

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1322
 Wednesday, August 13, 1980, 1:30 p.m.
 Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Avey	Gardner	Alberty	Linker, Legal Department
Eller	Inhofe	Gardner	
Holliday	Keleher	Howell	
Keith	T. Young	Matthews	
Kempe, Secretary		Wilmoth	
Parmeale, Chairman			
Petty			
C. Young, 1st Vice Chairman			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, August 12, 1980, at 11:30 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Parmeale called the meeting to order at 1:35 p.m. and declared a quorum present.

MINUTES:

On MOTION of PETTY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmeale, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve the Minutes of July 23, 1980 (No. 1319), July 30, 1980 (No. 1320) and August 6, 1980 (No. 1321).

REPORTS:

TMAPC Claims:

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmeale, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve the 1979-1980 and 1980-1981 TMAPC Claims (attached).

DIRECTOR'S REPORT:

Personnel Actions:

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmeale, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve the Personnel Actions (Exhibit "A-1") submitted this date.

NDP Amendments:

Dane Matthews, TMAPC Planner, advised that the proposed NDP Amendments were to the acquisition status maps and the relocation, financing and sector plans. The areas involved include properties in Osage sector between Cincinnati and Boston, Easton and Haskell; and properties in Lansing sector between Iroquois and the Midland Valley Railroad from Pine to immediately south of Newton, three lots at the southwest corner

NDP Amendments: (continued)

of Pine and Lansing and street modifications on Iroquois, Kenosha and Oklahoma. The Osage sector properties lie west of Greenwood and are proposed for commercial redevelopment, while those in Lansing sector are to be part of the Model Inner City Industrial Park.

TURA anticipates the displacement of approximately 24 families, 42 individuals and 15 businesses, all in the Lansing sector. Their relocation will be handled by TURA Staff, and no difficulties are expected. No displacement will result from the Osage sector acquisitions.

The land use plan for the district in which these proposed projects are located has designated the entire NDP area as a Special District, in recognition of the existing plans developed for the area through TURA. These proposals appear to be in accord with the District 2 Plan.

Ms. Matthews stated that the Staff's only concern was that the businesses and individuals to be relocated, if they so desire, should be relocated within the near north side.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to adopt Resolution No. 1322:522 as follows:

RESOLUTION FINDING THAT AMENDMENTS TO THE URBAN
RENEWAL PLAN FOR THE NEIGHBORHOOD DEVELOPMENT
PROGRAM AREA IN CONNECTION WITH THE SIXTH YEAR
COMMUNITY DEVELOPMENT PROGRAM ARE IN CONFORMANCE
WITH THE COMPREHENSIVE PLAN OF THE CITY OF TULSA

WHEREAS, the City of Tulsa, Oklahoma, and the Board of County Commissioners of Tulsa County, Oklahoma, on August 2, 1960, and August 9, 1960, respectively, adopted a Comprehensive Plan for the orderly development of the City and County of Tulsa, Oklahoma, with subsequent amendments to date; and

WHEREAS, said Comprehensive Plan contains sections 8 dealing with the needs and desirability of Urban Renewal Programs; and

WHEREAS, on November 17, 1959, the City of Tulsa appointed the Tulsa Urban Renewal Authority in accordance with House Bill No. 602, Twenty-Seventh Oklahoma Legislature (1959) now cited as the Urban Redevelopment Act, Title 11, Oklahoma Statutes, Sec. 1601 et seq.; and

WHEREAS, said Urban Redevelopment Act requires that the Tulsa Metropolitan Area Planning Commission certify to the City of Tulsa as to the conformity of any proposed Urban Renewal Plans and/or major Plan Amendments to the Comprehensive Plan of the City of Tulsa; and

WHEREAS, the Tulsa Urban Renewal Authority has prepared Amendments to the Urban Renewal Plan for the Neighborhood Development Program area in connection with the Sixth Year Community Development Program within the City of Tulsa; and

Resolution No. 1322:522 (continued)

WHEREAS, said Neighborhood Development Program and the related Urban Renewal Plan Amendments for the area have been submitted to the Tulsa Metropolitan Area Planning Commission for review in accordance with the Urban Redevelopment Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

1. The proposed Urban Renewal Plan Amendments for the Neighborhood Development Program area, in connection with the Sixth Year Community Development Program specifically:

Modify URP-3C, and Acquisition Status Map, to show previous NDP acquisition, and proposed Sixth Year Community Development Program (NDP acquisition);

Modify Appendix II, Relocation Plan, and indicate relocation resulting from acquisition in connection with the Sixth Year Community Development Program; showing feasibility or relocation in accordance with state and Federal Law;

Modify Appendix III, Financing Plan for the Sixth Year Community Development Program (NDP area activities, to include cost estimate and project description of Sixth Year CDBG Sub-programs administered by TURA in the NDP area; and

Modify each sector plan to permit variances with respect to building standards and density related to rehabilitation to conform with current variance procedures related to redevelopment (new construction).

are hereby found to be in conformity with the Comprehensive Plan for the City of Tulsa.

2. Certified copies of this Resolution shall be forwarded to the Board of Commissioners of the City of Tulsa.

APPROVED and ADOPTED this 13th day of August, 1980, by the Tulsa Metropolitan Area Planning Commission.

