TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1332
Wednesday, October 22, 1980, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, October 21, 1980, at 10:45 a.m., as well as in the Reception Area of the TMAPC Offices.

Chairman Parmele called the meeting to order at 1:30 p.m. and declared a quorum present.

REPORTS:

TMAPC Claims:
On MOTION of ELLER, the Planning Commission voted 6-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Petty, C. Young, T. Young "absent") to approve the 1979-1980 and 1980-1981 TMAPC Claims (attached).

DIRECTOR'S REPORT:

RESOLUTION AMENDING THE COMPREHENSIVE PLAN FOR THE TULSA METROPOLITAN AREA BY ADDING THERETO THE DISTRICT ONE PLAN

Jerry Lasker presented the Resolution and advised that it had been approved by the City Legal Department and was ready for adoption by the Commission.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Petty, C. Young, T. Young "absent") to adopt the Resolution Amending The Comprehensive Plan For The Tulsa Metropolitan Area By Adding Thereto The District One Plan as follows:

RESOLUTION NO. 1332:524

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission did by Resolution on the 29th day of June, 1960, adopt a "Comprehensive Plan, Tulsa Metropolitan Area," which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the County Commissioners of Tulsa County, Oklahoma, and was filed of record in the office of the County Clerk, Tulsa County, Oklahoma, all according to law; and

WHEREAS, The Tulsa Metropolitan Area Planning Commission is required to prepare, adopt and amend, as needed in whole or in part, an Official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, On the 10th day of September, 1980, this Commission did call a Public Hearing for the 8th day of October, 1980, for the purpose of considering amending the Comprehensive Plan of the Tulsa Metropolitan Area by adding thereto, in whole or in part, the District One Plan Policies, and public notice of such meeting was duly given as required by law; and

WHEREAS, The Public Hearing was held on the 8th day of October, 1980; and

WHEREAS, After due study and deliberation this Commission deems advisable and in keeping with the purpose of this Commission, as set forth in Title 19, OSA, Section 863, to amend the Comprehensive Plan of the Tulsa Metropolitan Area by adding thereto the District One Plan Policies as contained in pages 135 through 149 of the District One Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that the District One Plan Policies, as above set out, be and is hereby adopted as a part of the Comprehensive Plan of the Tulsa Metropolitan Area, and filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

BE IT FURTHER RESOLVED THAT upon approval and adoption hereof by the Tulsa Metropolitan Area Planning Commission this Resolution be certified to the Board of Commissioners of the City of Tulsa, Oklahoma, and to the Board of County Commissioners of Tulsa County, Oklahoma, for approval and thereafter, that it be filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

APPROVED AND ADOPTED THIS 8th DAY OF OCTOBER, 1980.

Director Jerry Lasker advised that the composite work program and budget for INCOG-TMAPC is completed and will be transmitted to the Commission members for their information. Mr. Lasker stated he would meet with the Commissioners to answer any questions they may have concerning these items.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5456 Present Zoning: RS-3
Applicant: Neil Bogan Proposed Zoning: OL
Location: NE corner of 91st Street and South Yale Avenue

Date of Application: August 26, 1980
Date of Hearing: October 22, 1980
Size of Tract: 6.6 acres, plus or minus

Presentation to TMAPC by: Neil Bogan
Address: 201 West 5th Street, Suite 400 Phone: 583-1115

Applicant's Comments:

Neil Bogan, attorney representing Automobile Club of Oklahoma, Inc., advised the Commission that the Automobile Club is a membership corporation whose sole income is derived from membership dues paid by approximately 105,000 Oklahoma members. The Organization is engaged in serving the community and the public; i.e., training and safety programs for pedestrians and drivers, training school safety patrols and coordinating emergency services. The corporation headquarters are currently located at 2121 East 15th Street.

The property to the south of the subject tract is zoned OL; the north 263' of the tract has been purchased by the Society of Exploration Geophysicists to be utilized for their national headquarters. To the west, across Yale Avenue, there are scattered residential dwellings with some mobile homes in place. Also located in the RS District, at the corner of 89th Street and Yale Avenue, there is a storage building facility with several plumbing company vehicles parked on the lot which Mr. Bogan thought to be nonconforming uses. The homes in the area are older, frame dwellings.

The Automobile Club is seeking the new location due to a growing need for service to the public. At the present time, the corporation has an annex office leased in the Lighthouse Shopping Center at 71st Street and Yale Ave. The subject tract seems especially desirable for the park-like atmosphere which the corporation proposes, since the property is heavily wooded with a somewhat rolling topography. Mr. Bogan questioned the feasibility of constructing homes on the tract due to the extreme changes in elevation.

Mr. Bogan stated that the corporation does not have final plans for the building to be constructed; however, he presented a copy of the Tulsa magazine (Exhibit "A-1") September 11, 1980, which included a picture of the Automobile Club structure located on 15th Street. He advised that the proposed building would be of similar construction.

A letter (Exhibit "A-2") was presented from Remington Rogers, a member of the Board of Directors and President of the Automobile Club of Oklahoma, Inc. Mr. Remington urged the Commission to approve the application.

Commissioner Avey expressed doubt that the subject tract would ever develop as residential and stated she would rather approve the zoning for the Automobile Club rather than have the property remain vacant and gather trash and garbage.

Protests: None.

Z-5456 (continued)

Instruments Submitted: Tulsa Magazine (Exhibit "A-1")
Letter from Remington Rogers (Exhibit "A-2")

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

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

The Staff recommends DENIAL of the requested OL zoning for the following reasons:

The subject property is located 960 feet north of the NE corner of 91st Street and Yale Avenue. The property is zoned RS-3 single-family residential and the applicant is requesting OL low intensity office to accommodate office development.

