TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1363
Wednesday, June 24, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Freeman	Eller	Alberty	Linker, Legal Department
Higgins	Gardner	Gardner	
Holliday, Secretary	Inhofe	Howell	
Kempe, 2nd Vice-Chairman	Parmele	Lasker	
Petty			
C. Young, Chairman			
T. Young			

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, June 23, 1981, at 11:20 a.m., as well as in the Reception Area of the INCOG Offices.

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

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele, T. Young "absent") to approve the Minutes of June 10, 1981 (No. 1361) and June 17, 1981 (No. 1362).

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5556 Present Zoning: RS-3
Applicant: Robert Triplett (Humbyrd) Proposed Zoning: CS, RD
Location: NW corner of 91st Street and Yale Avenue

Date of Application: April 21, 1981
Date of Hearing: June 24, 1981
Size of Tract: 3 acres, more or less

Presentation to TMAPC by: Bob Triplett
Address: 5001 East 68th Street, Suite 500 Phone: 494-5020

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

The Staff recommends APPROVAL of CS zoning, except on the north 100' to be rezoned RD.

The subject property is located on the north side of 91st Street, west of Yale Avenue. The property extends from 91st Street to 89th East Avenue. The property is zoned RS-3 Residential and the applicant is requesting a combination of CS Commercial and RD Duplex zoning.

The subject property falls within the medium intensity node located at the intersection corner of 91st Street and Yale Avenue. Three of the four intersection corners have been zoned CS ranging from 5 to 10 acres. The Staff's only planning concern on the subject property is the extension of commercial zoning to 89th Street. One Hundred feet of RD Duplex zoning would prevent commercial access to 89th Street. This duplex buffer will preserve the residential character of 89th Street and prevent any commercial encroachment into the residential area.

For these reasons, the Staff recommends APPROVAL of CS zoning, except on the north 100' to be rezoned RD.

Applicant's Comments:

Bob Triplett pointed out that the three corners which are adjacent to the subject property are zoned CS. He stated that he has attempted to acquire the zoning designation which would provide a buffer of residential zoning compatible to the adjacent property owners so there would not be a high density commercial facility abutting their property.

Protestants: Maryetta Allen Addresses: 4323 East 72nd Street
Ann Donovan 4625 East 91st Street

Protestant's Comments:

Maryetta Allen stated she believed the RD designation should extend farther to meet the line of RS-3 zoning. It was her opinion that, if the RS-3 is still in place, there should be more than the proposed 100 feet of duplex zoning.

Z-5556 (continued)

Ann Donovan presented a protest petition (Exhibit "A-1") signed by 70 property owners in the immediate area. The protestants were opposed to any further rezoning of real property located at or near the nowthwest intersection of 91st Street and Yale because the of the existing traffic congestion in the area. In addition, the petition stated that orderly, planned development for quality growth does not appear to be a consideration of the developer. Rezoning of the singular strip would give commercial access to 89th Street which is presently populated by established single family dwellings, two of which are less than five years old. If a buffer zone becomes a reality in the future, a serious hardship would be created for the two individuals who have built new homes on 89th Street because it would make the property or land difficult to sell adjacent to a buffer zone, or rezone as anything else but single family residences. Mrs. Donovan stated that it would seem rezoning this small parcel would be contradictory to item #5 of the District 18 Plan which states that "commercial and office development will not be permitted on parcels where property depths prohibit the development of adequate off-street parking, limited access points, and a proper internal circulation system." The land and surrounding transportation utility infrastructure are not capable of supporting medium intensity development and would create harmful effects on the existing surrounding development.

Mrs. Donovan noted there are several office buildings which have vacant space and Walnut Creek businesses, only two miles away, are faltering. The need for additional office and commercial space has not been established. She expressed concern that approval of the requested CS—RD zoning would open the door for additional commercial development resulting in the same infrastructure problems overburdening the existing system. The protest petition presented by Mrs. Donovan pointed out that two of the basic objectives of the District 18 Plan are to minimize the adverse effects of growth and development in the environment and to enhance the quality of life for all residents, not quantity of life.

Instruments Submitted: Protest Petition (70 signatures) (Exhibit "A-1")

Special Discussion for the Record:

Bob Triplett stated the three corners which are zoned CS have already set a precedent in the area. "The fact that there are existing residential homes adjacent to the CS zoning would strengthen our position," the applicant stated, "because to assure that a quality development is to be produced, we then, are the only developer owning a piece of property within the four corners which has built in a buffer to soften the impact to the residents in the immediate area." Mr. Triplett could not assure the Commission that he was going to build on the subject tract due to the high interest rates at this time. He stated that he might be put into a position where he would have to sell the property. Mr. Triplett took exception to the protestant's point that the projects in the area are not leased, and pointed out that there are only two small strips of area within the projects which are not leased and that is because the price has been raised.

Provided financing is made available at a reasonable rate, Mr. Triplett stated he planned to construct duplexes which would prohibit vehicular movement other than emergency traffic; i.e., fire trucks. More than one point of ingress and egress will be provided for this development. The applicant advised that he has talked with some of the area residents and had not encountered disagreement with the proposed zoning.

Commissioner T. Young was of the opinion that the precedent does exist in the area and the Commission would be violating the standard recognition of the Development Guidelines if the proposed zoning was denied.

Chairman C. Young advised that he thought the recommended buffer of RD on the north along 89th Street would prohibit commercial traffic onto that street. He stated that he was troubled that the entire area hasn't come in at one time, particularly the frontage along Yale Avenue.

Bob Triplett stated that his company withdrew from representation of the property at the intersection. They proposed application to the Commission for complete CS zoning and Mr. Triplett advised that his company could not, in good conscience, uphold that request.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS, except on the north 100' to be rezoned RD:

The West 1/2 of the East 1/2 and the West 33 feet of the East 1/2, of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, containing 3 acres more or less.

Z-5558 Richard Riddle (71st Street, Ltd.) 68th Street, between Yale and Sheridan Road AG to OL

The applicant requested this zoning application be continued to July 8, 1981, so that it might be heard with the companion PUD.

Bill Pfiffner, 6708 South 66th East Avenue, requested that the application be continued to July 29, 1981, the same date as an adjacent property at 71st Street and Sheridan Road will be considered.

The applicant, Richard Riddle, advised that he would prefer the case be heard, along with the PUD, on July 8, 1981.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele, T. Young "absent") to continue Z-5558 to July 8, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5560 David C. Cameron SW corner of 91st Street and Yale Avenue RS-3, RM-0, CS to CS, RM-2, RM-0

A letter (Exhibit "B-1") was presented advising that the attorney for the applicant, Bill Jones, is ill and requesting a continuance to July 15, 1981.

