

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1323  
Wednesday, August 20, 1980, 1:30 p.m.  
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Gardner Holliday Keleher, 2nd Vice Chairman Kempe, Secretary Parmele, Chairman Petty C. Young, 1st Vice Chairman T. Young	Avey Eller Inhofe Keith	Alberty Bourey Gardner Howell	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, August 19, 1980, at 11:24 p.m., as well as in the Reception Area of the TMAPC Offices.

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

REPORTS:

TMAPC Claims:

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, T. Young "absent") to approve the 1979-1980 and 1980-1981 TMAPC Claims (attached).

Reports of Receipts and Deposits:

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, T. Young "absent") to accept the Report of Receipts and Deposits for the Month ended July 31, 1980 (Exhibit "A-1").

DIRECTOR'S REPORT:

Review of the Cooley Creek Master Drainage Plan:

Jim Bourey, TMAPC Staff Planner, introduced Bill Taggart, consultant with Wright-McLaughlin Engineers, who presented an overview of the Cooley Creek Master Drainage Plan. Mr. Taggart advised that the Plan is the final product of work efforts and research in a variety of study areas. The planning framework for Cooley Creek is primarily created by City of Tulsa policy, regulations and criteria. Cooley Creek planning is also dependent on basic constraints created by the Mingo Creek flood control plans, which is a combined program of the City and the Corps of Engineers. He noted that the key policy documents include Floodplain Management Policies, Floodplain Development Ordinance No. 14008, Floodway Zoning Ordinance No. 14083, Earth Change and Drainage

Review of the Cooley Creek Master Drainage Plan: (continued)

Ordinance No. 14015, and Criteria, Standards, and Specifications for Storm Drainage, Streets, and Earth Change.

The Cooley Creek drainage basin contains approximately 4,100 acres of land and is located in East Tulsa in Township 19 & 20 North, Range 14 East of the Indian Base and Meridian, Tulsa and Rogers Counties, Oklahoma. Mr. Taggart advised that the Corps of Engineers has studied the hydrologic response of the Cooley Creek basin as part of a larger study on Mingo Creek. For this study of the Cooley Creek basin, the 3-hour storm was found to result in a higher peak runoff rate and was, therefore, used for hydrologic study. It was found that almost all of the flooding problems within the Cooley Creek basin are related to bridges or culverts with insufficient capacity.

Mr. Taggart briefly covered Section VI of the report which presents elements which can benefit master drainage planning and also discusses those which act as constraints and can dictate alternative proposals. The Master Drainage Plan includes alternative solutions to the problems and the hydrologic refinements necessary to analyze the various alternatives.

The consultant advised that he had reviewed the alternative plans with the City Staff and a recommended plan was agreed upon. A cost estimate for the recommended plan is presented and opportunities for possible cost sharing with developers and public agencies are listed. The estimated cost for redevelopment of the Cooley Dam is 2.2 million dollars.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, "absent") to continue for review and any comments on the Cooley Creek Master Drainage Plan to September 10, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5417	Present Zoning:	AG
Applicant: John Rupe (Tundra Properties)	Proposed Zoning:	CS
Location: NW corner of 21st Street and 177th East Avenue		

Date of Application: May 19, 1980  
Date of Hearing: August 20, 1980  
Size of Tract: 9.5 acres

Presentation to TMAPC by: Max A. Heidenreich  
Address: 7002 South Birmingham Court Phone: 492-6472

Applicant's Comments:

Max Heidenreich, representing John Rupe and Tundra Properties, advised that on March 26, 1980, the Planning Commission had recommended the change in zoning, from AG to RS-1, on the NW corner of 21st Street and Lynn Lane Road. At that time, the Staff noted that the SE corner had been zoned for commercial (CS) and that there was a possibility the other two corners would be zoned and developed commercial in the future. Mr. Heidenreich stated that the Staff, at that time, indicated they would like to see the subject tract zoned as commercial since it was in the floodplain.

Z-5417 (continued)

Protestants: Clint Watts  
Jack Wakefield  
John Edmundson

Address: 17507 East 14th Street  
17417 East 15th Street  
17317 East 14th Street

Protestant's Comments:

Clint Watts presented a Protest Petition (Exhibit "B-1") bearing 60 signatures of area residents who oppose the proposed mobile home park because of lack of City sewers and the proposed cesspool lagoon. Mr. Watts stated that he and others in the community were against a lagoon-type sewer, but would consider allowing septic tanks or a closed sewer. He presented a picture (Exhibit "B-2") of the Rose Dew Addition with an open lagoon which is impure and has a terrible odor. The protestant, noting that the application for the mobile home park had been withdrawn, stated that the area residents felt the property could be sold and a new owner pursue the mobile home use. Therefore, they wanted the record to reflect their objections to mobile home use and an open lagoon.

Jack Wakefield questioned when the applicant could reapply for a rezoning on the application which was withdrawn. He was advised that the owner of the subject property could file a new application at any time; however it would need to be readvertised and a Public Hearing date set.

John Edmundson stated he was against any development on the subject tract if a lagoon is to be utilized on the property.

Instruments Submitted: Protest Petition, 60 signatuees (Exhibit "B-1")  
Pictures (Exhibit "B-2")

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use and Development Sensitive.