SUBDIVISIONS:

Madison Park One (192) 700 Block of South Madison Avenue

(RM-3)

The applicant was not present, but had informed the Staff by telephone that he was in agreement with the conditions set forth by the City Engineer and Technical Advisory Committee.

The Staff reminded the Commission that this Plat had been reviewed on July 16, 1980, and most of the problems were aired at that time. Since the main problem was access by way of the existing alley, the Planning Commission granted a three-week period for the applicant to meet with the Engineering Department to work out a solution for the access.

Madison Park One (continued)

The Developer and Engineering Department met and the following conditions were agreed upon by both:

- (a) Provide a minimum of 40' of right-of-way, and
- (b) construct a standard 26' wide pavement, to all City specifications including curbs, driveways, sidewalks and grades.

The Developer also reduced the number of lots so that they are a minimum of 20' wide, which will meet the Zoning Code. The Board of Adjustment has also approved the application, subject to the approval of the Planning Commission and T.A.C.

The Staff recommended approval of the Sketch Plat based on the results of the meetings with the Engineering Department and Developer.

On MOTION of KEITH, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve the Sketch Plat of Madison Park One, subject to the following conditions:

1. The Developer had met with the City Engineer, Harold Miller, regarding the improvement and utilization of the alleyway for access prior to submission of the preliminary/final Plat, and the following conditions were made:
 - (a) Provide a MINIMUM of 40' of right-of-way, and
 - (b) construct a standard 26' wide pavement, to all City specifications, including curbs, driveways, sidewalks and grades.
2. Utility Easements shall meet the approval of the utility companies. (Utilities) Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
3. Water Plans shall be approved by the Water and Sewer Department prior to release of final plat.
4. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer, (if required on alley, subject to #1 above).
5. Drainage Plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
6. Street Name shall be approved by City Engineer. (Designate as an alley or assign street name.)
7. Bearings, or true north-south, or angles, etc., shall be shown on perimeter of land being platted or other bearings as directed by the City and/or County Engineer.

Madison Park One (continued)

8. It is recommended that the developer coordinate with Traffic Engineering during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for release of plat.)
9. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited. (Health Dept.)
10. The location map should be complete.
11. All conditions of Board of Adjustment Case No. 11084 that may pertain to the plat shall be met prior to release of final plat, as applicable.
12. In Covenants, Page 4, 1st line, change last word to fifteen (15).
13. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including miscellaneous documents required by the Subdivision Regulations.
14. All other Subdivision Regulations shall be met prior to release of final plat. (Staff)

Aspen Walk (683) NE corner of 71st Street and South Peoria Avenue (CS, RM-2)

The Staff presented the plat with the applicant represented by Ted Ponder.

The Staff advised the Commission that this tract already has Board of Adjustment approval for apartment use and more than 40 units on a lot, (Case No. 10715).

Traffic Engineering advised that when 71st is improved to 4 lanes, that median strips may result in "right-turns only" on that street. City Engineer commented regarding the drainage, which will be taken direct to the river. Also there may be some question as to how the street addresses will be assigned, but this can be worked out with house numbering.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Aspen Walk, subject to the listed conditions:

On MOTION of ELLER, the Planning Commission voted 7-0-1 (Avey, Eller, Holliday, Keith, Kempe, Petty, C. Young "aye"; no "nays"; Parmele "abstaining"; Gardner, Inhofe, Keleher, T. Young "absent") to grant preliminary approval to Aspen Walk, subject to the following conditions:

1. Include deed of dedication for streets and easements in covenants.
2. Include on face of plat: "1 Lot - 12.08 acres."
3. Utility easements shall meet the approval of the utility companies. (Utilities) Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (May need additional perimeter easement as per policy.) Existing easements should be tied to or related to property and/or lot lines. Show book

Aspen Walk (continued)

- and page number on easements dedicated by separate instrument, where applicable.
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
 5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
 6. Drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
 7. Access points shall be approved by the City and Traffic Engineers. (Show adjacent streets on 71st Street.)
 8. It is recommended that the developer coordinate with Traffic Engineering during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a conditions for release of plat.)
 9. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited. (Health Dept.)
 10. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including miscellaneous documents required by the Subdivision Regulations.)
 11. All Subdivision Regulations shall be met prior to release of final plat. (Staff)

Keystone Manor II (790) West 14th Street and Coyote Trail

The Staff presented the plat, the applicant was not present.

The Staff advised that this is the second phase of a mobile home park development started some time ago, as "Keystone Manor I." The streets in the first phase were all private and the development was processed similar to a mobile home park development under an RMH zoning, except that there is no zoning in this area. All restrictions, etc., are at the option of the developer due to the absence of zoning restrictions.