On MOTION of FREEMAN, the Planning Commission voted 6-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele, T. Young "absent") to continue Z-5560 to July 15, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Z-5566 Lyndia Thornton (Caylor) SW corner of 19th Street and Peoria Avenue RS-3 to RM-T

A letter (Exhibit "C-1") was received from the applicant requesting the item be withdrawn.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele, T. Young "absent") to withdraw Application Z-5566.

Application No. Z-5567 Present Zoning: RS-3
Applicant: Troy Miles (Burkett) Proposed Zoning: IL
Location: 15331 East Admiral Place

Date of Application: May 12, 1981
Date of Hearing: June 24, 1981
Size of Tract: 9.86 acres, more or less

Presentation to TMAPC by: Troy Miles
Address: P. O. Box 15855 Phone: 437-0010

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District--Industrial.

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

Staff Recommendation:

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

The subject property is located at the north side of Admiral Place, between 145th East Avenue and 161st East Avenue. The subject tract contains a single family residence, is zoned RS-3 and the applicant is requesting IL zoning.

The subject tract lies within the corridor formed by the expressway on the north and Admiral Place on the south. This area is planned for light industrial development and several parcels of land have been recently rezoned and developed. Industrial zoning exists to the west and east of the subject tract.

Based on these reasons, the Staff recommends APPROVAL of the requested IL zoning.

The applicant was present, but did not comment.

Protestants: None.

TMAPC Action: 7 members present.

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

Lots 7 and 8 of Foster Subdivision, being a Subdivision of Lots 1 and 2, Section 3, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, containing 10 acres, more or less and known residentially as 15331 East Admiral Place, Tulsa, Oklahoma.

Application No. Z-5568 Present Zoning: RS-3
Applicant: Rebecca R. Wolfe (Bohnefeld) Proposed Zoning: OM
Location: West of the SW corner of 51st Street and Union Avenue

Date of Application: May 13, 1981
Date of Hearing: June 24, 1981
Size of Tract: 4.3 Acres

Presentation to TMAPC by: Rebecca R. Wolfe
Address: 4983 South Union Avenue Phone: 446-6681

Relationship to the Comprehensive Plan:

The District 8 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.

Staff Recommendation:

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

The subject property is located west of Waco Avenue, between 51st Street and I-44. The property is zoned RS-3, is vacant and the applicant is requesting OM Office Medium Intensity zoning.

The subject property is located within the Corridor formed by 51st Street and I-44. The residential land use was recently removed from these properties in order to accommodate a low-intensity office development as was zoned to the west. The fact that single family residences are located north of this area and that 51st Street is a collector street rather than an arterial street, make office medium an inappropriate intensity for development. Low-intensity office, however, can develop compatibly with these adjacent residences given the existing physical facts.

For these reasons, the Staff recommends DENIAL of OM and APPROVAL of OL.

For the record, the Board of Adjustment can increase the floor area if appropriate. Also, the Staff has suggested that RM-1 densities is the maximum that should be considered on this property and OM equates to RM-2 under Board of Adjustment approval.

Applicant's Comments:

Rebecca R. Wolfe, representing Romero Clinic, advised that the original plan was to construct a two-story building; however, the plans have been revised and now include a one-story building which could be accommodated under the OL zoning recommended by the Staff.

Protestants: None.

TMAPC Action: 7 members present.

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

Z-5568 (continued)

Part of the N/2 of the NE/4; beginning 600' East of the NW corner of the NE/4, thence East 1,070.45'; thence South 50'; thence East 265'; thence South 90'; thence Southwest 92.42'; thence West 404.85'; thence Southwest 601'; thence West 216.18' thence North 250' to the point of beginning, LESS the West 500' thereof, ALL in Section 34, Township 19 North, Range 12 East, containing 4.3 acres, Tulsa County, State of Oklahoma.

Application No. Z-5569 Present Zoning: RM-1
Applicant: Joe Caldwell Proposed Zoning: CG
Location: East of Garnett, South of Skelly Bypass

Date of Application: May 14, 1981
Date of Hearing: June 24, 1981
Size of Tract: 8.3 acres

Presentation to TMAPC by: Joe Caldwell
Address: 2152 Morningside Drive, Emporia, Kansas Phone: (316) 392-5523

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

The Staff recommends DENIAL of the requested CG or CS zoning, for the following reasons:

The subject property is located east of the southeast corner of the intersection of I-44 and Garnett Road. The property is vacant and zoned RM-1. The applicant is requesting CG General Commercial zoning.

The subject property is an interior property with access only to 13th Street, which is not improved to Garnett Road. The portion of 13th Street that is improved, beginning at the southeast corner of the subject property, is only capable of handling light traffic since it is a narrow asphalt road. The majority of the subject tract is within a designated floodplain which limits urban development. The small portion of the subject tract that is developable should develop in a residential category and not a commercial category in order not to adversely affect the existing residential development to the south.

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

Note: The subject tract was not advertised for FD Floodway. The Floodplain Determination Report indicates potential floodway through the subject property.

Applicant's Comments:

Joe Caldwell presented a flood zone map (Exhibit "D-1") and stated that he was the original developer of the subject property. Originally there was a drainage ditch which channeled off in the old floodplain and there were two small ponds on the tract. The applicant advised that he dug a channel on the property which goes down through the underpass and leaves only a portion north of the channel in the floodplain. The proposed use of the subject tract is for a mobile home sales lot. Access to the property will be from the expressway which is in the floodway; the business will be closed if it is flooding.

Instruments Submitted: Flood Zone Map (Exhibit "D-1")

Z-5569 (continued)

Protestants: None.

Special Discussion for the Record:

Commissioner T. Young stated that, without regard to the floodway, there seems to be at least a portion of the rezoning request which would logically fall into a corridor configuration and would be deserving of a CS designation.

Bob Gardner advised that the Staff was concerned about the properties across the street to the south. He stated that he was not aware that the applicant could gain access to the property from the expressway. It would be possible, if there was access to the property, to cut off the property immediately north of the residential (150 feet). That area could develop with residential fronting residential and the commercial could be located to the north.

Commissioner T. Young favored preserving an RM-1 strip adjacent to the right-of-way on 13th Street, possibly as far north as the pan handle on the subject tract.

Mr. Gardner advised that the applicant will need to subdivide the subject tract -- subdivided properties must have frontage on a dedicated street. The easement which would have to be obtained from someone else's property to the west would require a waiver in the Subdivision Regulations later.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS on alignment with the pan handle, the balance to remain RM-1, except the portion that is in the floodway.