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

The Staff recommends APPROVAL of the requested CS zoning for the following reasons:

The subject property is located on the NW corner of 21st Street and 177th East Avenue. The property is zoned AG Agriculture, is vacant and the applicant is requesting CS Commercial Shopping Center zoning.

The Comprehensive Plan Map permits the consideration of a maximum of 10 acres of medium intensity use on each corner of the intersection of 21st Street and 177th East Avenue. All the corners of the intersection are undeveloped, but the SE corner is zoned CS (6.3 acres). Based upon the Comprehensive Plan and the existing zoning patterns, the Staff finds that commercial zoning on the subject property is appropriate.

Therefore, the Staff recommends APPROVAL of the requested CS zoning (9.09 ac.)

Special Discussion for the Record:

The Staff advised that there is a small drainage ditch that physically separates the subject corner from the balance of the 80 acres and they seriously questioned the advisability of developing residential single-family on that corner. For this reason they recommended the corner be rezoned for commercial use.

Z-5417 (continued)

TMAPC Action: 8 members present.

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

The South 600' of the East 660' of the E/2 of the SE/4 of Section 11, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

Z-5418 John Rupe (Tundra Properties) NW corner of 21st Street and 177th East Avenue AG to RMH

and

PUD #240 John Rupe (Tundra Properties) NW corner of 21st Street and South Lynn Lane (RS-1)

The Staff advised that the applicant requested these two items be withdrawn.

Application No. Z-5412

Present Zoning: RS-3 & RM-1 and CS

Applicant: John Sublett (Bob Mitchell)

Proposed Zoning: CH, CG, and CO

Location: SW corner of East 49th Street and South Harvard Avenue

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Date of Application: April 29, 1980

Date of Hearing: August 20, 1980

Size of Tract: 7.5 acres

Presentation to TMAPC by: Roy Johnsen

Address: 324 Main Mall

Phone 585-5641

Chairman Parmele stated he would abstain on the vote for this zoning application and would not participate in the discussion. He relinquished the Chair to First Vice Chairman, Carl Young.

Applicant's Comments:

Roy Johnsen, attorney, representing the owner Bob Mitchell, advised that the requested change in zoning was to allow expansion of the Trade Winds Central Motel. The proposed expansion plans include a six-story, 290 room addition to the motel complex. The expansion would be undertaken in two phases. The first phase would include the removal of one wing of the Patrick Henry Apartments and the construction of one-half (168 rooms) of the proposed Trade Winds Central tower. Parking for the complex would be expanded north of the existing Motel to 49th Street and also constructed east of the new tower on Harvard Avenue.

Mr. Johnsen pointed out that the zoning change had been advertised for a number of districts in order to present to the Commission a number of alternative ways that might permit the proposed use. He noted that with basic zoning it would require a Commercial General (CG) zoning on the entire tract; however, CG would also permit other uses on the property aside from motel use. Due to this factor, the applicant included the PUD since it would offer an opportunity to commit to a site plan and a particular use which was motel use.

The applicant stated that the use would not be foreign to the area since there is motel use within the site at this time. In relation to surrounding land use, there is an existing six-story office building to the west and the six-story Harvard Bank Building across Harvard to the east of the subject tract. To the south of the subject property there is substantial frontage on the expressway with a one-way service road extending from Harvard to Lewis. Westbound traffic can enter the expressway from the service road near the motel without necessity of driving on an arterial street. There is also a full interchange near the motel at I-44 and Harvard.

In regard to drainage, Mr. Johnsen pointed out that the east branch of Joe Creek goes underground along the southern portion of the subject tract. The most recent maps of the Federal Insurance Administration Agency shows that there may be some overland flow through a portion of the tract under application, as well as properties to the west. The two sections of the Patrick Henry Apartments located to the east of the subject tract are not involved with this runoff; however, west of that line the existing multi-family building, Trade Winds Motel, the six-story office building to the west, the apartments and offices to the north of 49th Street and a substantial number of houses west of 49th Street are within a portion of the floodplain. This finding would require that any new construction would need to be elevated, but these problems do have engineering solutions and can be resolved.

8.20.80:1323(5)

Mr. Johnsen pointed out that if the subject tract developed in a conventional retail fashion the traffic generation would exceed that which would be generated by motel-type use. He also noted that another important factor in the traffic consideration was that traffic generated by motel use would be at different times than at the peak-hours, therefore, present less of a conflict of the congested periods in an urban setting. Mr. Johnsen stated he was aware that the residents of the area were concerned that motel visitors would use the access to 49th Street, through the residential area. He pointed out that motel visitors, usually from out of town, would not have the desire to go north through the residential area or the knowledge that they could do so. There is good access to the expressway from the service road, or they could go east to Harvard. He summarized that the volume, the nature of the traffic, as well as the time it occurs in regard to peak-hours, would support the argument that the motel is a good choice of land use.

Mr. Johnsen advised that the Corridor District (CO), as recommended by the Staff, would have merit since it is the only district that requires a site plan and would assure that the Commission could limit the use to motel use only. The site plan would also permit the phasing, with both the motel use and apartment use permitted in the Corridor District. He also noted that the Corridor District was specifically designed for property which is located along the expressways.

