discussion:

Mr. Paddock inquired as to the dedicated right-of-way on 21st Street at this location. Mr. Frank replied there was approximately 50' and clarified that, even though this was classified as a Primary Arterial, the dedication was as a Secondary Arterial.

Applicant's Comments:

Mr. Gary Porter, representing the applicant, stated the applicant was requesting a zoning change in order to use this tract mainly for office use. In reply to Mr. Paddock, Mr. Porter advised the applicant obtained this property in an estate sale, that at one time had a home on it which was destroyed by fire.

Ms. Wilson asked if the applicant had intentions for any type of commercial or retail operation, since the application was for CS zoning. Mr. Porter replied that they did not at this time and that, even though the application was for commercial zoning, their main intent was to build offices, which would be two story maximum. Mr. Woodard inquired as to the number of offices they were considering; Mr. Porter replied only four or five due to the small size of the tract.

Interested Parties:

Mr. James O. Lewis (2110 South Jamestown) advised he was representing a group of residents in the Jefferson Hills Addition (many of whom were in attendance). Mr. Lewis commented that it was his understanding that, for the type of zoning requested, there would be 120' of setback requirements, and due to the size of the subject tract, he did not feel this could be met. Mr. Lewis submitted petitions with 106 signatures protesting any zoning change on the property as this was located in a single-family neighborhood, and they did not wish to have any commercial or office encroaching into the area. He mentioned the existing problem with traffic along 21st Street and stated he felt any commercial or office development would only add to this problem. Therefore, he requested denial of the rezoning application.

In reply to Mr. Paddock, Mr. Lewis advised his property was adjacent to the subject tract. Commissioner Harris confirmed there was existing single-family homes to the south of the applicant's property.

Ms. Nina Miller (3516 East 21st Place) spoke on the quality of life in this offered by this older, estate-type neighborhood. She also requested denial of the application.

Applicant's Rebuttal:

Mr. Porter pointed out the existing commercial at the corner of 21st and Harvard, and the office zoning across from the subject tract, which he felt supported their intent for office use.

Review Session:

Mr. Paddock asked Staff if the only access to the subject property was on Jamestown Avenue, and not 21st Street. Mr. Gardner confirmed this to be correct, and added that Jamestown was also an access to the homes in the Jefferson Hills addition. Mr. Paddock moved for approval of the Staff recommendation for denial of CS zoning or any less intense office classification, as he agreed this would be an encroachment into the residential neighborhood and he felt it might set a undesirable precedent.

Chairman Kempe advised she was in receipt of four letters of protest to the requested CS zoning.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Carnes, Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Parmele, "absent") to **DENY Z-6189 Porter (Williams)** for CS zoning or any less intense office classification, as recommended by Staff.

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Application No.: Z-6190 Present Zoning: AG
Applicant: Norman (Tulsa Rock Company) Proposed Zoning: IH
Location: NW/c of East 36th Street North and North 145th East Avenue
Date of Hearing: March 9, 1988
Presentation to TMAPC by: Mr. Charles Norman, 909 Kennedy Building (583-7571)

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2 - Industrial.

According to the Zoning Matrix the requested IH District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 80 acres in size and is located at the northwest corner of East 36th Street North and North 145th East Avenue. It is partially wooded, steeply sloping, has been used as a quarry, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by vacant property and an asphalt plant, zoned IH; on the east by vacant property in Rogers County approved for mining; on the south across East 36th Street by both vacant property and a concrete plant, zoned IH; and on the west by a rock quarry and heavy industrial use, zoned IM.

Zoning and BOA Historical Summary: Industrial zonings, including IH and IM, have been approved in the immediate area.

Conclusion: Based on the Comprehensive Plan and the tract's location between two IH zoned districts, an IM zoned district used for mining and property approved for mining to the east in Rogers County, Staff can support the requested IH rezoning.

Therefore, Staff recommends **APPROVAL** of IH zoning for Z-6190 as requested.

Z-6190 Norman (Tulsa Rock Co.) - Cont'd

Comments & Discussion:

In reply to Chairman Kempe, the applicant stated agreement to the Staff recommendation.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Parmele, "absent") to **APPROVE Z-6190 Norman (Tulsa Rock Company) for IH Zoning**, as recommended by Staff.