The North 114.9'; of the East 409.53' of Lot 4, Block 1 and Lot 1, Block 1, Carousel Concourse III Addition, Tulsa County, Oklahoma.

Application No. Z-5570 Present Zoning: RM-2
Applicant: John W. McCune (Koepp) Proposed Zoning: IL
Location: 1416 East Admiral Place

Date of Application: May 15, 1981
Date of Hearing: June 24, 1981
Size of Tract: 50' x 150', more or less

Presentation to TMAPC by: John McCune
Address: 233 Beacon Building Phone: 584-1892

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

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

The subject property is located on the south side of Admiral Place, east of Quincy Avenue. The property contains a single family dwelling, is zoned RM-2 and the applicant is requesting IL Light Industrial zoning.

The subject property is within an area that has been recognized for industrial redevelopment. The subject request however, does raise two issues that concern the Staff. The first is the method of redevelopment. The subject application is an individual lot and has single family residences on three sides. Development on the subject property could not occur without the approval of setback variances by the Board of Adjustment. The second issue is timing. The subject property may be ready for redevelopment, but with surrounding residential uses the subject tract could not develop without having a detrimental effect on these residences.

The Staff feels that when redevelopment occurs it should begin at the perimeter of the area, so as not to isolate residential properties. Preferably, several properties should be assembled to accommodate redevelopment.

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

Applicant's Comments:

John McCune advised that this is a very old district with no prospect of any residential development and it is just a question of time until it becomes an industrial area. He stated that it was his plan, if the proposed zoning is granted, to acquire more land in the area and put together a larger package for development.

Protestants: None.

Z-5570 (continued)

Special Discussion for the Record:

Commissioner T. Young made a motion for approval of the requested IL zoning. The motion did not receive a second.

Commissioner Petty advised that he agreed with the Staff Recommendation which suggested the applicant should assemble several properties, if not under ownership -- an option to purchase, and apply for rezoning of the assembled properties.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 6-1-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young "aye"; T. Young "nay"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be DENIED:

Lot 8, Block 6, Lynch-Forsythe Addition, Tulsa County, Oklahoma.

Application No. Z-5571 Present Zoning: CH, CS, OL
Applicant: Arthur W. Couch Proposed Zoning: RMH
Location: North of 4th Street, East of Memorial Drive

Date of Application: May 15, 1981
Date of Hearing: June 24, 1981
Size of Tract: 26.04 acres

Presentation to TMAPC by: R. L. Barnett
Address: 8721 East 7th Street Phone: 836-8816

Relationship to the Comprehensive Plan:

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RMH District is in accordance with the Plan Map in the Medium-Intensity area, and may be found in accordance with the Plan Map in the Low-Intensity area.

Staff Recommendation:

The Staff recommends APPROVAL of RMH on the northwest 16 acres and RS-3 on the balance (south 150 feet and the east 240 feet), for the following reasons:

The subject property is located north of 4th Street and west of 89th East Avenue. The property is zoned a combination of CH, CS and OL. The applicant is requesting RMH zoning to permit a mobile home development.

The subject property due to its interior location, is better suited for residential development, in the Staff's opinion, than the present zoning of commercial and office. The density of development and the access patterns, however, are questions that need to be resolved. The Staff considers a maximum of 5 dwelling units per acre on the entire tract to be the appropriate number of dwelling units whether the development is mobile homes or conventional single family housing. Due to the lack of full improvements on 89th East Avenue and 4th Street, the Staff feels the primary access to the subject tract should be from 85th East Avenue and north on 89th East Avenue.

The recommended zoning pattern would permit the filing of a Planned Unit Development and development of the concept proposed under the controls of the PUD site plan. If conventional development is to occur under the recommended zoning pattern, then it would not permit mobile homes adjacent to the single family residences to the south and east and would limit the number of mobile homes to approximately 130.

Therefore, the Staff recommends APPROVAL of RMH on the northwest 16 acres, less and except the south 150 feet and the east 240 feet to be zoned RS-3 Single Family Residential.

Applicant's Comments:

R. L. Barnett, representing the applicant, advised that he lives in the area of the subject tract. The subject tract has been zoned commercial and office for many years; it would be totally unsuitable for residential use. Mr. Barnett stated it would be impossible to divide the subject tract into 130 RS-3 lots - 85-95 lots would be the maximum number possible.

Mr. Barnett pointed out that manufactured housing (mobile homes) are becoming quite elegant. He also noted that we need to provide housing, low cost housing, in north Tulsa near the Cherokee Industrial District. The proposed mobile home subdivision will provide homes in the $35,000 - $40,000 price range.

Protestants:		Addresses:	
	Don Culbert		8817 East 2nd Street
	John Smith		8919 East 4th Street
	Mary Lou Johnston		8903 East 3rd Place
	Peggy Kraft		9119 East 4th Street
	Peggy Culbert		8809 East 2nd Street
	Charlotte Sumner		441 South 83rd East Avenue
	Charles Yates		512 South 90th East Avenue
	Gene Lafon		446 South 90th East Avenue
	Mrs. Mike Hanby		716 South 87th East Avenue
	Suzanne Kiddy		442 South 89th East Avenue

Protestant's Comments:

Don Culbert advised that he lives in the area near the subject tract and also owns several rent homes in the neighborhood. Mr. Culbert presented a protest petition (Exhibit "E-1") signed by 502 area residents, and a letter (Exhibit "E-2") from James A. Weinland, Chairman of District 5. The letter requested consideration of potential traffic hazards that could be created by allowing a mobile home park development on the subject tract. Another concern expressed by Mr. Weinland was the additional rainfall run-off which might occur when the subject tract was developed.

Referring to information obtained from the City Engineering Department, Mr. Culbert advised that the developer will be required to build on-site drainage ponds unless the City is to be responsible for the maintenance of the ponds in which case the City will not recommend the retaining pond be built. The protestant questioned who would be responsible for the maintenance of a retention pond if the individual lots are sold to mobile home owners.

The protestant pointed out the noise level and flight pattern involved with the nearby airport would be annoying to those living in the proposed subdivision in addition to the possibility of a great disaster in case of an airplane wreck in the highly populated mobile homes.

There are very low quality water mains in the area of the subject tract. Mr. Culbert also advised that the availability of sanitary sewers should be considered. The streets are too narrow to accommodate the additional traffic and the City does not plan to widen any streets, other than arterial streets due to lack of funds. Mobile homes are considered temporary housing and produce very little revenue to the City. Fourth Place, which borders the subject tract to the south, is only 14 feet wide. Other streets in the area are 17 and 18 feet wide. A blind intersection exists at 89th East Avenue and 4th Street and is very dangerous.