The applicant stated that a PUD had been submitted which, with some modifications, could serve as the site plan in the event that CO zoning was approved for the subject tract. In review of the PUD, Mr. Johnsen advised that the final phase of the plan reflected that there would not be an access from the tract to 49th Street. When the apartments are removed the old parking spaces will also be removed and a wider access to Harvard will be provided. He stated that following the completion of the first phase of the proposed project the owner would consider constructing a fence between the new building and the existing apartment buildings. The existing drive to Harvard will be maintained.

<u>Protestants:</u>	John Moody	Address:	4100 Bank of Oklahoma Tower
	Frank Rowell		2919 East 47th Street
	Tee L. Webb		2866 East 36th Place
	Victor Ellis		5200 South Yale Avenue

Protestant's Comments:

A letter of protest (Exhibit "C-1") was received from Robert Paddock, Chairman, District 6 Steering Committee, advising that at the July 14, 1980 meeting of this Committee a unanimous vote was recorded to recommend the denial of the Application Z-5412. Eleven letters (Exhibit "C-2") of protest were also exhibited from area residents. Increased traffic congestion, deterioration of the neighborhood atmosphere and further commercial encroachment on residential areas were concerns of the protestants.

John Moody, attorney representing the protestants, presented a protest petition (Exhibit "C-3") containing 233 signatures. Mr. Moody pointed out that the requested zoning, CG, CH or CO was not in conformance with the Comprehensive Plan and the Development Guidelines. He noted that there is no CG or CH zoning in the surrounding area. The attorney stated that the highway planners, when they designed I-44, did not consider land

use planning, therefore, the interstate is built next to a primary arterial street and through a residential neighborhood, the Villa Grove Subdivision. Mr. Moody presented pictures (Exhibit "C-4") of the surrounding neighborhood, pointing out that there are very attractive and well-preserved homes in the area.

Mr. Moody advised the Commission that the three residential lots to the west of the Patrick Henry Apartments, which are a part of the application, have been under application a number of times by the owner, Mr. Mitchell, in an attempt to get the lots approved for parking for the Trade Winds Motel. He noted that the Staff has always recommended there be no commercial use on 49th Street and particularly on the three lots in question. The attorney stated that the first phase of the proposed development would develop the three lots in parking for the Motel whether or not the Patrick Henry Apartments are torn down and another phase built there. Mr. Moody recommended the Commission segregate out the three lots fronting on 49th Street and not consider them as part of the requested CO zoning district.

Noting that the Staff had no recommendation on the proposed PUD, Mr. Moody assumed that they were aware the PUD application did not show any innovative land use, permit flexibility to utilize the unique physical features of the site or provide meaningful open space on the subject tract.

Mr. Moody pointed out that the Staff Recommendation stated the CG, CH and CO Districts are not in accordance with the Plan Map and he felt approval of the corridor zoning would be setting a precedent in this area, which would open up the entire strip of Skelly, between Harvard and Lewis to similar redevelopment. He felt the Comprehensive Plan recognized that a corridor district was not appropriate in this area because of the existing physical land uses in the area, the existing development, and the fact that the capacity of the arterial streets would not be adequate to handle the traffic circulation for such a development.

The attorney advised that approval of this application and granting parking on the three aforementioned lots, will have a devastating affect on the residential neighborhood since this would be an unwarranted intrusion into the residential character of the neighborhood.

Frank Rowell, attorney representing himself and Melvin H. Parkhurst of 3038 East 49th Street, stated that he has lived in the area for approximately 13 years. He advised that he had never seen an application before where the entire group of residents in the community are so opposed to the change as they are to this one. Mr. Rowell noted that Harvard and 51st Street is one of the most congested areas in Tulsa and the proposed project will add even more traffic in the area. People in Mr. Rowell's area will avoid Harvard since they know that it is virtually impossible to turn left in order to go north on Harvard.

Mr. Rowell presented pictures (Exhibit "C-5") showing the only area for collection of surface water west of the proposed application. He advised that the area does flood and that Mr. Parkhurst's home had been flooded several times in recent years. Following the tornado of 1976, Mr. Rowell found 49th Street to be a river with approximately two feet of water on it. At that same time it was four feet high in the home of Mr. Parkhurst. Mr. Rowell strongly objected to anything on the subject property which will have a detrimental affect on the free flow of water in the area.

Z-5412 (continued)

The protestant expressed concern that if the application is approved and the parking lot is constructed, the people will find their way into 49th and the other parts of the residential community.

Attorney Tee L. Webb stated he was particularly concerned about the residential area, noting that he has been to the Board of Adjustment several times this year, to protest applications for special exceptions along Harvard. He pointed out that the area was originally residential, then portions were rezoned to light office, special exceptions were granted to allow two-story buildings, and now the corridor application. Mr. Webb advised that there is less objection to apartment dwellers, whom they consider as neighbors, as opposed to strangers living in the area.

Victor Ellis, representing Joe Deal and Mr. & Mrs. Ledner, advised that over the years, the three lots behind the Trade Winds Motel have been protected by the Planning Commission as part of a buffer zone for the residential area. Mr. Ellis referred to the Zoning Code, Chapter 17, Section 1710, which states, "It is the policy of the City of Tulsa that in the consideration of proposed amendments to this Code that: Amendments will be adopted to recognize changes in the Comprehensive Plan, to correct error, or to recognize changed or changing conditions in a particular area, or in the jurisdictional area generally." He pointed out that there has been no change to the area, except the ownership. The protestant felt that granting of this application would set a precedent which will have an adverse affect on the existing neighborhood.