Mr. Wilmoth advised that plans were in progress for the sewage treatment facility and its operation. There were no objections to the plat as presented, subject to the conditions listed.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Keystone Manor II, subject to the conditions:

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve

Keystone Manor II (continued)

the Preliminary Plat of Keystone Manor II, subject to the following listed Conditions:

1. Identify all streets, either as private (within the development) or public, in the adjacent tracts. Identify Coyote Trail.
2. Identify and dimension all easements and roadways.
3. Include tie dimensions to center of Coyote Trail and from NW and SW corners of plat.
4. Revise wording in Covenants to apply to Keystone Manor II. (References are made to KM-I)
5. Street lighting in this subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
6. Utility Easements shall meet the approval of the utility companies. (Utilities) Show additional easements as needed.
7. Water plans shall be approved by the Rural Water Department prior to release of final plat.
8. Drainage plans shall be approved by County Engineer, including storm drainage and detention design, subject to criteria approved by County Commission.
9. It is recommended that the developer coordinate with County Engineer during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a conditions for release of plat.)
10. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
11. The method of sewage disposal and plans therefore, shall be approved by City-County Health Department.
12. The method of water supply and plans therefore, shall be approved by City-County Health Department.
13. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A 150' building line shall be shown on plat on any wells not officially plugged.)
14. This Plat has been referred to Sand Springs because of its location and water services. Additional requirements may be made by the City of Sand Springs, otherwise only the conditions listed herein shall apply.
15. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including miscellaneous documents required by the Subdivision Regulations.)

Keystone Manor II (continued)

16. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Woodland Hills Mall Extended (183) North side of 71st Street, East of Memorial Road (CG, P)

The Staff advised that not all letters had been received and recommended the plat be tabled.

The Chair, without objection, tabled Woodland Hills Mall Extended.

Garnett Meadows (794) 17th Place and South Garnett Road (RD)
and

Hunters Pointe (PUD #216) (2183) 9700 Block of South Richmond Ave. (RS-1)

Mr. Wilmoth advised that all letters were in the file for these two Plats and recommended final approval and release.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") for final approval and release of Garnett Meadows and Hunters Pointe.

CHANGE OF ACCESS ON RECORDED PLAT:

Gilcrease Hills Center (3402) NE corner of West Edison Street and North 25th West Avenue (CS)

The Staff advised that this is a request to adjust two access points to fit an existing situation. The actual driveways were installed slightly off the platted access points because of utilities or parking lot layouts. No new accesses are being added and the changes that were made were less than the width of the driveway. (This will bring the actual driveway in conformance with what will show on the plat as amended by this change.) Traffic Engineering has approved the change and it is recommended the Planning Commission concur.

On MOTION of KEITH, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve the change of access points as recommended by the Traffic Engineer.

LOT-SPLITS:

L-14963	Gynn	(2290)	L-14980	Scott	(1082)
14964	Watkins	(3193)	14982	TURA	(3602)
14971	Lawrence	(3393)	14983	TURA	(3602)
14972	TURA	(1192)	14985	TURA	(2502)
14973	Ellis	(2702)	14989	TURA	(3602)
14974	Hendricks	(894)	14988	S.W.S., Ltd.	(3492)
14978	Tulsa Assoc.	(183)	14990	TURA	(2502)
14979	Stidham	(1392)	14991	S.W.S., Ltd.	(3492)
14976	Brown	(794)	14984	Borthick	(3204)
14977	TURA	(3602)	14992	Hickey & Babb	(392)

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no

Lot-Splits (continued)

"abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") for ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-14969 David Burns (2873) 16300 Block of South Richmond Avenue (AG)

The Staff advised that this is to waive frontage requirement on a tract in an AG District from the 300' required to 145' for each of the two lots being created. (145' x 610') The two lots being created will contain over 2 acres each, which will meet the AG minimum. Water is furnished by Rural Water District #6, (Mounds, Oklahoma) and sewage disposal is by septic systems. South Richmond Avenue is not maintained by the County and any buyer should be aware of this. The road is in place and provides access to a number of homes on tracts of 4 acres or more. The development of the tracts was apparently underway prior to 1970 when the area became AG instead of RS-1, which only required 100' of frontage. Approval will be subject to Board of Adjustment waiver of the frontage and approval of the Health Department for septic systems. County Engineering advised that since the road isn't maintained by the County, a waiver would be required when seeking a building permit.

The Technical Advisory Committee and Staff recommended approval of L-14969, subject to the Board of Adjustment waiver of frontage.

On MOTION of PETTY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve the lot-split L-14969, subject to the Board of Adjustment waiver of the frontage.

CONTINUED PUBLIC HEARING:

PUBLIC HEARING ON PROPOSED AMENDMENTS TO TITLE 42, TULSA REVISED ORDINANCES BY AMENDING EXISTING PROVISIONS OF THE FOLLOWING CHAPTERS: Chapters 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, AND APPENDIX "A" AND APPENDIX "B"; FURTHER CONSIDER PROVIDING FOR OTHER MATTERS PROPERLY RELATING TO THE SPECIFIC SECTIONS MENTIONED, AND RECODIFYING SAID TITLE

Bob Gardner summarized the previous Commission actions concerning the proposed amendments to the Zoning Code, stating that Chapters 1, 2, and 3, were approved as presented. In Chapter 4, the question - should the RM-0 District equate to the OL District since the Board of Adjustment can grant an exception for apartment use in office zoned districts - was raised in the previous public hearing. The Staff, in review of this question, found that the RM-0 and the RM-1 would equate to OL since they are both considered low intensity. The RM-2 District is medium intensity and, therefore, would not equate to the OL District. Mr. Gardner advised that the Zoning Code, as written and presented, with OL equated to RM-1 and RM-2 equated to OM, is still appropriate and recommended its adoption.

There were no recommended changes in Chapter 5. Chapters 6, 7, 8 and 9, were adopted as presented. No changes were made in Chapter 10 and Chapter 11 was approved as presented.