Mr. Culbert presented pictures (Exhibit "E-3") of the poor quality streets in the area, pictures (Exhibit "E-4") of the old worn-out water mains and poor maintenance of those in the area. He also exhibited pictures (Exhibit "E-5") of the existing homes in the area.

Mr. Culbert stated that office zoning fits in nicely with the existing neighborhood because the residents will be at work during the office hours. The applicant plans to change 1/2 acre from CS to RMH, 3.7 acres from CH to RMH and 21.8 acres from a low density OL to a high density RMH. The proposed zoning will be located between an RS-1 and RS-2 designation.

The protestant stated that this developer will overcrowd the area, increase the crime rate, ruin the neighborhood and be gone. The existing neighborhood represents the life-time investment of the residents. Approval of the requested zoning change will drastically change the character and conditions of the neighborhood.

John Smith advised that a portion of the subject tract is approximately 4 - 5 feet higher than the street. All of the water drains down the street and floods a garage on one property. During the winter months, ice is a problem at the intersection since that is the lowest point in the area. The streets are in bad repair and they have been patched quite often. Power failures are common occurences in the area. Continued flooding in the area would cause an undue hardship on residents who cannot afford to move to another location.

Mary Lou Johnston advised that she objected to the proposed subdivision because of the safety factor. The street is very narrow which presents a very dangerous situation for children on their way to and from school. There is a high dirt bank on one side of the street and on the opposite side of the street many of the homes have fences.

Peggy Kraft advised that she lives one block from the subject tract and has come within 2 feet of having water in her house. Any additional roads and development are a threat for potential flooding in the area.

Petty Culbert stated that there are trailer sales located to the west and north and a mobile home park to the east of her residence. If the proposed zoning is approved, she noted that she would be surrounded by trailers and the value of her property will be depreciated.

Charlotte Sumner urged the Commission to deny the requested zoning. She was of the opinion, that it would be beneficial to the neighborhood to leave the present zoning in place.

Charles Yates advised that he moved from the 21st and Mingo area because of the heavy traffic. He purchased his present home because it was in a nice quiet neighborhood which he is proud of and which provides a residential area where he can allow his small child to play outdoors. The proposed subdivision would increase the traffic in the area and he urged that the requested zoning be denied.

Gene Lafon advised that he served in the armed services for over 27 years during which time he lived in numerous trailer parks in many areas of the United States. Revisiting these trailer parks after a period of years, Mr. Lafon found that they had deteriorated more quickly than other residential areas. He also expressed concern about the flooding in the area.

Mrs. Mike Hanby expressed concern with overcrowding of the area school. The school, just the past year, arrived at the point where the classes are not crowded. There is space in the school for more children however, Mrs. Hanby was of the opinion that due to lack of money there would not be teachers available for the additional students.

Suzanne Kiddy advised that she would not object to the subject tract being developed residential if the lots were as large as those existing in the area. Overcrowding of the streets, flood problems and property devaluation were concerns of Ms. Kiddy.

Letters of Protest:

Letters of protest were received from Mr. and Mrs. Donald R. Culbert (Exhibit "E-6"), J. W. Jordan (Exhibit "E-7"), Peggy Culbert (Exhibit "E-8"), Mrs. George Askew (Exhibit "E-9"), George A. Little (Exhibit "E-10"), Pauline Griffith (Exhibit "E-11"), and Mr. and Mrs. Joe Parrott (Exhibit "E-12"). The letters listed objections to the proposed zoning change because of the narrow streets, drainage problems in the area, and devaluation of property values.

Instruments Submitted:		
	Protest Petition (502 signatures)	(Exhibit "E-1")
	Letter from District 5 Chairman	(Exhibit "E-2")
	Pictures of Streets in the Area	(Exhibit "E-3")
	Pictures of Water Mains in the Area	(Exhibit "E-4")
	Pictures of Existing Homes in the Area	(Exhibit "E-5")

Special Discussion for the Record:

Commissioner T. Young questioned if RS-3 was granted on the entire tract, approximately 130 lots, would it be possible, through Board of Adjustment action, for mobile homes to be placed on each of the 130 lots. Bob Gardner stated that the only way to get mobile homes in the City limits, other than a one-year temporary permit, is by way of mobile home zoning. The mobile home subdivision proposed by the applicant would include larger lots with invidivual ownership. The RMH zoning recommended by the Staff would require the applicant to file a PUD on the subject tract.

Noting the narrow streets in the area, Chairman C. Young asked if there is a wider dedicated area which has not been paved. Mr. Culbert stated that some of the easements are there, but they have not been developed.

In answer to Commissioner Petty's question concerning the Staff's recommendation for buffer zoned, Mr. Culbert advised that the only disadvantage was that the buffer zones would cut inbetween RS-1 and RS-2 zoned property.

Assuming that the TMAPC recommended the entire tract be zoned RS-3 and 134 lots were available, Chairman C. Young asked Mr. Smith if he would be opposed to the development. Mr. Smith advised that if the drainage system was improved to stop the water from running off of the subject tract and flooding the area, he would not be opposed to the mobile home subdivision.

In regard to the flooding potential of the area, Bob Gardner advised that in the event that the subject tract is rezoned, the applicant would be required to file a subdivision plat. During the subdivision platting process the question of access, drainage and utilities would be addressed by the Technical Advisory Committee.

Z-5571 (continued)

Mr. Lafon, in answer to Chairman C. Young's question, advised that if the property was zoned RS-3, a density of 60-foot lots, he would not be opposed to the development.

Mr. Barnett explained that there are approximately 50 acres of land which drains onto the surrounding properties. He was of the opinion that development of the tract with drainage controls that would be required would help the water runoff and flooding in the area. Ingress and egress on the subject tract will primarily be 85th Street to Admiral Place. The streets are narrow, asphalt streets with bar ditches; all are 50-foot dedication. The blind corner is due to the fact that 4th Place has not been fully developed.

Commissioner Higgins questioned if the applicant planned to organize a homeowner's association in the subdivision to assist in taking care of the retention ponds. Mr. Barnett stated he did not have any idea how the problem would be handled at this time.

The applicant advised Commissioner Petty that Arthur Couch and his mother have owned the subject tract the past four years. In the event that the requested zoning is approved, each lot will be sold to an individual buyer.

Bob Gardner advised that the appropriate maximum number of units allowed under RS-1 zoning would be 70, RS-2 - 100 and RS-3 - 130 units. The Staff felt that the different life style and the access to the subject tract were the two most important considerations. RMH zoning would be appropriate on the entire subject tract; however, there are some physical facts which make that inappropriate. If the subject property was to develop conventionally, RS-2 would be commensurate with the abutting property.