Instruments Submitted: Letter of Protest - District 6 Steering Committee (Exhibit "C-1")  
Eleven Letters of Protest from Area Residents (Exhibit "C-2")  
Protest Petition, 233 signatures (Exhibit "C-3")  
Pictures - Surrounding Neighborhood (Exhibit "C-4")  
Pictures - Of the only area for collection of surface water (Exhibit "C-5")

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Commercial, Medium Intensity -- Residential, Low Intensity -- Residential and Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CG, CH and CO Districts are not in accordance with the Plan Map. The portion of the application presently zoned CS is shown Medium Intensity -- Commercial on the Plan Map.

Staff Recommendation:

The subject property is located at the SW corner of 49th Street and Harvard Avenue. The property is currently zoned CS (Trade Winds Motel), RM-1 (Patrick Henry Apartments) and RS-3 (vacant, except one vacated dwelling used for storage)). The applicant has requested several alternative zoning patterns to accommodate an expansion of the Trade Winds Motel to be developed in two phases. The Staff has reviewed the applications, which includes PUD #238, the surrounding zoning and land use, and the Comprehensive Plan for District 6. Based upon the surrounding zoning patterns and the land use intensity of the Comprehensive Plan, the Staff can support CS



on the majority of the property that is presently zoned RM-1 and contains the Patrick Henry Apartments.

The Staff is committed to protecting the single-family neighborhood to the west of the subject property. The Staff would not support any zoning change that would adversely affect this neighborhood. Through detail review and approval of a site plan, the elements of a land use plan that could adversely affect a neighborhood can be eliminated. The subject application presents a unique situation in that the use is known and there is no question as to what the use might be. Therefore, we can deal with known quantities and the impact on the surroundign area can be measured.

We know the traffic characteristics of a motel/hotel use, which are:

- 1) Hotel traffic generally peaks in the a.m., after the morning rush-hour traffic on the major street network. During the p.m., hotel traffic peaks vary between 3 and 4, and 6 and 8, with a lesser volume between 4 and 6 during the evening rush-hour.
- 2) Weekend vehicle trip generation is slightly lower than average weekday.
- 3) Hotels on the average generate 10.5 weekday trip-ends per occupied room.

The following table compares trip-end generation by various types of commercial and residential uses for the Patrick Henry Apartment site:

Comparison of Trip Generation\* by Use  
(assuming 76,600 sq. ft. of floor area)

Discount Store	4948
Shopping Center	6059
Office, general	942
Office, medical	5745
Hotel - 298 rooms (172,472 sq. ft.)	3129
Apartment Use	
56 DU's. (existing)	341
63 DU's. (RM-1 average)	384
95 DU's. (RM-2 average)	579

\*Trip generations are average tripends per weekday taken from Trip Generation, Second Edition - 1979, published by the Institute of Transportation Engineers.

These figures allow a comparison of the impact from one element - traffic. Other comparisons can be made as to use. The Tulsa Zoning Code places a hotel/motel use in a commercial District, while in fact the use may be more residential than commercial, and its traffic generation characteristics are more like office, medical.

The subject property is a part of a nonresidential corridor that has developed between the I-44 service road and 49th Street. In the development of the Comprehensive Plan for District 6, this area was not designated "corridor" because it did not fit the Comprehensive Plan Development Guideline's definition of corridor (a maximum land area of 3,000 sq. ft. for every foot of expressway footage) as to distance between the expressway and the next paralleling arterial street (41st Street).

The Corridor District, under the Tulsa Zoning Code, permits mixed uses to be developed, subject to a specific site plan and within a framework of development standards. CO zoning therefore appears to be the most appropriate zoning for the subject request in what the Commission could limit the use to what is proposed, and could permit the mixed use (hotel and apartments) and control the impact of the development (access, setback, screening, landscaping) on the neighborhood through the site plan review process.

The proposed development is to occur in two phases and the first phase could be built under a CS zoning District classification. CS zoning is reasonable on the RM-1 property, based on the surrounding zoning patterns in the area. However, in order to insure compatible land use relationships and in order to limit the use to motel as proposed, the Staff favors APPROVAL of CO Corridor zoning on the entire property, except the north 10 feet. The applicant would need to modify his PUD site plan to comply with the requirements for the Corridor site plan. This site plan should reflect the first phase of hotel expansion and the existing apartments and motel, the access, circulation, screening and landscaping. The CO zoning would also be adequate to accommodate the second phase construction of the hotel if determined appropriate at this time, after public hearing and recommendations by the Planning Commission to the City Commission. An amended site plan would need to be submitted for review and approval at such time the second phase became a reality.

Therefore, based on the findings of the Staff, we recommend APPROVAL of CO Corridor zoning on the entire existing and proposed motel site, except the north 10 feet thereof. We recommend the applicant's plot plan for Phase I only be approved in concept and he return with a new site plan reflecting the following changes:

- (1) That the screening fence along 49th Street be set back 10 feet from the north property line for a distance of 250 feet beginning at the north-west corner of the project.
- (2) That a landscape plan depicting specific types and numbers of trees and shrubs be required in addition to the landscape plan filed with the proposed site plan.
- (3) That no access be permitted to 49th Street in the first phase as depicted on the site plan.
- (4) That the apartments and carport structure to remain in the first phase be detailed on the site plan.
- (5) That a north-south screening fence located between the 1st phase and the existing apartments that are to remain be required as shown on the proposed site plan.
- (6) That the required screening fences be constructed, as shown on the site plan, prior to completion and prior to any occupancy of the 1st phase.
- (7) That off-street parking spaces be redesigned to accommodate these changes.
- (8) That the remainder of the proposal not affected by these changes be incorporated in the final site plan.