Three of the four intersection corners of 91st Street and Yale Avenue are zoned CS commercial shopping center zoning - all three remain undeveloped. The SE corner has been zoned for over 10 years and the NE corner over 8 years. Both of these corners were zoned, (the SE was permitted commercial through District Court action) prior to the adoption of the Development Guidelines and the Comprehensive Plan for District 18. The Comprehensive Plan recognizes the intersection of 91st and Yale as a Type II Node, which permits a maximum consideration of 10 acres of medium intensity per corner with a 300-foot buffer of low density multifamily. The NE and SE corners have utilized the full 10 acres allocation of the medium intensity with CS zoning. The NE corner in addition to the 10 acres of commercial is zoned an additional 4.5 acres of OL zoning.

The approval of additional nonresidential zoning beyond the Node and the Guideline allocations will result in stripped arterial streets. Over-zoning where the market cannot ever utilize all the existing zoning is unwise in the Staff's opinion.

There will always be requests to deviate from the Guidelines because the land away from the major street intersections is less expensive. We have many major intersections that have been zoned to accommodate commercial and office uses which remain vacant. We believe that it is still very important to be able to plan for development based on guidelines that have meaning, rather than just react arbitrarily to specific requests.

For these reasons, the Staff recommends DENIAL of the requested OL zoning.

TMAPC Action: 7 members present.
On MOTION of AVEY, the Planning Commission voted 6-0-1 (Avey, Eller, Holliday, Kempe, Parmele, Petty "aye"; no "nays"; Keleher "abstaining"; Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OL:

The North 328.88' of the West 880.77' of the S/2, SW/4, Section 15, Township 18 North, Range 13 East, Tulsa County, Oklahoma, according to the United States Government Survey thereof.

ZONING PUBLIC HEARING:

Application No. Z-5459 Present Zoning: RM-2
Applicant: Donald Phillips (Williams) Proposed Zoning: OM
Location: South of the SE corner of 13th Street and Denver Avenue

Date of Application: September 15, 1980
Date of Hearing: October 22, 1980
Size of Tract: 50' x 130'

Presentation to TMAPC by: Donald Phillips
Address: 2229 South Troost Avenue Phone: 582-7545

The applicant was present, but did not comment.

Protests: None.

Relationship to the Comprehensive Plan:

The District 7 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- Office.

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

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

The subject property is located on the east side of Denver Avenue, between 13th and 14th Streets. The property is zoned RM-2 medium density multi-family, contains a two-story residence and the applicant is requesting OM office medium intensity office use.

The subject property lies within an area that is immediately south of the Central Business District. This area was recognized by the Comprehensive Plan for high intensity office. The areas to the south have been zoned combinations of OL, OM and OH. Recently, one-story office zoning was approved for property on the west side of Denver, and OM zoning exists to the south. The requested OM zoning is consistent with the Comprehensive Plan and consistent with the zoning and redevelopment occurring in the area.

Accordingly the Staff recommends APPROVAL of the requested OM zoning.

For the record, the development between 13th Street and 14th Place on Denver Avenue is a mixture of offices, apartments and single-family. Many of the residences have been allowed to deteriorate. None of these structures in this area have been purchased for single-family residential use and rehabilitation that we know about.

TMAPC Action: 7 members present.

On MOTION of AVEY, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions" Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OM:

Lot 5, Block 4, T. T. T. Addition to the City of Tulsa, Tulsa County, Oklahoma.

Z-5460 T. B. Hendrix (DeBouse) East of the SE corner of Apache Street and Birmingham Avenue RS-3 to IL

The applicant was not present, therefore, a continuance was in order.

On MOTION of KELEHER, the Planning Commission voted 6-0-0 (Avey, Eller, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Holliday, Inhofe, C. Young, T. Young "absent") to continue Z-5460 to November 12, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5461 Present Zoning: RM-2
Applicant: Don Phillips (Francis) Proposed Zoning: OM
Location: North of the NE corner of 14th Street and Denver

Date of Application: September 9, 1980
Date of Hearing: October 22, 1980
Size of Tract: 50' x 130'

Presentation to TMAPC by: Donald Phillips
Address: 2229 South Troost Avenue Phone: 582-7545

The applicant was present, but did not wish to comment.

Protests: None.

Relationship to the Comprehensive Plan:

The District 7 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- Office.

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

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

The subject property is located immediately south of the Central Business District and was recognized by the District 7 Plan for high intensity office redevelopment. The property is zoned RM-2, medium density multifamily and contains a 2-story residence. The applicant is requesting OM zoning to accommodate office use.

Office redevelopment is taking place along both sides of Denver Avenue, south of the Central Business District. OL and OM zoning has been approved on either side of Denver Avenue, between 13th Street and 14th Place. The Staff believes that OM zoning is reasonable on the subject property and more closely reflects the intent of the Comprehensive Plan.

For these reasons, the Staff recommends APPROVAL of the requested OM zoning.

For the record, the development between 13th Street and 14th Place on Denver Avenue is a mixture of offices, apartments and single-family. Many of the residences have been allowed to deteriorate. None of these structures in this area have been purchased for single-family residential use and rehabilitation that we know about.

TMAPC Action 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "Abstentions"; Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OM:

Lot 4, Block 4, T. T. T. Addition, Tulsa County, Oklahoma.

Application No. CZ-2 Present Zoning: RS-3
Applicant: Clyde Butler Proposed Zoning: CH
Location: NW corner of West 56th Street and South 45th West Avenue.

Date of Application: September 9, 1980
Date of Hearing: October 22, 1980
Size of Tract: 50' x 139'

Presentation to TMAPC by: Clyde Butler
Address: 5525 West Skelly Drive Phone: 446-5666

Applicant's Comments:

Clyde Butler, owner of the Royal American Motel, advised that he was requesting CH zoning to allow more lot coverage. The applicant stated he proposed to construct a three-story tower with 30 additional units.

Mr. Butler advised that he realized there was a problem with adequate off-street parking; however, approximately 75% of his business involves patrons who travel to Tulsa by air to attend the Dowell training school in Kellyville. Therefore, the parking available will be sufficient.