Commissioner T. Young, noting existing zoning in the area, advised that the only out-of-line zoning is the subject tract. There has been no intrusion into the residential area except for the OL zoning which was zoned in 1953 and transferred to the new Zoning Code in 1970. The Commissioner stated that he favored a residential zoning application, but he would be unwilling to support a residential zoning application of anything greater than RS-1 or RS-2, and would favor RS-1 zoning. He asked that the Commission look at an area that has an incorrect zoning category presently and take into consideration their concern for the density of developments, rather than opposition to RMH.

Chairman C. Young expressed concern that the applicant could be zoned something different than what he requested and could be even further removed from what he had.

Commissioner T. Young noted that was a risk that you take when you make a request such as this.

Commissioner Petty, pointing out that the highest and best use of the land as well as compatibility with the existing surrounding properties, must be considered, stated he felt that the best use of the subject tract is not OL or it would have been developed before this time. Commissioner Petty was of the opinion that the one-half acre zoned CS and the 3.7 acres zoned CH are compatible with the existing zoning; he stated he could not support any motion to change that zoning. However, he did not feel the remaining 21.8 acres would lend itself to any other use other than some type of single family residential use.

Z-5571 (continued)

Commissioner Higgins asked Mr. Barnett if he thought his client would be in agreement with the recommendation to rezone 21.8 acres for residential use. Mr. Barnett replied that he was sure if the requested zoning was to be denied his client would prefer the subject tract remain in its present zoning designation.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 6-1-0 (Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; Higgins "nay"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned 21.8 acres to RS-2 and denial of the balance:

Part of the S/2, NW/4 of Section 1, Township 19 North, Range 13 East; beginning 627.40' East and 30' North of the SW corner of the NW/4; thence North 456'; thence East 699.21'; thence North 173.03'; thence East 1,295'; thence South 630.49'; thence West 1,987.06' to the point of beginning in Section 1, Township 19 North, Range 13 East, containing 26.04 acres, more or less.

Application No. CZ-25 Present Zoning: AG
Applicant: Don Harrington (White) Proposed Zoning: IL or CS
Location: SE of 225th West Avenue and Coyote Trail

Date of Application: May 20, 1981
Date of Hearing: June 24, 1981
Size of Tract: 8.5 acres, more or less

Presentation to TMAPC by: Don Harrington
Address: 2202 South Madison Avenue Phone: 583-9807

Relationship to the Comprehensive Plan:

The subject property is located within the unincorporated area of Tulsa County, and does not have an adopted comprehensive plan. In these instances the Development Guidelines guide zoning and planning decisions.

According to the Development Guidelines the subject property is located within a subdistrict. The CS or IL Districts are not considered appropriate zoning categories to be located within subdistricts.

Staff Recommendation:

The Staff recommends DENIAL of the requested IL or CG zoning, for the following reasons:

The subject property is located at the northeast and southeast corners of Coyote Trail and 225th West Avenue. The property is vacant, zoned AG and the applicant is requesting IL Light Industrial or CS Commercial Shopping.

Coyote Trail is on the Major Street and Highway Plan as an arterial Street, but 225th West Avenue is not. The subject intersection is not an intersection of two arterial streets and, therefore, is not considered a location for a commercial node. The intersection of 41st Street and 225th W. Avenue, approximately a half-mile north, has been recognized as the commercial node to serve the general area. Commercial zoning has already been approved at the 41st Street intersection. The northeast corner of 41st Street and 225th West Avenue contains commercial development.

For these reasons, the Staff recommends DENIAL of the requested CS or IL zoning.

Applicant's Comments:

Don Harrington advised that he owns 160 acres in this area and would like to have 8.6 acres of the tract zoned for development of a shopping center later, if the area warranted it.

Protestant:

Kenneth East Address: R. R. #3, Box 218, Sand Springs, Oklahoma

Protestant's Comments:

Kenneth East, attorney appeared on his own behalf and also represented 98 other residents of the immediate area, presented a protest petition (Exhibit "F-1") bearing signatures of the 98 residents in the area. The petition stated that the requested zoning will adversely affect the real value of property in the community, would impair public safety and welfare, and generate traffic on the already overcrowded county roads in an area where the available utilities are presently at or near capacity and there are no sewers or waste treatment facilities for solid waste. Mr. East pointed out that no need for such zoning in this area has been

CZ-25 (continued)

demonstrated. To approve the proposed zoning application will cause great and irrepairable harm to both adjacent and area property owners.

Special Discussion for the Record:

Mr. Harrington advised that he was in the process of platting the 160 acres- the subject application is the corner of this tract. He noted that his purpose for rezoning the subject tract at this time was that some of the land has not been sold and he felt this would be the appropriate time to rezone the property.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to recommend to the Board of County Commissioners that the following described property be denied:

A tract of ground situated in the NW/4 of the SW/4 of Section 27, Township 19 North, Range 10 East of the Indian Base and Meridian, Tulsa County, Oklahoma, and being more particularly described as follows, to-wit: Beginning at a point on the West line of the SW/4 376.11' South of the NW corner thereof, said point being on the centerline of the existing County roadway; thence along the centerline of the existing County road North 50°-17'-42.71" East a distance of 470.79'; thence South 39°-42'-17.29" East a distance of 348.29'; thence South 18°-30'-52.16" West a distance of 434.99'; thence West a distance of 446.46' to a point on the West line of the SW/4; thence North along said West line a distance of 379.68' to the point of beginning, containing in all 6.544 acres, LESS the West 50.0' to be dedicated for roadway purposes, and 10.0' on side and rear lot lines to be dedicated for utility easements, AND

A tract of ground situated in the NW/4 of the NW/4 of the SW/4 of Section 27, Township 19 North, Range 10 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, and being more particularly described as follows, to-wit: Beginning at the NW corner of the SW/4; thence East along the North line of the SW/4 455.63' to the centerline of the existing County roadway; thence South 50°-17'-42.71" West a distance of 592.09' to a point on the West line of Section 27; thence North along said West line a distance of 376.07' to the point of beginning, containing in all 1.966 acres, LESS the North, West and Southeasterly 25.0' to be dedicated for roadway purposes.

Application No. Z-5572 Present Zoning: OM, CS
Applicant: Roy Johnsen (H.B.M.) Proposed Zoning: CS, OMH
Location: NE corner of 71st Street and Yale Avenue

Date of Application: May 21, 1981
Date of Hearing: June 24, 1981
Size of Tract: 16 acres, more or less

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

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2, Development Sensitive.