Special Discussion for the Record:

Commissioner T. Young expressed surprise in the proposal to increase motel space at this particular time when people are traveling less.

Roy Johnsen advised that it was the owner's own personal business judgement to increase the space. However, the owner, in light of the present economy, is proposing to phase the project rather than build the total project at this time.

Terry Young asked Mr. Johnsen if he felt the CO classification applied more to areas that are yet to be developed, or if it would be just as appropriate for an area which is already developed, such as the subject tract. Mr. Johnsen stated he felt generally it would be more appropriate in undeveloped areas; however, as a factual matter, this is an existing corridor which has developed; the existing motel, banks, service stations are in the nature of corridor uses. He felt that motel use was an appropriate use for tracts abutting an expressway.

Bob Gardner advised that the Staff has ruled out all of the zoning classifications and PUD, with the exception of the CO District, as being inappropriate alternatives.

Commissioner Carl Young questioned if approval of the CO zoning would open the corridor all the way to 41st and all the way to Lewis.

Mr. Gardner stated that part of the corridor definition was that it not have more than 3,000 sq. ft. per one-foot of lineal distance along the expressway. Therefore, there is no way you could include all of this area in a corridor district even if there was no development there.

In answer to Commissioner Petty's inquiry as to drainage and underground storm sewers in the area, the protestants stated there are just drainage ditches and culverts. The underground drainage under Skelly Bypass is adjacent to the six-story office building, west of the subject tract. This drain is inadequate in a heavy rain and the water backs up into the residential area. The proposed development will interfere with the free flow of the runoff water.

Commissioner Keleher questioned how the applicant planned to handle the overland flow of water in regard to the fence. Mr. Gardner advised that the fence would have to be raised to a certain degree. The type of fencing material and extent of fencing would be a requirement of the City Hydrologist.

Roy Johnsen, reflecting on the history of the subject tract, pointed out that in 1969, when the original Trade Winds Motel was zoned, the commercial PUD Ordinance and the CO District did not exist. They are now available as tools to use if the motel use is found to be acceptable.

Mr. Johnsen stated that the residential area is somewhat removed from the subject tract to the west, with the closest home 500' from the property. He also noted there are no single-family homes directly across or abutting the proposed parking area.

Bob Gardner advised that there have been several changes in circumstances; i.e., the new drainage ordinances which now prohibits placing the duplexes or residential dwellings on the subject tract because of the passageway of the water. The proposed parking area could be located on the subject property.

Commissioner Terry Young stated that despite the peak-hour computations, the trip generation figures indicate that a motel, while it would be the lesser of higher intensity uses in terms of trip generation increase, it will still result in an increase of 12 times over the current trip generations for the existing 56 apartment units. Mr. Young advised he did not believe this particular use is compatible, or in accord with the expressed desires of the District 6 Plan and those of the homeowners in the immediately adjacent residential area. He also expressed concern that the subject tract was in a recognized potential floodway. Commissioner T. Young moved that the application be denied; however, the motion did not receive a second.

Scott Petty noted that the Comprehensive Plan should be used just as a guide and pointed out that conditions, economic, social, and business, do change. Mr. Petty advised that he could not think of any more ideal location in which to build a hotel or motel, since it is at the intersection of one of the nation's major interstate highways and a major arterial street. He felt it would generate less traffic than commercial shopping and could conceivably contribute less to traffic congestion than multifamily. The Commissioner stated he had personally inspected the area and felt the flooding problem in the area is due to the method of getting the water into Joe Creek rather than to water runoff caused by construction or additional paving. Mr. Petty referred to statistics printed in the recent issue of Wall Street Journal, which stated that less than 50% of all occupants of hotels and motels at this time are families; the majority of the occupants are businessmen. He felt this would be a characteristic that would be desirable to area residents. Commissioner Petty made a motion to uphold the Staff Recommendation to approve the CO zoning, except the north 10', subject to all listed conditions and requirements.

Terry Young stated that his understanding of the CO designation was for large strips on both sides of an expressway. Mr. Young also felt that the CO District was to be used in developing areas to preserve and encourage high intensity development where there will be substantial arterial or expressway capabilities to handle them as they develop. Commissioner Young felt it would be inappropriate to approve this change in zoning.

Vice Chairman Carl Young stated he did not feel this was a corridor zoning application, since the area is already developed. He advised he would like to consider changing the RM-1 zoning to CS and leaving the RS-3 zoning in place.

Commissioner Keleher advised that he had considered Carl Young's suggestion; however, this would allow the developer to build the addition to the motel, but without use of the three lots for parking he would be forced to build a multi-level parking garage. Mr. Keleher stated he did not feel this would be as aesthetic to the neighborhood as on-the-ground parking on the three lots.

Commissioner Keleher questioned if it would more clearly meet the proposed uses as outlined by the Planning Team, if CS was approved on the RM-1 portion and parking was approved on the balance of the subject tract.