A letter (Exhibit "B-1") was presented from Lowell G. Jones, Training Manager for Dowell, stating that people flying into Tulsa for the Kellyville training sessions will not need parking places at the motel; car rental is discouraged. The Royal American Motel van picks the patrons up at the airport and they are moved from place-to-place by school-bus type vehicles.

Protestants: None.

Relationship to the Comprehensive Plan:

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity Commercial and Special District C.

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

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

The subject property is located on the NW corner of 56th Street and 45th West Avenue. The tract is zoned RS-3, is vacant and the applicant is requesting CH high intensity zoning to permit the expansion of the motel located on the property to the west. The Staff recognizes that the expansion of the existing motel onto the subject property is appropriate and consistent with the Comprehensive Plan. The Comprehensive Plan recognizes commercial high intensity as appropriate intensity based on the existing CH zoning, which fronts I-44. Almost every frontage property on the east side of I-44 is zoned CH. However, the current motel is developed within a CS District. The Staff is concerned that approval of CH zoning and its permitted intensity would not be appropriate on the subject property. CS zoning would permit the motel use and required adequate off-street parking. Therefore, the Staff recommends APPROVAL of CS zoning and DENIAL of the requested CH zoning.

Instruments Submitted: Letter from Dowell (Exhibit "B-1")

CZ-2 (continued)

TMAPC Action: 6 members present.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Avey, Eller, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Holliday, Inhofe, C. Young, T. Young "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CH:

Lot 35, Block 6, Opportunity Heights, Tulsa County, Oklahoma.

Application No. Z-5463 Present Zoning: RS-3 & RS-2
Applicant: Robert Nichols (Crews) Proposed Zoning: RM-T
Location: East of the NE corner of 55th Place South and Lewis Avenue

Date of Application: September 10, 1980
Date of Hearing: October 22, 1980
Size of Tract: 2.6 acres

Presentation to TMAPC by: Robert Nichols
Address: 420 South Boulder Avenue, Suite 800 Phone: 582-3222

Commissioner Scott Petty advised that he would abstain from discussion and voting on this application.

Applicant's Comments:

Robert Nichols, attorney for the applicant, advised that there are two concepts of land use which should be considered for the subject tract; balance and conformity. The subject property is on the fringe of an existing single family subdivision. Mr. Nichols pointed out that our changing society and the economy are creating a demand for a new type of single family development which is still owner-occupied, but is somewhat different than the traditional detached single family home of the past. He noted that the applicant is proposing to meet this demand with his single family owner-occupied townhouse development.

The exsiting single family subdivision is being encroached upon by income properties; i.e., duplexes to the south and an apartment complex to the west. Mr. Nichols stated that the proposed townhouse development would preserve the stability and the property values of the single family subdivision. In addition, the proposed development would serve as a buffer to a change in form only, not a change in character.

The owner has had the subject tracts on the market, as single family residential lots, for the past year; however, they were not sold. Mr. Nichols informed the Commission that approval of the proposed townhouse use would contribute to the conformity of the neighborhood, the conformity in character and the stability of the property values of the existing subdivision.

Protestants:		Address:	
	Bob Buschan		7917 South 86th East Place
	Emil Schellstede		5548 South Atlanta Avenue
	Betty Thompson		2543 East 55th Place

Protestant's Comments:

Bob Buschan, speaking in behalf of his mother who resides in the neighborhood, stated that he felt the proposed development would be just the opposite of conforming to the existing neighborhood. He noted that this is a very traditional area which is heavily wooded with a lot of aesthetics. Mr. Buschan did not feel the proposed addition would preserve the property values in the area.

Mr. Buschan felt that the homeowners in the area should have a reasonable expectation of privacy, enjoyment and use of their back years; however, the proposed townhouse addition would deprive them of that privacy in their yards and would also decrease the property value.

Z-5463 (continued)

Emil Schellstede presented a protest petition (Exhibit "C-1") signed by 56 homeowners in the immediate vicinity of the subject tract. The residents were concerned about 55th Place, a narrow, asphalt road which has not been fully dedicated, and is already burdened with more traffic than it can safely handle. There are no storm sewers in the area, and homes downhill from the subject property are presently experiencing run-off problems with heavy rains. Another objection of the neighborhood residents was that the rezoning would set a precedent for properties adjacent to the east. The protestants believed that the granting of the rezoning request would result in irreparable damage and harm to the homeowners and destroy, or substantially impair, the integrity and character of the neighborhood.

Betty Thompson advised that the lots on the north side of the street, east of the subject tract, are all large lots, one-half acre or more each. Ms. Thompson expressed the concern that approval of the application would encourage other people to sell their lots and convert them to income properties. The protestant also noted that there are no storm sewers in the area and the runoff problem is increasing.

Instruments Submitted: Protest Petition, 56 signatures (Exhibit "C-1")

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

The Staff recommends DENIAL of the requested RM-T zoning for the following reasons:

The subject property is located on the north side of 55th Street, on either side of Atlanta Avenue. The property is subdivided into seven (7) lots, three of which contain residential dwellings. The applicant is requesting RM-T residential multifamily townhouse zoning.

The subject property is abutted on three sides by quality single family residential zoning and development. The property to the west is zoned RM-1 and is developed as apartments. The home on the SW corner of the subject application is also a quality single family residence. This residence is immediately adjacent to the apartment project. In a recent zoning application (Z-5088) the Commission recommended approval of the west 198 feet for RS-3 zoning thereby giving the owner the opportunity to request duplex development on the western three lots that abut the RM-1 zoning, or file a PUD and average the densities.

The Staff is concerned about the requested density on the subject property. Based upon the surrounding land use and zoning patterns, the subject property could develop as single family residences; providing the two smaller residences are removed. Any type of new duplex would also require removing these two structures.

Z-5463 (continued)

For these reasons, the Staff recommends DENIAL of the RM-T zoning and suggests that RS-3 zoning is the maximum intensity that should be considered if the zoning is to be changed.

For the record, RM-T zoning would permit construction of 31 dwelling units. RS-3 zoning would permit 7 single family homes under conventional development and 13 townhouse units under a PUD.