Chapter 12 was adopted except 1211.4, the suggested increase in the off-street parking requirements for an office district. This increase was denied by the Commission, therefore, the figure was to remain 1 parking space per 400 sq. ft. of office area. Mr. Gardner advised that the Staff had done some research since the previous hearing and found that Dallas, Texas, requires 1 parking space per 300 sq. ft. (this was the Staff recommendation) and Wichita, Kansas requires 1 parking space per 250 sq. ft. of office space. The Staff noted they would conduct further study on this matter and come back at a later time with any changes they felt necessary in this area.

In Chapter 13, the Staff recommended the Commission strike 1340. a, Design Standards For Off-Street Parking Areas, since the parking ratio was not reduced.

Charlie Banks, Director of Protective Inspections for the City of Tulsa, advised that there are two types of areas within the Zoning Code wherein parking is regulated and the one he wished to address was the size of the individual parking spaces. He pointed out that having a small vehicle utilizing a large parking space was wasteful and noted there will be more and more compact cars in the future. He urged the Commission to reconsider the previous action and reinstate the suggested change to provide 3/4 of the new parking spaces at the standard size and 1/4 of the parking spaces at a reduced size, primarily for the accommodation of compact cars.

The Staff endorsed this change noting they had supported this suggestion originally with the provision that it would come back where there are known difficulties in the amount of off-street parking for certain types of uses, specifically the smaller office buildings.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO TITLE 42, TULSA REVISED ORDINANCES:
(continued)

Mr. Gardner advised that Chapters 14, 15, 16, 17 and 18 had been adopted as amended.

The Staff recommended the Commission adopt the entire Zoning Code, as written and presented in final draft.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to adopt the Zoning Code as written and presented with the following two additions:

Section 440.8: "Office use in the RM-1 District shall comply with the bulk and area requirements of the OL District. Office use in the RM-2 District shall comply with the bulk and area requirements of the OM District, except no structure shall exceed 2 stories in height. Office use in the RM-2 District shall comply with the bulk and area requirements of the OMH District; and

Section 640.2: Multifamily use in the OL District shall comply with the bulk and area requirements of the RM-1 District. Multifamily use in the OM and OMH Districts shall comply with the bulk and area requirements of the RM-2 District."

ZONING PUBLIC HEARING:

Z-5426 Tom Ogburn South of 50th Street North and West of Highway #97
AG to CG or IL - Sand Springs Referral

A letter (Exhibit "B-1") was presented from Mrs. Tom Ogburn advising that she and her husband had made the application for the zoning change after they were assured it would receive a favorable recommendation. However, at the Sand Springs meeting on August 5, 1980, they were advised that the zoning change could not be approved due to a 1977 zoning law that disallows any strip zoning in the community.

The Staff recommended the application be withdrawn and application fees be refunded.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to withdraw Zoning Application Z-5426 and refund application fees to Mr. and Mrs. Ogburn.

Application No. Z-5428

Present Zoning: RMH

Applicant: Curt Holstead

Proposed Zoning: RM-0

Location: West of the NW corner of Admiral Place and 129th East Avenue

Date of Application: June 23, 1980

Date of Hearing: August 13, 1980

Size of Tract: 14.3 acres

Presentation to TMAPC by: William B. Jones

Address: 12221 East Admiral Place

Phone: 437-8112

Applicant's Comments:

William B. Jones, representing the applicant, advised that the subject property is located between Admiral Place and I-244 at 122nd East Avenue. It is an irregularly-shaped tract which is mostly vacant except for some outside storage. The abutting tract to the south contains an auto body shop, a trucking company and two single-family residences. The abutting tracts to the north, east and west are vacant. There will be two points of access; the primary access will be to Admiral Place. It will consist of two points of ingress and egress, each 50' in width which will provide a more than adequate access for emergency vehicles. The site visibility in front of the tract on Admiral Place, is relatively good according to the Traffic Engineer's Office.

The property is served by a 24" sanitary sewer, located approximately 60' north of the subject tract, and also a 15" sanitary sewer located approximately 200' to the east. The subject tract is served with natural gas lines, electricity and telephone. City of Tulsa water service is available by means of a 12" water main.

The proposed use of the subject tract, an apartment project, was first proposed in a public hearing conducted by the Tulsa Housing Authority who will be the ultimate owner of the project. The proposed project, which has been approved by HUD and the Tulsa Housing Authority, is a 150 multifamily dwelling unit project. Located on 14.3 acres, the density will be 10.5 dwelling units per acre, which is an extremely low density. The project will include 8, one bedroom units for the handicapped, 12, standard one bedroom units, 106, two bedroom units and 24, three bedroom units. The project will include both one and two-story buildings primarily of brick construction with a small amount of wood and wood trim. Also included in the project will be a club house, a 60' x 94' outdoor basketball court, swing sets and slides. Parking space will be provided in the interior of the development and a perimeter fence will be erected on Admiral Place. The project will contain open space to the rear, benches, sidewalks, and ramps for the handicapped.

Mr. Jones advised that the developers of this project have primarily built in the commercial non-government market; however, they have constructed the project at 61st and Union which is probably the best Tulsa Housing Authority project in the City.

Mr. Jones stated that he believed the project would lend some degree of stability to the corridor that has not existed in the past 15 years. He noted that the application meets the guidelines, is in conformance with the surrounding zoning and uses and is compatible with both zoning and existing uses. He presented 19 letters (Exhibit "C-1") from owners of businesses and residences within the area who are backing the project.