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

Staff Recommendation:

The Staff recommends APPROVAL of CS as requested and APPROVAL of OMH in the amount requested, but located under the footprint of the building, for the following reasons:

The subject tract is located at the NE corner of 71st Street and Yale Avenue. The property is zoned CS and OM and the applicant is requesting CS and OMH to be developed under the controls of a Planned Unit Development.

The zoning on the subject tract is in error. Ordinance No. 14243 was published on the subject tract on August 31, 1978. An amended Ordinance No. 14536 published on September 13, 1979, was also in error. The City Commission on August 15, 1978, approved 3.67 acres of CS zoning and a PUD on approximately 10 acres of land allowing the spreading of the 78,850 square-foot commercial shopping area. The applicant is proposing a zoning change to 8.035 acres of CS, 1.079 acres of OMH and the balance of 7.122 acres to remain OM.

The additional commercial zoning is needed to accommodate a hotel, which the Staff considers to be very similar in land use activity as apartments and office uses permitted by the existing zoning patterns. The one acre OMH is needed to accommodate the total square footage planned. The OMH was designed to be considered in Special DISTRICTS and, therefore, we find the one acre appropriate within the subject area. The one-acre of OMH zoning, however, should be located under the footprint of the building as opposed to along the Yale or 71st Street frontages.

Based on these reasons, the Staff recommends APPROVAL of the zoning as requested, except for the relocation of the OMH.

For the record, since the hotel is a specialty use the Staff recommends to the Commission that the additional CS and OMH be considered for rezoning back to present day approved amounts, should the PUD be abandoned.

Z-5572 (continued)

Commissioner T. Young questioned why the OMH zoning would not be recommended for the corner of the subject tract rather than under the footprint of the building. Bob Gardner advised that the Staff has not been asked to take a position on how much OMH is appropriate in the entire area and where it should be located. The specific proposal is very comparable and consistent with the zoning that is in place in the area and the Staff is comfortable in trying to look at a pattern that would allow this particular project, in this instance. Mr. Gardner stated he was sure there are property owners along 71st and Yale which might get the wrong impression with an OMH designation along the frontage, thinking that was appropriate zoning for much of that area. That is not the position the Staff wanted to take. In the event that the PUD would be abandoned, the additional CS and OMH should be considered for rezoning back to the present day approved amounts and let new or subsequent applications be treated on their own merit. Since a specific proposal for a hotel is being considered, the Staff is of the opinion that approval can be limited to this use without committing the area to further commercial development.

Applicant's Comments:

Roy Johnsen advised that the requested zoning pattern was designed to specifically permit this project under the restrictions of the PUD. A hotel is not a permitted use within an OM District, but requires CS zoning. The amount of CS zoning was designed to generate the floor area that would be anticipated for use in the hotel. Mr. Johnsen pointed out that there is a small amount of existing CS zoning on the subject tract for commercial use. The hotel use is in keeping with the zoning that has occurred in this area and the CS was drawn in terms of quantity to permit the proposed floor area.

Noting that the subject tract is within Special District 2, Mr. Johnsen advised that the Comprehensive Plan recommendation is for high intensity. The proposed plan is totally consistent with the adopted Plan for Special District 2. Two specific points of the Special District are to encourage high intensity and encourage substantial open space.

Protestants: Maryetta Allen Address: 4323 East 72nd Street
Bill Pfniffner 6708 South 66th East Avenue

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following property be rezoned CS, OMH, except for the relocation of the OMH under the footprint of the building.

A tract of land being a part of the W/2 of the SE/4 of Section 3, Township 18 North, Range 13 East, and a part of Lot 2, Block 2, Burning Hills, an addition in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows, to-wit: Beginning at the SW corner of Section 3, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma; thence South 89°-49'-38" East along the South line of said Section 3 a distance of 989.85 ' to the centerline of South

Z-5572 (continued)

Canton Avenue; thence North 0°-00'-22" East along the centerline of South Canton Avenue a distance of 572.76'; thence North 89°-49'-53" West a distance of 330.01' to a point on the West line of Lot 2, Block 2, Burning Hills, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, said point being 512.74' from the SW corner of said Lot 2, Block 2; thence North 0°-00'-17" East along the West line of said Lot 2, Block 2 a distance of 88.27' to the NE corner of the SW/4 of the SW/4 of the SW/4 of Section 3; thence South 89°-49'-38" West along the North line of said SW/4 of the SW/4 of the SW/4 a distance of 165.00'; thence North 0°-00'-17" East a distance of 15.98'; thence North 60°-05'-42" West a distance of 65.30'; thence North 71°-25'-53" West a distance of 116.60'; thence North 43° West a distance of 250.00'; thence North 86°-00'-00" West a distance of 97.51' to a point on the East right-of-way line of South Yale Avenue; thence due West a distance of 60.00' to a point on the West line of Section 3; thence due South along said West line a distance of 934.82' to the point of beginning, and containing 707,235.56 square feet, or 16.236 acres, more or less.

Application No. PUD #260 Present Zoning: (OM & CS)
Applicant: Roy Johnsen (H.B.M.)
Location: NE corner of 71st Street and Yale Avenue

Date of Application: May 21, 1981
Date of Hearing: June 24, 1981
Size of Tract: 16 acres, more or less

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

Staff Recommendation:

Planned Unit Development #260 is located on the northeast corner of 71st Street and Yale Avenue. The property is undeveloped and zoned CS and OM. The applicant has filed a companion zoning application requesting a change in zoning to accommodate the proposed development.

The applicant's proposal maximizes the retention of the unique features of the side by developing high-rise as opposed to spreading out the development on the ground level. This results in an unprecedented 35% of the net land area to be landscaped open space. This sensitive treatment of the site satisfies the Comprehensive Plan requirements for the Development Sensitive designation on the subject property.

The Staff finds that the application:

1) Is consistent with the Comprehensive Plan;
2) harmonizes with the existing and expected development of the surrounding areas;
3) is a unified treatment of the development possibilities of the project site; and
4) is consistent with the stated purposes and standards of the PUD Chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #260, subject to the following conditions:

1) That Z-5572 be approved in the amounts requested.
2) That the permitted uses include the following: Offices, drive-in bank, structural parking, hotel and customary accessory uses including restaurant, coffee shop, meeting rooms, and recreational facilities.
3) That the maximum building height shall not exceed 23 stories as submitted.
4) That the minimum building setbacks be as follows:

Office/Hotel Building	--	250 feet from the centerline of 71st Street and Yale Avenue; 250 feet from the centerline of Canton Avenue; and 100 feet from the north boundary of the PUD.
Parking Structures and Drive-in Bank	--	70 feet from the centerline of Canton Avenue; 110 feet from the centerline of 71st Street and Yale Avenue; and 30 feet from the north boundary of the PUD.