Special Discussion for the Record:

Robert Nichols advised that the proposed development would attract new individuals and new interest into the neighborhood which will preserve and stablize the neighborhood and the property values.

Mr. Nichols stated that the proposed townhouses would be in the market range of $60,000 - $100,000 each unit.

Bob Gardner advised that RM-T zoning would permit construction of 31 dwelling units. RS-3 zoning would permit seven single family homes under conventional development and 13 townhouse units under a PUD. The Staff expressed concern about the requested density on the subject tract. Based upon the surrounding land use and zoning patterns, the subject property could develop as single family residences; providing the two smaller residences are removed.

Commissioner Keleher questioned if a portion of the subject tract was zoned RM-T and another portion zoned RS-3, could the applicant then file a PUD and increase the density beyond the 13 townhouse units. Mr. Gardner advised that this could be achieved through the PUD application.

TMAPC Action: 7 members present.

On MOTION of KELEHER, the Planning Commission voted 6-0-1 (Avey, Eller, Holliday, Keleher, Kempe, Parmele "aye"; no "nays"; Petty "abstaining"; Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be rezoned RM-T on the west-half and RS-3 on the east-half:

All of Block 1, The Vinyard Addition, Tulsa County, Oklahoma.

Application No. Z-5464 Present Zoning: RS-3
Applicant: John Moody (Ashworth) Proposed Zoning: OM
Location: NE corner of 31st Street and Louisville Avenue

Date of Application: September 17, 1980
Date of Hearing October 22, 1980
Size of Tract: 170' x 175'

Presentation to TMAPC by: John Moody
Address: 4100 Bank of Oklahoma Tower Phone: 588-2651

Applicant's Comments:

John Moody, representing the property owners and Frontier Savings and Loan, advised that there is an existing two-story single family residence on the subject tract which the applicant proposes to convert and improve to use as a new branch office at this location. Mr. Moody presented a plot plan (Exhibit "D-1") showing an addition to the rear of the second story and also, the addition of some spaces for the drive-in facility.

Mr. Moody noted that if the subject tract was approved for OL zoning as recommended by the Staff, the existing house would become a nonconforming structure. He advised that there is a prohibition under the Tulsa Zoning Code which prohibits the enlargement of any of the cubic area in a non-conforming structure in a particular zoning classification district. The Board of Adjustment might have the power to grant a variance to permit this; however, Mr. Moody stated it was not permitted under the Zoning Code as he understood it. The applicant pointed out on the area map (Exhibit "D-2") that less than one-fourth of the frontage on 31st Street, from Harvard to Yale, is restricted to two stories or less in height. Almost three-fourths of the property either contains or would permit the erection of more than two stories and would permit 50% floor area ratio. Mr. Moody pointed out that the proposed use would be compatible with the surrounding area.

Protestants: None.

Instruments Submitted: Plot Plan (Exhibit "D-1")
Area Map (Exhibit "D-2")

Relationship to the Comprehensive Plan:

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

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

The Staff recommends APPROVAL of OL zoning and DENIAL of OM for the following reasons:

The subject property is located on the NE corner of 31st Street and Louisville Avenue. The property is zoned RS-3 single family residential and contains a single family residence. The applicant has requested OM office medium intensity zoning to accommodate a savings and loan office building.

Z-5464 (continued)

The requested OM zoning, if approved, would permit an office building with a maximum floor area of 14,875 sq. ft. The OM zoning would permit a multi-story office building to be built on the subject tract. The Staff is opposed to any zoning category that would permit multi-story medium-rise buildings within this block.

The District 6 Plan recognized low intensity office uses along the 31st Street frontage properties. Several single family properties to the east have been zoned OL and some of the homes converted to offices. The OM zoning on the NW corner of 31st Street and Louisville Avenue contains a 1-story office building.

OL zoning is consistent with the Comprehensive Plan and the established zoning patterns and accordingly the Staff recommends APPROVAL of OL zoning and DENIAL of OM.

Special Discussion for the Record:

Commissioner Petty questioned if it would be possible to go through the Board of Adjustment for an exception to the OL use.

Assistant City Attorney, Alan Jackere, advised that the Board of Adjustment has taken a position in the past that they can vary any term of the Code; however, in order to be entitled to a variance, the applicant must show something unusual or special about the property that is different than other properties in the area - a hardship.

Mr. Moody pointed out that the Board of Adjustment has been quite strict recently in requiring the showing of a hardship which is not economic and is not self imposed. He stated the question exists of whether the applicant is imposing a hardship on himself by requesting a change in the zoning.

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions") Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be rezoned OM:

Lot 9, Block 4, Loma Linda, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Application No. Z-5465 Present Zoning: AG
Applicant: Roy Johnsen (Quik Trip) Proposed Zoning: CS
Location: NW corner of 101st Street and Memorial Drive

Date of Application: September 19, 1980
Date of Hearing: October 22, 1980
Size of Tract: 2½ acres

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall Phone: 585-5641

The applicant was present but did not comment.

Protestants: None.

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low or Medium Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CS zoning may be found 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 the intersection of 101st Street South and Memorial Drive. The property is zoned AG Agricultural, is vacant and the applicant is requesting CS commercial shopping center zoning to accommodate commercial development.

Three of the four intersection corners at 101st Street South and Memorial Drive are within the Tulsa City Limits. The fourth corner, southeast corner, is with the Bixby City Limits. Currently the SW corner is the only corner that has been zoned in an urban category. The three remaining corners, including the subject tract, remains in an AG Agriculture District. The SW corner has approximately ten acres of commercial zoning and the existence of the commercial zoning on the SW corner permits the consideration of medium intensity zoning on the subject property.