Z-5428 (continued)

<u>Protestants:</u>	Paul Thornbrugh	Address:	11435 East 5th Street
	Larry Bales		11332 East 7th Street
	Merleen Bradford		117 South 117th East Avenue
	Linda Greenwood		11812 East 7th Street
	Bill Snyder		11740 East 5th Street
	Tom Watkins		11336 East 3rd Street
	Roy Davie		311 South 117th East Place

Protestant's Comments:

Paul Thornbrugh stated he was appearing as a citizen and a resident property owner appealing to the Commission to deny this rezoning application. Mr. Thornbrugh noted the many concerned citizens in the neighborhood, and advised that 125 people had attended a meeting last week and 35 other residents had met in his home the previous evening to discuss the pros and cons of the proposed zoning change. He presented petitions (Exhibit "C-2") bearing 788 signatures of area residents opposed to the zoning change.

Mr. Thornbrugh advised that this was a fragile residential area with strong neighborhood pride. The people of the area are trying to preserve their property investments. The area has no swimming pools or parks, however, the residents have found a way to provide recreation facilities for the youth. The protestant also expressed fear that the residents would lose what is now a good place to live and raise a family if the proposed low-rent apartment complex was constructed.

Mr. Thornbrugh pointed out that it is a reported and proven fact, that housing projects such as the one proposed in this application, with the Tulsa Housing Authority as landlord, has resulted in increased crime and vandalism, a deterioration of the neighborhood pride and upkeep of property, a lessening of market values of properties, the demise of a family-type neighborhood and an unsightly neighborhood area. There are a number of Tulsa Housing Authority Projects within Tulsa County, similar to the one being proposed by the applicant, whose adverse affects to the maintenance and pride of surrounding neighborhoods and the transient problems is well known.

Mr. Thornbrugh advised that this fragile neighborhood has grown into the type of neighborhood that it is as a result of the initial planning in the area. He presented pictures (Exhibit "C-3") of homes in the residential area. The protestant noted that sometimes there is a grey line in trying to define a rezoning and the ultimate effects of a rezoning. The protestant presented pictures (Exhibit "C-4") including those of the Tulsa Housing Authority project at 61st and Union which the applicant termed one of the agency's better projects. Pictures of Mohawk Manor and Apache Manor were also exhibited.

Larry Bales advised that he has been a resident of the area in question for the past 10 years. Mr. Bales, a member of the Tulsa Police Department for the past 18 years, stated that he has seen what has happened to various areas when low-rent housing is established there. He noted the increase in crime and homes which are abandoned by the owners because of the adverse affects of the development. Some homeowners have been forced to leave because their children are intimidated on their way to and from school. Mr. Bales, in reference to the project at 61st and Union, advised that this summer there have been fire bombings, shootings, fights, and other crime within the development. He stated he was opposed to the proposed project

because he knows what will happen to the neighborhood when the apartments are constructed.

Merleen Bradford stated she would like to see the zoning stay as it is. She advised that she was not opposed to mobile homes in the area. Mrs. Bradford noted that the Lutheran Church in the area was listed for sale five years ago and the residents were very concerned about what would happen with the property. The City was contacted and they purchased it to serve as a small community-type center for the neighborhood. The protestant asked the Commission members how they would feel if the area near their homes was going to be zoned for this proposed project.

Linda Greenwood stated she had lived in the area behind Apache Manor for five years. The developers of Apache Manor met with the area residents and told them how the project would enhance their neighborhood. Mrs. Greenwood advised that she and her husband were lucky because they were able to sell their home; people still living there have their front and back yards fenced with guard dogs and are unable to sell their property.

Bill Snyder stated he felt there are already enough apartments in the area and he would like the zoning to remain RMH. He advised that most of the mobile homes in the area were single-family residences.

Tom Watkins advised that the subject property, when taken over by the Tulsa Housing Authority, will be removed from the tax rolls. There will be no property tax revenue derived from it and the loss will be upwards of \$58,000 a year in tax revenue. He urged the Commission to consider this loss in making their decision.

Roy Davie advised he has lived in the area for the past 16 years. Mr. Davie stated he has worked at 2401 North Harvard since 1956 and observed the construction of Apache Manor on the adjacent property. At the present time, the company Mr. Davie works for has had to retain protective service guards to protect the property. The employees at the company park in a well-lighted and guarded, by privately hired security guards, parking lot and still must replace batteries, tires and take care of vandalism; i.e., scraped paint and broken windows, on their cars. Many of the employees have resorted to purchasing a third car to drive to work because the second car becomes destroyed if it is worth anything.

Mr. Davie presented an article (Exhibit "C-5") from the Tulsa Tribune, August 9, 1980, concerning the old Apache Drive-In Theater which has been shut down. The Drive-In is a buffer between Mr. Davie's company and Apache Manor and has become a dumping ground for the area. The grounds were cleaned up six weeks ago and now the owner faces court action if the litter is not cleaned up soon. The protestant advised that his concern was for the welfare and protection of the citizens of the area when this type of proposed project is constructed.

Byrl Fiveash advised that anytime a project of this sort is built it is a known fact that the crime rate goes sky-high. Mr. Fiveash has invested one-quarter million dollars in the land and building which houses his business adjacent to the proposed project. He was concerned that the proposed construction will be detrimental to his property. In addition, Admiral is a two lane street and Mr. Fiveash felt the increase in housing would create traffic congestion in the area.