PUD #260 (continued)

5) That the off-street parking ratio to use be as follows:

Office and Drive-in Bank-- 1 space per 300 square feet of floor area.

Hotel -- 1 space per sleeping room plus 1 space per 225 square feet of accessory use floor area.

6) That the minimum landscaped open space area be 35% of the net land area.

7) That the sign standards be per PUD text and that a detailed sign plan showing display surface area and location be submitted for TMAPC approval.

8) That a detailed site and landscape plan be submitted to the TMAPC for review and approval prior to the issuance of a building permit.

9) That a subdivision plat be approved by the TMAPC and filed of record in the County Clerk's Office prior to the issuance of any building permit, incorporating within the restrictive covenants of said addition the PUD conditions of approval and making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Roy Johnsen presented the proposed plan (Exhibit "G-1") for a high-rise building containing both an office and a hotel. Open space is a key feature of the proposed project with a minimum of 35% of the net site area to be in landscaped open space.

The subject tract has some rather dramatic slopes with the high point being on the south portion of the property which slopes to the north. That slope dictates the building design; a building on the slope will have an entry level to the office on the 71st Street side and a lower level entry to the hotel on the north. The atrium hotel will be setting on top of the office floors and will cater to the executive traveler. This will not be a convention hotel. The building will be located in the central portion of the subject tract, there are substantial setbacks from both the arterial streets with perimeter open space around the project (approximately 4.6 acres of landscaped open space).

As a part of the City plan to widen Yale Avenue from 66th Street South to 71st Street, there will be detention requirements due to the increased surfacing. Mr. Johnsen advised that he had met with the City Engineer and agreed to a joint facility for the detention on the low part of the subject tract.

Mr. Johnsen requested one technical amendment be made to the text of the PUD; permitted uses should include "uses permitted in an OM District." He stated that it was anticipated that a bank might be a likely occupant of the office building and the text, as written, might be interpreted that a bank is not permitted.

Protestants: Maryetta Allen Addresses: 4323 East 72nd Street
Bill Pfniffner 6708 South 66th East Avenue

PUD #260 (continued)

Protestant's Comments:

Maryetta Allen advised that she lives south and west of the subject tract. She protested the application because she had not had an opportunity before this time to see what is proposed for the subject tract. Mrs. Allen stated that it was a beautiful plan. She wanted the record to reflect that she was opposed to the development; however, after additional time to study the proposal and talk with Mr. Johnsen concerning the building, she might want to withdraw her objections. Mrs. Allen stated that she felt that a 22-story building was excessive for the area.

Bill Pfniffner, representing Southeast Tulsa Homeowner's Association, recommended that the TMAPC restrict the left hand turn on Yale Avenue into the subject tract unless a left turn lane is provided for in the City Traffic Plan to enter the median split. He also urged that there be no exit from the subject tract to the east or south, except for emergency vehicles.

A letter (Exhibit "G-2") received from Shirley K, Jennings, objected to any further development in the area of the subject tract until adequate improvements have been made to the intersection and the streets leading thereto.

Instruments Submitted: Development Plan (Exhibit "G-1")
Letter of Protest (Exhibit "G-2")

Special Discussion for the Record:

Bob Gardner advised that the City plan for the widening of Yale Avenue, between 66th Street and 71st Street shows a stacking lane for left hand turn on the northernmost access point only. The proposed PUD shows one access point from 71st Street with two access points from Canton Street. In this manner the traffic can be dispersed from the subject property without traveling through anyone's neighborhood. All of the traffic movement and stacking distance of the proposed bank will be interior so there will not be any traffic backing up on the arterial streets.

Maryetta Allen questioned the distance from the access to the subject tract on 71st Street to the intersection and was informed by the applicant that it would be between 500-600 feet which would be considered a very acceptable distance.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be APPROVED, subject to conditions:

A tract of land being a part of the W/2 of the SW/4 of the SW/4 of Section 3, Township 18 North, Range 13 East, and a part of Lot 2, Block 2, BURNING HILLS, an addition in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows, to-wit: Beginning at the SW corner of Section 3, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma; thence South 89°-49'-38" East along the South line of said Section 3 a distance of 989.85' to the centerline of South Canton Avenue; thence North 0°-00'-22"

PUD #260 (continued)

East along the centerline of South Canton Avenue a distance of 572.76'; thence North 89°-49'-53" West a distance of 330.01' to a point on the West line of Lot 2, Block 2, BURNING HILLS, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, said point being 512.74' from the SW corner of said Lot 2, Block 2; thence North 0°-00'-17" East along the West line of said Lot 2, Block 2 a distance of 88.27' to the NE corner of the SW/4 of the SW/4 of the SW/4 of Section 3; thence South 89°-49'-38" West along the North line of said SW/4 of the SW/4 of the SW/4 a distance of 165.00'; thence North 0°-00'-17" East a distance of 15.98'; thence North 60°-05'-42" West a distance of 65.30'; thence North 71°-25'-53" West a distance of 116.60'; thence North 43° West a distance of 250.00'; thence North 86°-00'-00" West a distance of 97.51' to a point on the East right-of-way line of South Yale Avenue; thence due West a distance of 60.00' to a point on the West line of Section 3; thence due South along said West line a distance of 934.82' to the point of beginning, and containing 707,235.56 square feet, or 16.236 acres more or less, and being approximately located at 1715 South Peoria Avenue.

Application No. Z-5573 Present Zoning: RS-2
Applicant: Curtis L. Culver Proposed Zoning: OL
Location: W of SW/c of 21st and Darlington Ave.

Date of Application: May 22, 1981
Date of Hearing: June 24, 1981
Size of Tract: 402' x 142'

Presentation to TMAPC by: Curtis Culver Phone: 749-0020
Address: 5136 E. 21st St.

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low-Intensity -- No Specific Land Use (west lot) and Low-Intensity -- Residential (east 3 lots).

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 designation of Low-Intensity -- No Specific Land Use and is not in accordance with the Plan Map designation of Low-Intensity -- Residential.

Staff Recommendation:

The Staff recommends DENIAL of the application, for the following reasons: The subject application includes 4 single family lots, each containing a single family residence, zoned RS-2. The applicant is requesting OL low-intensity office zoning.