For these reasons, the Staff recommends APPROVAL of the requested CS zoning.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be rezoned CS:

The East 330' of the S/2, S/2, SE/4, SE/4 of Section 23, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

Application No. Z-5466 Present Zoning: RS-3
Applicant: Charles Norman (R. J. Sullivan) Proposed Zoning: OL
Location: East of the NE corner of 71st Street and Yale Avenue

Date of Application: September 19, 1980
Date of Hearing: October 22, 1980
Size of Tract: 10 acres

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building Phone: 583-7571

Applicant's Comments:

Charles Norman presented photographs (Exhibit "E-1") of the subject tract and advised that the subject tract is characterized by severe changes in topography. There is a 55'-60' difference in elevation from the southwest corner of 71st Street to the northeast corner; there is a 50' change in elevation from the northwest corner, 68th Street, to the northeast corner. In addition, there are two existing ponds on the subject tract.

The subject tract is located between 10 acres, now used for multifamily, and a 10-acre area, in two parcels, one of which is occupied by Saint Dunstan's Episcopal Church. A single family home is located on the rear parcel. Mr. Norman pointed out that the Comprehensive Plan element has not maintained the designation of low intensity residential use.

Mr. Norman stated that the issue on this zoning application is whether office light zoning (OL) can be considered as an equally acceptable transitional or buffer zone to the RM-1 zoning District. The applicant reviewed background on a previous rezoning application which he had presented, noting that the Staff, at that time, had found that office uses were generally considered to be less intense and have a lesser affect upon adjacent properties than multifamily development. This finding was based on the restrictions of floor area found in the office district and the character of the use of offices which is generally limited to daytime hours and is limited in the evenings and on the weekends. A recent amendment to the Zoning Code now permits the approval of offices, as an exception, within the RM-1 District by going through the Board of Adjustment or by filing a PUD.

A letter (Exhibit "E-2") was exhibited from The Rev. Richard W. Daniels, Rector of the Parish of Saint Dunstan's Church. The letter stated that the Rector, Wardens and Vestry of the Church reviewed this rezoning application at their meeting of October 12, 1980, and there was a unanimous and enthusiastic consensus of support for an office park to be located on the subject tract. Mr. Norman advised that he had been informed that members of the Church would be concerned if the subject property was being rezoned for multifamily use.

Protestants: None.

Instruments Submitted: Photographs (Exhibit "E-1")
Letter from St. Dunstan's Church (Exhibit "E-2")

Z-5466 (continued)

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

The Staff recommends DENIAL of the requested OL zoning for the following reasons:

The subject proeprty is located on the north side of 71st Street, between Yale Avenue and Sheridan Road. The property is zoned RS-3 single family residential, contains a vacant residence and the applicant is requesting OL light office zoning to permit the development of an office park.

The District 18 Plan Map did not recognize nonresidential zoning on the subject property. The property immediately to the west of the subject tract is zoned a combination of RM-1 and OL; however, the majority of that property (with the exception of a 1-acre tract on the SW corner) is developed in residential apartments. The only office zoning between Yale and Sheridan Road is located at the intersection node or surrounding the intersection node. Increased residential intensities have been approved on several of the frontage properties along 71st Street primarily through PUD's. The Staff recognizes the existence of the RM-1 zoning to the west of the subject property, the apartment development to the south, and therefore, could support RM-1 zoning on the subject tract.

Approving office zoning to a depth of 1,320' north of 71st Street would require an amendment to the Comprehensive Plan and a change in the zoning and development philosophy of the area. RM-1 zoning and a PUD would permit the applicant's proposal without committing the properties east of the church to office zoning and possibly strip commercial zoning if offices were not built. RM-1 zoning would require a continuance to readvertise and may appear a combersome procedure. It would, however, protect the integrity of the Comprehensive Plan, would assure continued quality development and would not set a precedent for future office or commercial zoning east of the church.

Based on these reasons, the Staff recommends DENIAL of OL and recommends the application be continued until November 12, in order to readvertise for RM-1 zoning.

Special Discussion for the Record:

In regard to the Southwestern Bell Telephone Company building in the vicinity of the subject tract, Commissioner Keleher noted that the telephone building was located on a tract of land zoned AG. He stated he did not feel that an office building for the telephone company should be built by Board of Adjustment approval.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be rezoned OL:

Z-5466 (continued)

The West-Half of the East-Half of the SE/4 of the SW/4 of Section 3, Township 18 North, Range 13 East, Tulsa County, State of Okla.

Application No. PUD 246 Present Zoning: (OL)
Applicant: Charles Norman (R. J. Sullivan)
Location: East of the NE corner of 71st Street and Yale Avenue

Date of Application: September 19, 1980
Date of Hearing: October 22, 1980
Size of Tract: 10 acres

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building Phone: 583-7571

Applicant's Comments:

Charles Norman advised that PUD proposes to develop the property in two development areas. The first area, near 71st Street, would permit buildings with a maximum height of four stories. This area has a swale and a low area in the center of the tract; therefore, the four-story height would not exceed the height of the church steeple immediately to the east and would exceed the height of the two-story apartment buildings to the west by 6' - 8'. The PUD sets forth that these buildings be setback a distance of 240' from the centerline of 71st Street and provides for a landscaped strip along 71st Street. The access to this development will be from South Granite Avenue and will require the improvement of that street.

The balance of the property is proposed for two-story office buildings which will conform to the slopes which presently exist. The pond located within this area will be the focal point for the buildings and will be maintained by an office park owner's association.

The landscaped areas adjacent to the public streets will include treed and shrubbed areas and other landscaped improvements and be designed to provide an attractive appearance for the perimeter of the office areas. One landscaped parking island will be provided for each 75 parking spaces in the two development areas.

Due to existing conditions downstream within the Joe Creek watershed, on-site detention will be required on the subject tract. A report completed by Gauger Engineering concludes that 1.8 acre feet of on-site detention area will be required. Sufficient free-board within the larger pond in Development Area "B" will be provided to meet the detention requirement. Other surface drainage will be carried through on-site storm sewers to the northeast corner of the property where the drainage will enter the established drainageways.