Z-5428 (continued)

A letter (Exhibit "C-6") of protest was presented from Larry and Cindy Brumbaugh.

Instruments Submitted: 19 Letters of Support for the Project (Exhibit "C-1")
Protest Petition, 788 signatures (Exhibit "C-2")
Photos of Other THA Projects (Exhibit "C-4")
Photos of Homes in the Area (Exhibit "C-3")
Newspaper Clipping (Exhibit "C-5")
Letter of Protest (Exhibit "C-6")

Relationship to the Comprehensive Plan.

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - No Specific Land Use and Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RM-0 District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of the requested RM-0 zoning less any portion determined to be Floodway for the following reasons:

The subject tract is located between Admiral Place and I-244 at 122nd East Avenue. The property is zoned a combination of RMH Residential Mobile Home and RS-3 Residential Single-family. The applicant is requesting RM-0 low density multifamily zoning.

The requested RM-0 zoning is merited on the subject property in the Staff's opinion, based on its location, the adjacent zoning and the Comprehensive Plan. The Admiral Place frontage is developed either commercial or industrial while the interior tracts are undeveloped. With the availability of sanitary sewer the corridor formed by I-244, Admiral Place, Garnett and 129th East Avenue will develop at higher densities than conventional single-family development due largely to (1) the established zoning patterns in the area; (2) the extensive floodplain; and (3) the size of the corridor.

Based on these reasons, the Staff recommends APPROVAL of the requested RM-0 zoning.

Special Discussion for the Record:

Commissioner Carl Young questioned how many mobile homes, since it is presently zoned for mobile homes, could be placed on the subject tract and was informed that approximately 90 mobile homes could be located there.

Commissioner Petty asked if this was the type of government subsidized housing where the tenants would pay lower rent because of Federal Government subsidies. The applicant stated that it was that type of housing.

Mr. Carl Young asked Mr. Thornbrugh if he opposed the change in zoning because of who is requesting it or if he opposed RM-1 zoning, noting that there is already some RM-1 zoning in the area and the exact project could be put even closer to the residential area. The protestant stated it was not so much who it was being built for, but that this type of construction would be of concern to the area residents. Commissioner C.

Young also informed that the Staff considers only the zoning issue and the type of project does not enter into consideration on their recommendation.

Commissioner Keith questioned how this proposed project compares with the Admiral Twin project and what arguments the residents are making in court hearing on the Admiral Twin.

Assistant District Attorney, Russell Linker, advised that the Admiral Twin case is not a government financed project. He stated there was a question of flooding, overcrowding of schools, and if being contiguous to single-family zoned properties. The physical facts are not the same although there are two similarities, the relationship to the expressway and the flood area. Mr. Linker stated he would not advise trying to compare the two projects.

Commissioner Petty questioned if it was legal or proper for the Commission to deny zoning based on intended use. Mr. Linker noted that the applicant could have come in and asked for the zoning without any project being planned. Mr. Petty stated that since he knew what the property was to be used for, and he was opposed to the use, it presented a problem voting on the zoning change.

The Assistant City Attorney advised that the Supreme Court has said that "you will consider the physical facts in the area and make the zoning determination on that basis;" however, the statute says "you will consider protests of people who live in the area."

William Jones stated that he did empathize with the people concerned with the nature of some of the Tulsa Housing Authority projects. He questioned that the Commission could base their recommendation on sociological matters since they could vary as time changes and from matter to matter without providing any criteria for determination in any particular future zoning matter. He suggested the protestant's objections might be addressed to the Congressmen since they are the ones who fund the projects and authorize the law.

Commissioner Keith stated he felt the Commission was charged with the health, welfare and compatibility of the existing residents as well as the zoning issue.

Commissioner Betty Avey questioned where the protestants could turn for help in this issue if the Planning Commission did not heed to their protests.

Commissioner Petty reiterated that it would be difficult to be in favor of the rezoning since he knew what the proposed project was. He stated that we must stop the Federal Government from running us and trying to control our lives. Mr. Petty did not feel this project was going to be good for the City of Tulsa. The Commissioner made a motion to deny the application which received a second from Mr. Keith.

Carl Young stated he felt that denying this application on the basis that the applicant had presented a project which was objectionable to the Commission, would cause future applicants to attempt to obtain their zoning before they advise what the proposed projects will be. He noted that all of the elements for the change in zoning are present and he felt that it

would be very "short-sighted" of the Commission to deny the rezoning because the project has been revealed. Commissioner Young made a substitute motion to uphold the Staff Recommendation for approval of the rezoning application.

Chairman Parmele stated he could agree with many of the protestants that presented their objections; however, he wanted the citizens to be aware of the difficult decision the Commission was faced with. Mr. Parmele advised that he felt the land use was the question, whether it is compatible, zoning-wise, with the surrounding uses. The social aspect should have been presented to the Tulsa Housing Authority.

Commissioner Kempe stated she was sympathetic with the protestants, but given the facts of the case, the presentation does meet the requirements for rezoning and she would vote for the change in zoning.

On MOTION of PETTY, the Planning Commission voted 4-4-0 (Avey, Holliday, Keith, Petty "aye"; Eller, Kempe, Parmele, C. Young "nay"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to deny the rezoning of Z-5428.