Z-5412 (continued)

Bob Gardner advised that, based on the commercial zoning patterns in the area, there is some support for the CS zoning. He pointed out that a shopping center would generate more traffic than the motel and the Staff did not favor a CS zoning for the subject tract. With CS zoning, the applicant would not be required to file a PUD so there would be no controls and also, it would give access to 49th Street.

Mr. Johnsen advised that the CS zoning would not permit the floor area that would be required, not even the first phase of the project.

Commissioner Petty stated that this does not differ in any significant degree to the Hilton Hotel at Yale and I-44 where there is multifamily dwellings abutting the property with single-family further back. He questioned where complexes such as this could be constructed if not at locations such as the subject tract.

TMAPC Action: 8 members present.

On MOTION of PETTY, the Planning Commission voted 5-2-1 (Gardner, Holliday, Keleher, Kempe, Petty "aye"; C. Young, T. Young "nay"; Parmele "abstaining"; Avey, Eller, Inhofe, Keith "absent") to recommend to the Board of City Commissioners that the following property be rezoned C0, except the north 10 feet, as per Staff Recommendation:

Lots 1, 2, 3, & 4, Block 1, Trade Winds Addition in the City and County of Tulsa, Oklahoma, according to the recorded plat thereof, and  
Lots 1, 2 & 3, Block 2, Villa Grove Subdivision in the City and County of Tulsa, Oklahoma, according to the recorded plat thereof.

PUD #238 Roy Johnsen (Bob Mitchell) SW corner of East 49th Street and South  
Harvard Avenue (CS, RM-1 and RS-3)

The applicant requested this item be withdrawn.

SUBDIVISIONS:

Murphy Plaza (3393) SW corner of 51st Street and Marion Avenue (OL)

Murrel Wilmoth advised that all letters were in the file and he recommended final approval and release of Murphy Plaza.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to grant final approval and release of Murphy Plaza.

Fallbrook Addition (PUD #232)(2702) Northwest corner of Pine Street and North  
Union Avenue (RM-1, RS-3)

The Staff presented the plat with the applicant represented by the engineer, Paul Gunderson.

Engineering Department advised they did not want a 1/2 street dedication, so the strip on the north side of plat will be shown as an "access easement."

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Fallbrook Addition, subject to the conditions.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to grant approval of the Preliminary Plat of Fallbrook Addition, subject to the following conditions:

1. All conditions of PUD #232 shall be met prior to release of the final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section(s) 1100-1170 of the Zoning Code in the covenants. (Staff)
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 the final plat. (Including areas on secondary system.) (Also include language for paving over water line easements.)
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
5. Show all drainage and/or storm water detention easements on plat as required by the City Engineer.
6. Drainage plans shall be approved by the City Engineer, including storm

Fallbrook Addition (PUD #232) (continued)

drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.

7. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of the final plat.
8. Add paragraph or statement in covenants regarding access relinquishment.
9. All Subdivision Regulations shall be met prior to release of the final plat. (Staff)

Oak Creek (3402) SE corner of West Newton Street and North 24th West Avenue  
(OL, RM-1)

The Staff presented the plat with the applicant represented by the engineer, Paul Gunderson.

Public Service of Oklahoma requested the applicant provide access to their switching facility. City Engineer requires that monument language be shown and D.E monumented. Water Department advised that notation should be made in covenants regarding paving over restricted water line easements.

Traffic Engineer advised that since Newton is not an arterial it is not necessary to show access points. Limitations shown are put on by developer.

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

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

1. 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.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
3. 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.
4. A Corporation Commission letter (or certificate of nondevelopment) (or B.I.A. records) (Osage County) 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.) (Staff)
5. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including miscellaneous documents required by Subdivision Regulations.)
6. Identify Xenophon, Waco and Vancouver Avenues.

Oak Creek Addition (continued)

7. Indicate in covenants that item "J" is not subject to the 25-year limitation.
8. All Subdivision Regulations shall be met prior to release of final plat. (Staff)

Oxford Place (PUD #231) (383) 66th Place and South Sheridan Road (RS-3)

The Staff presented the plat noting that Adrian Smith had been present earlier.

The Staff advised that this plat has a Sketch Plat approval, subject to conditions. On advice of the T.A.C., the owner (Vince Butler) and his engineer, Phil Smith, met with the City Engineering Department, (Bob Forth) regarding the street system in this plat. The City Engineer does object to the private street, but in this case, if a public street is constructed, there is no way to meet the City criteria for street grades if Oxford is to be connected with Sheridan. Since they can not meet street grades on a dedicated street, there would be no further objection to the system as submitted, subject to some changes because of the utility layouts and easements required. Further, when this item was reviewed by the Planning Commission, the number of units was reduced to 31 and private streets were allowed. Also required, was another access at the northeast corner of the plat to provide two points of ingress and egress, one being an emergency entry or exit. Therefore, the plat is resubmitted with the design changes required by the Planning Commission approvals on the PUD.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Oxford Place, subject to the conditions.

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions" Avey, Eller, Inhofe, Keith, C. Young "absent") to grant approval to the Preliminary Plat of Oxford Place, subject to the following conditions:

1. Show East 66th Street on the east side of Sheridan in dashed lines. Also show PUD in title.
2. All conditions of PUD #231 shall be met prior to release of final plat, including any applicable provisions in the Covenants or on the face of the Plat. Include PUD approval date and references to Section(s) 1100-1170 to the Zoning Code in the Covenants. (Staff)
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; (more will be needed and will be wider).
4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat, (including loop connections).
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.