The Comprehensive Plan Map, as adopted on the subject property, recognized that the westernmost lot could be considered for OL zoning because it faces commercial, but the eastern lots were designated as residential land use. The 3 eastern properties are east of the commercial line and are across from residential uses on the north side of 21st Street. A change in the zoning on these 3 properties would put pressure on other residential properties along 21st and could lead to subsequent pressures for commercial zoning, as was the case on the southeast corner of 21st Street and Braden Avenue.

The Staff feels that the only tract having merit for office zoning consideration is the west lot. However, to zone this property without a specific user and plan may not benefit the surrounding neighborhood. The tract will be difficult to utilize for office because of the difference in elevation from 21st Street, and difficulty of parking behind the existing quality structure.

Applicant's Comments:

Curtis L. Culver advised that the subject tract faces onto 21st Street and is the only residentially-zoned property in the mile between Yale and Sheridan facing 21st Street. All of the other residential properties on that mile, on both the north and south sides of the street, are serviced by an access road. Therefore, the subject tract is not suitable for residential use, primarily because of the traffic problems along 21st Street. Residential use would present a tremendous danger to any children living there, eliminates any street parking for residential use and presents a difficulty with ingress and egress since the driveways face directly onto 21st Street. The subject property, if continued for residential use, will begin to deteriorate sometime in the future. People will not be willing to spend much money on the property for the purposes of upkeep or improvement since they will not be able to recoup their investment by a sale at some subsequent date. Mr. Culver pointed out that the adjacent property to the west is presently zoned OL. He presented

Z-5573 (continued)

a map (Exhibit "H-1") of the area and pointed out the location of property owners who signed a declaration (Exhibit "H-2") of their lack of any opposition to the proposed rezoning.

Protestants:
A number of protestants were present, but did not speak.

Instruments Submitted: Map (Exhibit "H-1")
Declaration of Support (Exhibit "H-2")

Special Discussion for the Record:
Commissioner T. Young noted that there have been several zoning cases in this area previously and everyone was familiar with the facts. He stated he was in favor of the denial and asked if the protestants present at the meeting would be willing to waive their opportunity to speak if a motion for denial was offered at this time. The protestants indicated they would be willing to do so.

Commissioner Petty advised that he could not support the motion since he was of the opinion that the highest and best use of the property would be OL. The subject property is unique and the applicant stated his case very well.

TMAPC Action: 6 members present.
On MOTION of T. YOUNG, the Planning Commission voted 5-1-0 (Freeman, Holliday, Kempe, C. Young, T. Young "aye"; Petty "nay"; no "abstentions"; Eller, Gardner, Higgins, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following property be DENIED.

Lots 3, 4, 5, 6, Block six (6), of Blocks Five (5) and Six (6) GRACEMONT THIRD ADDITION to Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Application No. Z-5574 Present Zoning: AG
Applicant: Warren G. Morris (Brown) Proposed Zoning: IL
Location: North and West of the NW corner of 129th East Avenue and Admiral Place

Date of Application: May 22, 1981
Date of Hearing: June 24, 1981
Size of Tract: 30 acres, more or less

Presentation to TMAPC by: Warren G. Morris
Address: P. O. Box 45551 Phone: 622-4300

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

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

The Staff recommends APPROVAL of IL, except on that portion required for floodway, for the following reasons:

The subject property is located at the southwest corner of I-244, and 129th East Avenue. The property is zoned AG and the applicant is requesting IL Light Industrial zoning.

The subject tract was recently approved for a combination of RMH Mobile Home and CS Commercial zoning; however, the Ordinance has not been published. It became apparent when the Staff analyzed the surrounding area that there are several zoning districts that might be appropriate within a medium intensity or corridor designation. The requested IL zoning is one of those alternative districts and it may very well be the most appropriate. IL zoning is located north of I-244 and south of Admiral Place. The corridor formed by I-244 and Admiral Place, would then seem appropriate for IL zoning and development.

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

Protestants: None.

TMAPC Action: 6 members present.

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

That part of the SE/4 of the SE/4 of Section 32, Township 20 North, Range 14 East, lying South of the Expressway, Tulsa County, Oklahoma.

Z-5575 Roy Johnsen (Lomax Affil.) NE corner of 71st Street and Peoria Ave. CS, RM-2, RM-1 to OM

A communication (Exhibit "I-1") was exhibited from Roy Johnsen requesting the application be continued to July 1, 1981.

Roy Johnsen advised the Commission that a one-week continuance, as requested, would not be long enough. The proposed realignment of Peoria at the location of the subject tract is relevant to how the applicant will complete the site plan. A continuance of the application would allow time to meet with the City officials in an effort to redesign the layout for the property. He requested the item be continued to July 15, 1981.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to continue Z-5575 to July 15, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5576 Gene Bussard (Twentieth Cent. Elec. Co.) West of the SW corner of 47th Place and Mingo Road OM to IL

The applicant requested a continuance of this item to allow more time for study of the proposed development.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to continue Z-5576 to July 29, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #261 Roy Johnsen (Lomax Affil.) NE corner of 71st Street and Peoria Ave. (CS, RM-2, RM-1)

Roy Johnsen requested the PUD be continued to July 15, 1981, so that it might be considered, along with the zoning application, on that day.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Freeman, Higgins, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Inhofe, Parmele "absent") to continue PUD #261 to July 15, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

Fox Meadows Estate 2nd (814) East 111th Street North and North 129th East Ave. (AG)

West Park Plaza (2992) 5300 Block of West 46th Street (IM)

The Staff advised that all letters of approval are in the file and final approval and release was recommended.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Higgins, Inhofe, Parmele "absent") for final approval and release of Fox Meadows Estate 2nd and West Park Plaza.

Braeswood Addition (483) 61st Street and Oswego Avenue (RS-1)

Silver Chase Amended (2193) 101st Street and South Jamestown Avenue (RS-2)

The Staff recommended these items be tabled.

Without objection, the Chair tabled Braeswood Addition and Silver Chase Amended.

OTHER BUSINESS:

PUD #250 John Moody NE of 77th East Avenue and 81st Street

Consider approving a request to permit a building setback modification on two lots as a minor amendment.

Mr. Alberty advised that this is a request for a minor amendment to PUD #250 to permit a building setback line of 17.5 feet on Lot 1, Block 3 and a building line of 12.5 feet on Lot 11, Block 2. The Staff recommended approval of the requested minor amendment.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Gardner, Higgins, Inhofe, Parmele "absent") to approve a minor amendment to permit a building setback line of 17.5 feet on Lot 1, Block 3 and a building line of 12.5 feet on Lot 11, Block 2, PUD #250.

There being no further business, the Chair adjourned the meeting at 4:40 p.m.

Date Approved July 8, 1981

Vice-Chairman

ATTEST:

Marian E. Holliday
Secretary