Legal Description:

The East half of the Southeast Quarter of Section 16, T-20-N, R-14-E, Tulsa County, Oklahoma.

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Application No.: **Z-6191** Present Zoning: **OMH**
Applicant: **McCune (Keemac)** Proposed Zoning: **CS**
Location: **NW/c of East 51st Street & South Yale Avenue**
Date of Hearing: **March 9, 1988**
Presentation to TMAPC by: **Mr. Gordon McCune, 7271 South College**

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 Corridor District.

According to the Zoning Matrix the requested CS District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is 2.79 acres in size and is located at the northwest corner of East 51st Street and South Yale Avenue. It is nonwooded, flat, contains a service station and related uses, plus a restaurant use, and is zoned OMH.

Surrounding Area Analysis: The tract is abutted on the north and west by office and commercial use zoned CS; on the east across South Yale by a small shopping center zoned CS; and on the south across East 51st Street by a multi-story office building zoned CS and PUD.

Zoning and BOA Historical Summary: The subject tract was originally zoned CS and rezoned to OMH to be redeveloped for office use in 1982.

Conclusion: Since the tract is surrounded on four sides by commercial zoning and once was zoned CS, Staff can support the requested rezoning. The request is also in accordance with the Comprehensive Plan.

Therefore, Staff recommends **APPROVAL** of CS zoning for Z-6191 as requested.

Comments & Discussion:

Mr. Paddock inquired as to the owner and if McCune had a contingency sales contract. Mr. Gordon McCune, representing the leasehold (applicant), confirmed agreement to the Staff recommendation and responded to Mr. Paddock's question.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Parmele, "absent") to **APPROVE Z-6191 McCune (Keemac)** for CS Zoning, as recommended by Staff, and Early Transmittal of these minutes to the City Commission.

Legal Description:

Lots 9 & 10, INTERSTATE CENTRAL EXTENDED, and addition to the City of Tulsa, Tulsa County, Oklahoma, situated in the E/2 of the SE/4, Section 28, T-19-N, R-13-E.

SUBDIVISIONS:

FINAL PLAT APPROVAL & RELEASE:

Family Worship Center Ext. (1094)

15303 East 21st

(AG)

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Carnes, Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Parmele, "absent") to **APPROVE** the Final Plat of Family Worship Center Ext. and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD 422: East 33rd & South Peoria, being Lot 8, Block 1, Crow Creek Addition

Staff Recommendation: Detail Site Plan

PUD 422 is located at East 33rd Street and South Peoria and has an area of approximately 3.2 acres with underlying zoning of OMH and OM, with RS-3 zoning on the interior lots. Detail Site Plans and construction has previously been approved by the TMAPC on Lots 1, 2, 3 and 6. The applicant is requesting TMAPC approval for a two story office building on Lot 8. An existing office building on Lot 1 (fronting Peoria) was recently expanded and remodeled; however, was exempt by conditions of approval from normal PUD procedural requirements for TMAPC review of plans prior to issuance of a Building Permit.

The proposed Detail Site Plan includes a two story office building (3574 square feet) on the south side of the vacated East 33rd Street right-of-way, with parking spaces on the west and north side. The Plan includes elevations which indicate the exterior facades of the building will be masonry and of a Williamsburg character. PUD 422 limits the maximum height of buildings to 30' as measured from the ground to the roof line, and requires a minimum landscaped area of 20%.