Oxford Place (PUD #231) (continued)

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. Street names shall be approved by the City Engineer.
8. Access shall be approved by the City and Traffic Engineers. (Show 2 points)
9. 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.) (Staff)
10. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of the final plat, (including documents required under Section 3. 6-5 of the Subdivision Regulations).
11. All other Subdivision Regulations shall be met prior to release of final plat. (Staff)

1616 South Peoria (1292) 1616 South Peoria Avenue

(OM)

The Staff presented the plat advising that Adrian Smith had been present at the meeting earlier.

The Staff advised the Commission that this property has already been through a number of hearings relating to its use. The Board of Adjustment has approved the use and the plot plan, to permit dwelling units in an OM District (Case No. 10920). Building permits have already been issued on the basis of the plot plan and approved Board Case, and the buildings are under construction. The plat coincides with the approvals already made, including the parking, setbacks, number of units, etc. Technically, one waiver is required on the plat, and that is the portion of the Subdivision Regulations requiring conformance with the Major Street Plan. Peoria is already four-laned within the 60' right-of-way existing. In the event more right-of-way is needed in the future, there would be no structures within the front portion of this plat anyway, since it is the required parking as approved by the Board of Adjustment.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of 1616 South Peoria, subject to the following conditions.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to grant preliminary approval to 1616 South Peoria, subject to the following conditions:

1. Water and Sewer plans will be required.
2. Utility easements shall meet approval of the utilities. (Utilities)

1616 South Peoria (continued)

3. Drainage plans shall be approved by City Engineer, including storm drainage and detention design (and Earth Change Permit if applicable), subject to criteria approved by City Commission.
4. Access point shall be approved by Traffic Engineer.
5. A "Letter of Assurance" regarding installation of improvements and miscellaneous documents required by the Subdivision Regulations shall be submitted prior to release of final plat.
6. All Subdivision Regulations shall be met prior to release of final plat.  
(Staff)

Woodland Hills Mall Extended (183) North side of 71st, east of Memorial (CS, P)

The Staff advised that not all letters had been received and recommended tabling this item.

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

Pleasant Oaks Addition II (3191) West 61st and South 164th West Avenue

Mr. Wilmoth stated all letters had been received and recommended this plat be released.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to grant final approval and release of Pleasant Oaks Addition II.

FOR WAIVER OF PLAT:

Z-4969 Villa Grove Heights No. 1 (2893) 3326 East 46th Street South (OL)

Mr. Wilmoth advised that there have been numerous waivers of lots in this area and this situation was no different from the others. An existing house will be made into an office building, with only the addition of parking in front. Earth Change Permit and/or grading plans will be required by the City Engineer in the permit process. Utilities had no requirements. There were no objections to the request by the Technical Advisory Committee or Staff. (Applies to Lot 3, Block 3).

Upon questioning, the Staff advised that the three lots across the street on the north and one lot on the SE corner of the intersection had all been processed as plat waivers under individual ownership. A new building was constructed and virtually complete before the waiver was requested on the lot at the SE corner of the intersection. Bob Gardner advised that as a result of the Building Permit being issued without a waiver of plat on the corner lot, a member of the TMAPC Staff has been designated to research the records to that the Building Inspector has all of the information before issuing a Building Permit. In this particular case today, as in the lots across the street to the north, no changes were being made except that some parking was being provided to an already existing structure.

Z-4969 (continued)

Commissioner T. Young stated that this has been a sensitive area since the Harvard Plan was undertaken and he did not feel it should be given such light treatment. He advised that he could not vote for the approval of this waiver.

On MOTION of HOLLIDAY, the Planning Commission voted 6-1-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty "aye"; T. Young "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to approve the waiver of plat for Z-4969 Villa Grove Heights No. 1, Lot 3, Block 3.

LOT-SPLITS:

L-14993	Williams, S. Miller	(1392)	L-14997	P. V. & K. Dev. Corp.,	
14994	Jerome Lewis, et al	(2293)		& Residential Dev. of Tulsa,	
14998	Bill Loyd, et al	(2393)		Incorporated	(2283)
			15000	Beulah McLean	(2993)

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") for ratification of prior approval of the above-listed lot-splits.

OTHER BUSINESS:

PUD #128-A Charles Norman South of 71st Street and Trenton Avenue.

The Staff advised that PUD #128-A is located south of 71st Street and west of the Joe Creek Channel. Development Area "C" was approved for 101 dwelling units and Development Area "D" was approved for 2,327 dwelling units. The applicant is requesting 31 units be transferred from "D" to "C". The Staff considers this amendment minor in nature and therefore, recommends APPROVAL of the requested minor amendment, subject to the following conditions:

1. Development Area "C":
  - a. That the maximum number of dwelling units not exceed 132.
2. Development Area "D":
  - a. That the maximum number of dwelling units not exceed 2,296.

The applicant, Charles Norman, stated he was proposing to reduce the size of the single-family lots since the larger lot size would dictate the construction of larger homes than would meet the market in this neighborhood at the present time. Mr. Norman proposed amending the plat and changing the lot frontages to not less than 60 feet, an average of 7,200 sq. ft. per lot, which would require the retransfer of 31 dwelling units from Development Area "D" back to Development Area "C". This would permit an increase in single-family lots from 101 to 132, which would be smaller in size, front footage and, therefore, would be less expensive.