On MOTION of C. YOUNG, the Planning Commission voted 4-4-0 (Eller, Kempe, Parmele, C. Young "aye"; Avey, Holliday, Keith, Petty "nay"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve RM-0 zoning for Z-5428, as per Staff Recommendation.

The application was forwarded to the City Commission without recommendation.

A tract of land situated and a part of the SE/4 of Section 32, Township 20 North, Range 14 East and the NE/4 of Section 5, Township 19 North, Range 14 East of the IBM, Tulsa County, State of Oklahoma; being more particularly described as follows, to-wit:

Beginning at a point on the West line of the NE/4 of Section 5, Township 19 North, Range 14 East, said point being 466.8' North of the North right-of-way line of State Highway #33; thence in a Northerly direction and along the West side of the before said NE/4 a distance of 472' to a point; thence North $71^{\circ}53'43''$ East a distance of 427.99' to a point; thence South $82^{\circ}09'06''$ East a distance of 402.77' to a point; thence South $10^{\circ}31'58''$ East a distance of 202.41' to a point; thence South $40^{\circ}40'08''$ East a distance of 458.81' to a point; thence South $30^{\circ}27'56''$ West a distance of 197.23' to a point 300' North of the North right-of-way line of State Highway #33; thence in a Westerly direction and parallel with the North right-of-way line of State Highway #33 a distance of 575' to a point; thence in a Northerly direction and parallel with the West line of the before said NE/4 a distance of 166.8' to a point; thence in a Westerly direction and parallel to the North right-of-way line of State Highway #33 a distance of 466.8' to the point and place of beginning and containing 623,407.037 square feet, or 14.31 acres more or less; and

a tract of land situated and a part of the NE/4 of Section 5, Township 19 North, Range 13 East, of the IBM, Tulsa County, State of Oklahoma, being more particularly described as follows: to-wit:

Z-5428 (continued)

Beginning at a point on the North right-of-way line of State Highway #33; said point being 466.8' East of the West side of the before said quarter section; thence in a Northerly direction and parallel to the West side of the before said quarter section a distance of 300' to a point; thence in an Easterly direction and parallel to the North right-of-way line of Highway #33 a distance of 50' to a point; thence in a Southerly direction and parallel to the West side of the before said quarter section a distance of 300' to a point on the North right-of-way line of State Highway #33; thence in a Westerly direction and along the North right-of-way line of State Highway #33 a distance of 50' to the point and place of beginning; and containing 15,000 square feet or 0.34 acres, more or less.



Application No. Z-5429

Present Zoning: RM-1

Applicant: Robert Nichols (Gate City Steel Corporation) Proposed Zoning: IM

Location: North and West of the NW corner of Zunis and Haskell

Date of Application: June 24, 1980

Date of Hearing: August 13, 1980

Size of Tract: 1.19 acres

Presentation to TMAPC by: Robert Nichols

Address: Box 2620

Phone: 583-5881

Applicant's Comments:

Robert Nichols, Manager of Gate City Steel, advised the plant has been in the present location the past eight years. Three years ago the subject tract was purchased to allow for plant expansion at some future time. The property which was purchased was vacant and run down. There are a number of people in the area who are employed at the Gate City Steel Company.

Mr. Nichols advised that there is a 48" storm sewer that goes into the alley and there would be a possible drainage problem. The applicant stated he had talked with the City Engineer concerning this problem and there are three or four alternatives that will satisfy the City Engineering Department. He advised that he would propose an alternative to this problem.

Protestants: Mrs. K. N. Billingsley
Mrs. Charlie Norton

Address: 750 North Gillette Avenue
754 North Gillette Avenue

Protestant's Comments:

Mrs. K. N. Billingsley stated that the area seems to be all industrially zoned at this time with just a small cluster of residential homes. She advised that the noise level in the area is very high. Many of those living in the area are widows of modest means and unable to sell their homes and replace their comfort at today's market price, would be an impossibility.

Mrs. Charlie Norton questioned if taxes would be higher in the area if the subject tract was rezoned industrial. She was assured that it would not raise the taxes. Mrs. Norton also asked if property in the area could be condemned and the owners required to move if they did not wish to do so. The Commission assured her that the Gate City Steel Company could not take this action.

A letter of protest (Exhibit "D-1") was exhibited from Mr. & Mrs. H. L. Jerome. The Jerome's stated they have lived in their home for 45 years and have been disturbed many days and nights by the noise and heavy traffic going by and were not in favor of it being any closer to their residence.

Instruments Submitted: Letter of Protest (Exhibit "D-1")

Relationship to the Comprehensive Plan:

The District 3 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - No Specific Land Use and Special District 2 - Industrial Area.

Z-5429 (continued)

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

Staff Recommendation:

The Staff recommends DENIAL of IM and APPROVAL of IL, except the East 5 feet to remain RM-1 for the following reasons:

The subject property is located on the east side of Zunis Avenue, between Independence Street and Haskell Place. The property is vacant, zoned RM-1, and the applicant is requesting IM zoning to permit expansion of the industrial plant located to the west.