Mr. Norman pointed out that by utilization of the terrain and the combination of two and four-story buildings, approval of a floor area ratio, not to exceed 30% is requested. Four parking spaces per 1,000 sq. ft. of office space will be provided. In addition, at least 25% of the total land area will be committed to open space.

Protestants: None.

PUD #246 (continued)

Staff Recommendation:

PUD #246 is located on the north side of 71st Street, east of Yale Ave. The 10-acre tract is zoned RS-3, however, the applicant has filed Z-5466 requesting OL zoning on the entire property. The applicant is proposing a total of 130,000 square feet of office use to contain 2 and 4-story office buildings. The Staff cannot support the OL office zoning and therefore, cannot recommend APPROVAL of the PUD with the present RS-3 zoning. If the Commission is inclined to support the requested OL office zoning, the Staff recommends the Commission continue the PUD one week to allow the Staff sufficient time to impose conditions of approval. If the Commission supports RM-1 zoning, the PUD would have to be continued to November to allow for proper advertising of the RM-1 zoning.

Special Discussion for the Record:

The Staff advised that approving office zoning to a depth of 1,320' north of 71st Street would require an amendment to the Comprehensive Plan and a change in the zoning and development philosophy of the area. Commissioner Avey questioned if it would jepordize the integrity of the Plan if the Commission approved the OL zoning and request that the Plan be changed. Bob Gardner stated that the portion of the Plan designation which would require a change is the specific type of land use - low intensity residential.

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, C. Young, T. Young "absent") to continue PUD #246 to November 5, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center to allow the Staff sufficient time to impose conditions of approval.

Application No. Z-5467 Present Zoning: AG
Applicant: Marshall Horn Proposed Zoning: RD
Location: North and East of the NE corner of 58th Street and 85th E. Ave.

Date of Application: September 19, 1980
Date of Hearing: October 22, 1980
Size of Tract: 7.5 acres

Presentation to TMAPC by: Joe Coleman
Address: 610 South Main Street

Applicant's Comments:

Joe Coleman, representing the applicant, advised that the subject property is an unusual hilltop site with very severe topography changes. The property have been vacant for several years with the exception of a clubhouse and a large swimming pool built on the crest of the hill. The existing approach is a boulevard from 58th Street. The subject property is surrounded on all sides by developed single family residences.

Mr. Coleman stated that one reason for requesting duplex zoning was that the economics of the land will not justify single family development.

A letter (Exhibit "F-1") was exhibited from Robert M. Ross of the Open Bible Christian Center and Helen Thomas. The letter stated that the proposed use of the land would have no adverse effect upon the value of the property belonging to the writers.

Protestants:		Address:	
	David Davis		5654 South 88th East Avenue
	Gary Jones		5616 South 88th East Avenue
	Michael Moore		5644 South 88th East Avenue
	M. H. Johnson		4741 South Irvington Place

Protestant's Comments:

David Davis advised that he lives just down the hill from the subject tract. Mr. Davis' first objection was that the proposed development would be totally out-of-character with the existing residential neighborhood which completely surrounds the subject property. The protestant was also concerned with the additional traffic which would be generated by the proposed development. He noted that 58th Street, the only access to the subject tract at this time, is a narrow two-lane street with houses on either side; the proposed second access from 88th East Avenue would offer some relief. Emergency access could be a problem to the high density area.

Mr. Davis stated his third and most important objection is the drainage problem. He noted that the drainage problems at this time is at the maximum and expressed concern that the velocity and amount of drainage will certainly be increased with the proposed construction. Mr. Davis suggested that it is not appropriate at this time, after the neighborhood is fully developed, to construct a major development which might very severely affect the surrounding neighborhood.

Gary Jones advised that, according to the Corps of Engineers, there are springs in the hillside and retaining walls have been constructed. Mr. Jones also expressed concern for the additional traffic in the area.

Mr. Jones presented a protest petition (Exhibit "F-2") bearing 108 signatures of property owners in the immediate blocks surrounding the subject tract. The residents opposed the requested zoning change because they felt it would lower their property values considerably. The protestant also advised that residents of the area have used the clubhouse and swimming pool facilities for the past seven years.

Michael Moore objected to the application due to the increased traffic and did not feel the second access would alleviate the problem. He also pointed out that the subject tract is surrounded with single family residences.

Mr. Moore stated that the amount of area for infiltration of rainfall would be cut approximately in half when the buildings are completed and the planned roadways are constructed. The steep slopes and weak nature of the materials below will make it very difficult to hold roads and structures on the hillside. The protestant noted that the towering townhouses on the hill will cut into the scenic value of the neighborhood and the privacy of the existing homeowners will be invaded. He felt that for all of these reasons, the property values would decrease.

M. H. Johnson advised that he owns property in the area of the proposed development and was opposed to the application. This is an area of modest homes where people have invested most of their incomes into trying to acquire ownership. Mr. Johnson stated that the proposed development was a hazard to destroying that ownership. He felt that the residents of the area are entitled to protection from the Commission for their home ownership.

Instruments Submitted: Letter - Robert M. Ross (Exhibit "F-1")
Protest Petition, 108 signatures (Exhibit "F-2")

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

The Staff recommends DENIAL of the requested RD zoning and APPROVAL of RS-3 for the following reasons:

The subject property is interior in location and is located north and east of 58th Street South and 85th East Avenue. The property is zoned AG, contains a clubhouse and pool and the applicant is requesting RD residential duplex zoning to permit townhouse development under PUD #247.

The subject property is totally surrounded by RS-3 zoning and conventional single family development. The Staff can find no basis for supporting a higher density zoning than that of the surrounding properties. RS-3 zoning would permit consideration of a maximum of 38 dwelling units under a PUD. The requested RD zoning would permit twice that, or 76 dwelling units. Townhouse development at proper densities, is a compatible land use for this site. The Staff is concerned with the access, drainage and the number

Z-5467 (continued)

of units to be attached for any single complex. We feel that the town-house units should be separated by over-space and limited to clusters of 2,3 and 4 unit structures.