PUD #128-A (continued)

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to approve a Minor Amendment to transfer 31 units from Development "D" to Development Area "C" on PUD #128-A, subject to the following conditions:

1. Development Area "C":
  - a. That the maximum number of dwelling units not exceed 132.
2. Development Area "D":
  - a. That the maximum number of dwelling units not exceed 2,296.

PUD #198-A Gary LaGere SE corner of 61st Street and Lakewood Avenue

Wayne Alberty advised that the Planned Unit Development #198-A is located on the SE corner of 61st Street and Lakewood Avenue. The PUD was approved with three development areas. Development Area "A" permitted 44 townhouse units, and Areas "B" & "C" were each approved for a one-story office building with a floor area of 9,500 sq. ft. or 19,000 sq. ft. total. The applicant is requesting a minor amendment to allow "B" & "C" to develop as one tract. The building will be oriented to the north as opposed to east and west, access will be eliminated on 61st Street and access will be changed to Lakewood and Maplewood Avenues.

The Staff has reviewed the applicant's revised site plan and find the requested amendment within the spirit and intent of the original PUD approval, and therefore, recommend APPROVAL of the requested minor amendment to Development Areas "B" & "C", subject to the listed conditions.

Mr. Alberty noted that, even though this was considered a minor amendment, the property owners on Lakewood were sent copies of the site plan and an explanation of what the applicant proposed to do. The Staff did not receive any response to these notices.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Holliday, Keleher, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Avey, Eller, Inhofe, Keith, C. Young "absent") to approve a Minor Amendment to allow "B" & "C" to develop as one tract on PUD #198-A, subject to the following conditions:

1. That the maximum building floor area for Development Areas "B" & "C" not exceed 19,000 square feet.
2. That the minimum parking spaces be 80.
3. That the perimeter yards be as follows:
  - North - 75 feet
  - East - 25 feet
  - West - 25 feet
  - South - 10 feet.

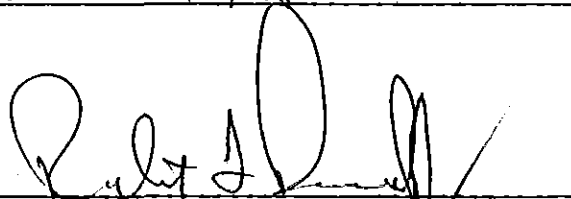
PUD #198-A (continued)

4. That the west 25 feet except the driveway opening be landscaped and bermed per illustration submitted. That all areas shown to be landscaped in the revised site plan be submitted together in a landscape plan and site plan for final approval prior to the request for a Building Permit, and the landscaping be installed prior to occupancy of the office buildings.
5. That rooftop mechanical equipment be permitted if suitable screening from ground level or the residences to the south and west is provided.

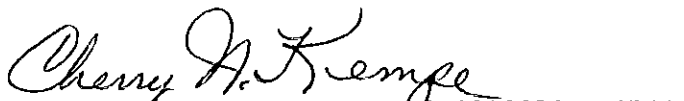
There being no further business, the Chair adjourned the meeting at 4:45 p.m.

Date Approved

September 3, 1980

  
Chairman

ATTEST:

  
Secretary



TULSA METROPOLITAN AREA PLANNING COMMISSION


Claims: 1979-1980

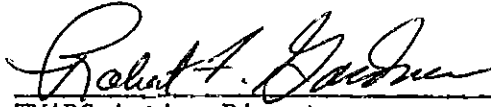
Account Number	Claim Number	Vendor	Amount
8105	12878	City of Tulsa	1,389.45
9200	12879	Scott Rice	151.47
9200	12880	Dan P. Scott and Sons	2,654.00
8322	12881	Southwestern Bell Telephone Company	41.61
8322	12882	Southwestern Bell Telephone Company	1,317.37
8322	12883	Southwestern Bell Telephone Company	20.60
8360	12884	Tulsa County General Fund	363.52

Claims: 1980-1981

7171	12885	Abel Sales Company	203.00
7140	12886	Beacon Stamp and Seal Company	6.45
7140	12887	J. A. Blackwood Company	16.15
	12888	City of Tulsa	88.09
7140		(\$ 4.95)	
7151		(\$15.35)	
8103		(\$67.79)	
7142	12889	Color Photography, Ind.	14.89
6200	12890	Robert Langenkamp	96.00
8120	12891	Newspaper Printing Corporation	64.32
7140	12892	Parker Office Supply Company	193.14
6200	12893	Sujata Pathapati	320.00
8120	12894	Pawhuska Daily Journal-Capital	104.30
8310	12895	Pitney Bowes	45.00
7140	12896	Pitney Bowes	33.76
8131	12897	Ridley Sound Company	24.00
7140	12898	Scott Rice	251.54
8131	12899	Dan P. Scott and Sons	9.00
8250	12900	Southwestern Bell Telephone Company	19.46
6200	12901	Tom Sprehe	160.00
6200	12902	Patti Jo Stephens	260.00
8103	12903	Tulsa County General Fund	494.80
8120	12904	Tulsa Daily Legal News	104.65
8310	12905	Tulsa Urban Renewal Authority	3,985.50

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