Staff recommends APPROVAL of the submitted Detail Site Plan for Lot 8, Block 1, Crow Creek Office Park subject to the following conditions:

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

2) **Development Standards:**

Land Area (Gross):	3.17 acres
(Net):	2.58 acres
Lot 8 Area:	7,911 sf .18 acres
Permitted Uses:	Principal and accessory uses permitted as a matter or right in an OL District excluding drive-in banks and funeral homes.
Maximum Building Height - Lot 8:	30'
Maximum Building Floor Area:	36,000 sf *
Lot 1	7,885 sf constructed
Lot 2	3,330 sf constructed
Lot 3	3,500 sf constructed
Lot 6 **	4,500 sf constructed
Lot 8/this application	<u>3,574 sf</u>
TOTAL	22,789 sf constructed/proposed
Remaining Floor Area:	13,211 sf
Minimum Off-Street Parking:	As required by the applicable use units
Lot 2	13 spaces constructed
Lot 3	14 spaces constructed
Lot 6 **	15 spaces constructed
Lot 8	12 spaces constructed

PUD 422 Detail Site Plan - Cont'd

Minimum Building Setbacks:
from north interior boundary 20'
from south boundary 20'
from east/west boundary none required
Minimum Landscaped Open Space: 20% ***

- * The maximum building size on Lot 1 is 10,000 sf. The maximum building size on the remainder of the Lots is 6,000 sf per lot.
- ** 15 parking spaces on Lot 6 will limit the maximum building size to 4,500 sf. The proposed 4680 sf building would be permitted only if shared parking agreements were filed of record or 16 parking spaces were provided.
- *** Landscaped open space shall include internal and external landscaped open spaces, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.

Signs: One ground sign not exceeding 32 sf in display surface area may be erected on the South Peoria frontage and one ground sign not exceeding 32 sf in display area may be erected on the internal private street serving the office park.

- 3) That all trash, mechanical and equipment areas shall be screened from public view.
- 4) That all parking lot lighting shall be directed downward and away from adjacent residential areas. No pole light in excess of 8 feet tall shall be permitted along the north, west, and south boundaries of PUD 422.
- 5) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Sections 620.2(d) and 1130.2(b) of the PUD Chapter of the Zoning Code and as specified herein.
- 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. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit. Existing trees are being preserved on the site in accordance with the Landscape Plan element of the PUD Text and the submitted Detail Site Plan.
- 7) The Detail Site Plan includes elevations demonstrating a residential type Williamsburg exterior building facade within the development. Lot 8 will be screened by a 6 foot tall wooden screening fence with masonry columns on the south boundary. A 6' screening fence is also required along the east boundary of Lot 8. The elevations and screening fence are made conditions of approval of the Detail Site Plan where applicable (i.e., fencing south and east boundary Lot 8).

PUD 422 Detail Site Plan - Cont'd

- 8) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has 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.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-1** (Carnes, Coutant, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Crawford, Doherty, Parmele, "absent") to **APPROVE** the **Detail Site Plan for PUD 422**, as recommended by Staff.

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PUD 411/Z-5842-SP: NE/c of East 98th Street & South Memorial Drive

Staff Recommendation: Detail Sign Plan

The subject tract is 4.2 acres in size and is the site of the South Park dealership for Ford, Lincoln and Mercury automobiles. It is located at the northeast corner of South Memorial and East 98th Street. The applicant is requesting approval of a Detail Sign Plan for a ground sign ("Daihatsu") to be located adjacent to an existing monument sign at the northwest corner of the automobile dealerships. The proposed sign is 25' tall and 18.5' wide x 5.3' high (98 square feet), which is in accordance with the Development Standards for PUD 411/Z-5842-SP.

Therefore, Staff recommends APPROVAL of the proposed ground sign per the submitted Detail Sign Plan. If the proposed sign location is included within a utility easement, applicant should coordinate and receive approval from the appropriate agencies prior to construction.

TMAPC ACTION: 8 members present

On **MOTION** of **WILSON**, the TMAPC voted **8-0-0** (Carnes, Coutant, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Doherty, Parmele, "absent") to **APPROVE** the **Detail Sign Plan for PUD 411/Z-5842-SP**, as recommended by Staff.

Other Discussion:

Chairman Kempe advised that new Commissioner Kevin Coutant would need a District Planning Team liaison assignment. District 6 had a vacancy, but as Mr. Coutant was a resident in this district, she offered to trade her liaison assignment, District 18, with Mr. Coutant. There was no objection from the Commission.

There being no further business, the Chairman declared the meeting adjourned at 2:13 p.m.

Date Approved March 23, 1988
Cherry Kempa
Chairman

ATTEST:

PB Paddock
acting Secretary