The Comprehensive Plan for District 3, supports the expansion of the industrial area located to the north and west of the subject property. However, this expansion, which will involve the conversion of residential properties, should occur where (1) the impact on existing residential use is minimized, and (2) the industrial expansion is light industrial rather than medium industrial. The Staff is concerned about the request for medium industrial zoning rather than light industrial, since duplexes and single-family residences front into the subject tract. The Staff recognized that the applicant has assembled an entire block which is commendable and preferable to a lot-by-lot conversion, but any adverse impact on the existing residential should still be minimized if possible. IL zoning rather than IM zoning would be consistent with the Plan Map and would better control the intensity of industrial development.

In addition, if industrial access to Zunis Avenue can be prohibited or at least restricted, this would also reduce the adverse impact on the existing residences. The most desirable situation for redevelopment and conversion would be to have both sides of a street under application where industrial would not front lower intensity uses, however, this is not always possible to accomplish.

Based on these reasons, the Staff recommends APPROVAL of IL except on the East 5 feet to remain RM-1 and DENIAL of the requested IM zoning.

For the record, if the IL zoning will not permit the intended use by right, the applicant could seek relief through the Board of Adjustment. The Board could impose any necessary controls and restrictions to make the use more compatible with the neighborhood.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL, except the East 5 feet which will remain RM-1, as per Staff Recommendation:

Lots 1, 2, 3, 4, 5, 6 & 7, Block 3, Cherokee Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Z-5431 John Moody (El Paseo) South side of East 71st Street, East and West
of South 92nd East Avenue RS-3 to RM-0
and

PUD #179-F John Moody (El Paseo) South side of East 71st Street, West of
South Mingo Road (RS-3 & RM-0)

The Staff advised that a letter (Exhibit "E-1") was received from the applicant requesting a three-week continuance of these items in order to readvertise the zoning application and revise the Plan Unit Development.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to continue Z-5431 and PUD #179-F to September 3, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #190 Harvey White Lot 2, Block 6, Minshall Park I

Mr. Alberty advised that this request is typical of applications being received for Minor Amendments recently, where the pins were set inside the building setback. The house is built and there is no recourse other than to permit the Minor Amendment and allow the title to be cleared. The building setback is 25' and the garage is 23.7' from the front property line.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Holliday, Keith, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Keleher, T. Young "absent") to approve a Minor Amendment, Lot 2, Block 6, Minshall Park I to permit a 23.7' front building setback, per plot plan.

Request for Planning Commission Review of Z-5117 for the Purpose of Initiating an Application to Down-Zone a Portion of the Property

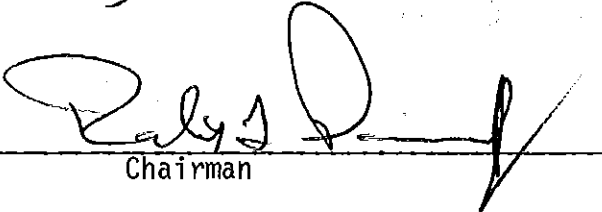
Bob Gardner presented a letter and petition (Exhibit "F-1") from 203 homeowners of Woodland Meadows and Woodland Hills South and Sweetbriar Additions, requesting a review of the zoning of 30 acres at the NE corner of 81st and Memorial. The reasons for their request were; 1) the residential area to the east was not developed at the time of the zoning of the 30 acres; 2) the land is still undeveloped on the 30-acre tract; and 3) the strip of RM-1 surrounding the CS is in excess of 300' which the guidelines state. The residents recommended that the excess of 300' of RM-1 be changed to RS-3. Mr. Gardner stated this was for the information of the Commission.

Chairman Parmele stated he did not feel the Commission should initiate zoning actions, the property owner should take that action.

Commissioner C. Young advised he thought the property owner should be advised of the letter and a response should be received from him. Also, the homeowners need to be informed that the Planning Commission will not initiate any action toward the rezoning of the property and advise them they can take the matter to the City of Tulsa.

There being no further action, the Chair adjourned the meeting at 4:30 p.m.

Date Approved Aug 27, 1980


Chairman

ATTEST:


Secretary

TULSA METROPOLITAN AREA PLANNING COMMISSION

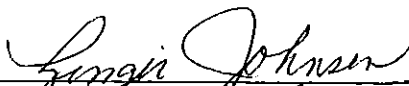
Claims: 1979-1980

Account Number	Claim Number	Vendor	Amount
8190	12860	AA Electric Company, Inc.	\$ 33.00
7240	12871	Aerial Photo Service, Inc.	18,758.12
8150	12861	J. A. Blackwood Company	10.00
8360	12862	Eastman Kodak Company	1,252.65
8380	12872	Growth and Change	10.00
8380	12873	McGraw-Hill Book Company	30.91
8151	12874	Varityper	197.50

Claims: 1980-1981

0	12863	Mary Finn	262.50
	12864	Ginger Johnsen	441.38
6260		(83.22)	
7130		(2.00)	
7140		(9.22)	
7142		(164.46)	
7152		(16.50)	
7171		(137.30)	
7225		(8.51)	
8120		(20.17)	
6200	12865	Robert Langenkamp	352.00
6260	12875	Dane Matthews	94.50
6200	12866	Sujata Pathapati	352.00
6200	12867	David Runnels	56.00
6200	12868	Tom Sprehe	352.00
6200	12869	Patti Jo Stephens	286.00
6200	12870	Vincent Waldman	208.00
6260	12876	Western Hills Lodge	85.68

This is to certify that the above claims are true, just and correct to the best of our knowledge.


 TMAPC Fiscal Officer (acting)


 TMAPC Acting Director