For these reasons, the Staff recommends APPROVAL of RS-3 and DENIAL of RD zoning.

Special Discussion for the Record:

Commissioner Cherry Kempe questioned why the subject property was not designated as development sensitive and Mr. Gardner advised that it was because of the slopes of the property as opposed to a creek or where the property would be considered a drainage problem with potential for flooding. The subject tract would involve sheet water flow coming off the hill and running onto the houses below. He stated it is a difficult problem to resolve as far as the drainage is concerned.

Mr. Coleman advised that drainage will have to be improved, earth change permits will be required and approval will have to be obtained. He noted that when the development is completed there will be a much better drainage pattern because the retention pond and storm sewers will be included in the development of the project. The applicant stated that the economics of the subject tract are just not suitable for single family development.

TMAPC Action: 7 members present.

On MOTION of HOLLIDAY, the Planning Commission voted 5-2-0 (Avey, Holliday, Keleher, Kempe, Parmele "aye"; Eller, Petty "nay"; no "abstentions"; Gardner, Inhofe, F. C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be rezoned RS-3 and DENIAL of RD zoning:

A part of the SW/4 of Section 36, Township 19 North, Range 13 East of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

Starting at the NE corner of the SW/4 of Section 36, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence due West along the North line of said SW/4 a distance of 393.86'; thence due South 330.00' to the point of beginning; thence South 02°-06'-13" West a distance of 484.35'; thence South 06°-25'-54" East a distance of 297.98'; thence North 72°-40'-12" West a distance of 364.68'; thence due West 264.15'; thence North 30°-15'-00" East a distance of 240.00'; thence North 19°-55'-31" East a distance of 166.55'; thence North 11°-54'-32" East a distance of 193.21'; thence North 30°-00'-00" East a distance of 136.91'; thence due East 310.72' to the point of beginning, containing 7.12 acres more or less, together with that certain roadway easement dated May 19, 1970, between The Carter Corporation as Grantor, and Gene Maritan and R. W. Slemaker, Jr., as Grantees, recorded in Book 3928 at pages 592-593 in the Office of the County Clerk of Tulsa County, Oklahoma, over and across the following described tract of land located in Tulsa County, State of Oklahoma, to-wit:

Z-5467 (continued)

A tract of land located in a part of the N/2 of the SW/4 of Section 36, Township 19 North, Range 13 East, Tulsa County, Oklahoma, said tract being 50.00' wide and being more particularly described as follows:

Beginning at the SE corner of Lot 1, Block 3, Woodland View Park 2nd Addition according to the recorded plat thereof; thence due North along the East line of said Lot 1, a distance of 120.00' to the NE corner of said Lot 1; thence due East a distance of 50.00'; thence due South a distance of 183.90' to a point; thence North 79°-41'-52" West a distance of 0.00' to a point of curve to the left of radius of 241.42'; thence Northwesterly along said curve a distance of 43.44' to a point of tangency; thence due West a distance of 6.79' to a point; thence due North a distance of 60.00' to the point of beginning.

10.22.80:1332(24)

Application PUD #247 Present Zoning: (AG)
Applicant: Marshall Horn
Location: North and East of the NE corner of 58th Street and 85th E. Avenue

Date of Application: September 19, 1980
Date of Hearing: October 22, 1980
Size of Tract: 7.5 acres

Presentation to TMAPC by: Joe Coleman
Address: 610 South Main Street

Applicant's Comments:

Joe Coleman advised that the proposed PUD would permit 41 two-story townhouses. The applicant has utilized the topography for the development with roadways following the natural contours. An additional 38 units, two-story condominiums, will be constructed on the hill top. These condominiums will be designed to take advantage of the view and the topography of the area.

The applicant proposes to rennovate the clubhouse and the pool for the use of the entire neighborhood.

The proposed units will be developed at a value of $75,000 - $80,000 with the least expensive of the units being in excess of the value of the surrounding residences. All proposed units will be two-story ranging from 950 sq. ft. to 1,650 sq. ft., western contemporary design utilizing stone, sloping roofs, composition shingles and extensive glass areas.

There will be access to the subject property from 58th Street and 88th East Avenue. Adequate parking space will be maintained near the clubhouse and pool area. Walkways will be provided along with landscaped and green open areas.

Protestants: 5 present.

Staff Recommendation:

Planned Unit Development #247 is located north and east of the NE corner of 58th Street South and 85th East Avenue. The property contains 7.5 acres zoned AG Agriculture and the applicant has filed (Z-5467) a companion Zoning Application for RD duplex zoning. The applicant's proposal is a request for 76 townhouse units maintaining the existing clubhouse and pool as amenities to the project. The Staff cannot support the RD zoning which would be required to accommodate the applicant's PUD. Therefore the Staff recommends that the Planning Commission continue PUD #247 after a determination has been made on the appropriate zoning. At that time the Staff will review the PUD based upon the density that can be supported on this property.

TMAPC Action: 7 members present.

On MOTION of KELEHER, the Planning Commission voted 7-0-0 (Avey, Eller, Holliday, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be continued to November 12, 1980, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center:

A part of the SW/4 of Section 36, Township 19 North, Range 13 East of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

Starting at the NE corner of the SW/4 of Section 36, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence due West along the North line of said SW/4 a distance of 393.86'; thence due South 330.00' to the point of beginning; thence South 02°-06'-13" West a distance of 484.35'; thence South 06°-25'-54" East a distance of 297.98'; thence North 72°-40'-21" West a distance of 364.68'; thence due West 264.15'; thence North 30°-15'-00" East a distance of 240.00'; thence North 19°-55'-31" East a distance of 166.55'; thence North 11°-54'-32" East a distance of 193.21'; thence North 30°-00'-00" East a distance of 136.91'; thence due East 310.72' to the point of beginning, containing 7.12 acres more or less, together with that certain roadway easement dated May 19, 1970, between The Carter Corporation as Grantor, and Gene Maritan and R. W. Slemaker, Jr., as Grantees, recorded in Book 3928 at pages 592-593 in the Office of the County Clerk of Tulsa County, Oklahoma, over and across the following described tract of land located in Tulsa County, State of Oklahoma, to-wit:

A tract of land located in a part of the N/2 of the SW/4 of Section 36, Township 19 North, Range 13 East, Tulsa County, Oklahoma, said tract being 50.00' wide and being more particularly described as follows:

Beginning at the SE corner of Lot 1, Block 3, Woodland View Park 2nd Addition according to the recorded plat thereof; thence due North along the East line of said Lot 1, a distance of 120.00' to the NE corner of said Lot 1; thence due East a distance of 50.00'; thence due South a distance of 183.90' to a point; thence North 79°-41'-52" West a distance of 0.00' to a point of curve to the left of radius of 241.42'; thence Northwesterly along said curve a distance of 43.44' to a point of tangency; thence due West a distance of 6.79' to a point; thence due North a distance of 60.00' to the point of beginning.

Application No. Z-5468 Present Zoning: AG
Applicant: J. Phillips Adamson (Frank Murphy, Jr.) Proposed Zoning: OL
Location: South of the SW corner of 61st Street and Mingo Road

Date of Application: September 19, 1980
Date of Hearing: October 22, 1980
Size of Tract: 1.6 acres

Presentation to TMAPC by: Phillip Adamson
Address: 2200 Fourth National Bank Building Phone: 584-4136

Applicant's Comments:

Phillip Adamson, representing the owner and other entities that own land in this general area, advised that the purpose of this application will not only serve the owner of the subject tract, but will also serve the continuity of the neighborhood and will help to improve the area. The subject tract is currently vacant, is not a level piece of ground and will require fill to develop, and has been a source of considerable dumping in the past. Twenty-one notices were mailed to owners within 300' of the subject tract; only seven of those owners live on their property. The subject tract is in a transformation stage from the Union Gardens Addition, which is across the street from Union School.

The owner of the subject tract also owns 8 acres where the School is located and he is allowing Union School to use the property for marching band practive and other school activities. There are various businesses conducted from the small homes in the residential area; i.e., dog grooming shop and construction of swing sets. Immediately south of the subject tract there is a mobile home and behind the property is the facility for the Mingo Greenhouse.

Mr. Adamson stated that the owner proposes to clean up the subject tract, level it, and construct an office building, 40' x 60', to be used for light office and light warehousing.

A letter (Exhibit "G-1") was presented from J. B. Smith which advised that he did not have any reservations about or objections to the proposed project.

Protests: None.

Instruments Submitted: Letter from J. B. Smith (Exhibit "G-1")

Relationship to the Comprehensive Plan:

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

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

The Staff recommends DENIAL of the requested OL zoning for the following reasons:

Z-5468 (continued)

The subject property is located on the west side of Mingo Road, south of 61st Street. The property is zoned AG, is vacant and the applicant is requesting OL zoning to permit office and warehouse development.

The subject application represents spot zoning. The subject property is surrounded by residential development. The frontage properties on Mingo Road contain single family dwellings zoned RS-3 on the east side of Mingo Road and AG Agriculture on the west side. The Staff believes that approval of OL zoning on the subject property would lead to strip nonresidential zoning south of Mingo Road. Commercial zoning has been approved on a 10-acre tract located on the SW corner of 61st Street and Mingo Road. The property south of the commercial node could justify perhaps RM-1 zoning, but to commit the frontage properties on Mingo Road south of the node to nonresidential zoning, with the obvious pressure for commercial zoning to follow is poor planning and zoning practice.

Based on these reasons, the Staff recommends DENIAL of the requested OL zoning.

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Avey, Eller, Keleher, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Holliday, Inhofe, C. Young, T. Young "absent") to recommend to the Board of City Commissioners that the following property be rezoned OL:

Beginning 151' North of the SE corner of the NE/4 of the NE/4 of Section 1, Township 18 North, Range 13 East; thence North 234'; thence West 300'; thence South 234' and thence East 300' to the point of beginning, Tulsa County, Oklahoma.

SUBDIVISIONS:

Oakridge Estates (2883) 10600 Block of South Louisville Avenue (RS-1)

Koger Executive Center II (1994) NE corner of 41st Street and South 102nd E. Avenue (CS)

Keystone Manor II (790) West 15th Street and Coyote Trail

The Staff advised that not all letters had been received for these plats and recommended they be tabled.

The Chair, without objection, tabled Oakridge Estates, Koger Executive Center II and Keystone Manor II.

There being no further business, the Chair adjourned the meeting at 4:00 p.m.

Date Approved Nov 5, 1980

Chairman

ATTEST:

Secretary

10.22.80:1332(29)

TULSA METROPOLITAN AREA PLANNING COMMISSION

Claims: 1979-1980

Account Number	Claim Number	Vendor	Amount
9200	12977	Dan P. Scott and Sons	1,389.00

Claims: 1980-1981

	12978	A M Varityper	242.94
7140		($124.44)	
7142		($118.50)	
7140	12979	Carpenter Paper Company	247.50
8140	12980	Dunhill Temps	79.80
6260	12981	Holiday Inn	105.29
8310	12982	International Business Machines	185.00
7140	12983	Masoner's	5.40
8103	12984	Modern Bindery	40.00
8250	12985	Southwestern Bell Telephone Company	1,840.39
[illegible]40	12986	Triangle Company	483.30
[illegible]40	12987	Triangle Company	65.05
8120	12988	Tulsa Daily Legal News	38.36
8310	12989	Tulsa Urban Renewal Authority	3,985.50
7142	12990	J. D. Young Company	97.38
	12991	J. D. Young Company	1,539.64
7140		($770.20)	
7142		($ 29.50)	
8103		($739.94)	

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

Glenna Pickett
TMAPC Fiscal Officer

Robert Dowdy
TMAPC Assistant Director

TMAPC: Agenda October 15, 1980 Meeting No. 1331