

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1432
Wednesday, November 24, 1982, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Gardner Higgins Hinkle Parmele, Chairman Rice Young	Freeman (resigned effective 11-12-82) Hennage Kempe Petty Inhofe	Chisum Compton Gardner Lasker	Linker, Legal Department

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, November 23, 1982, at 9:22 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Parmele called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to approve the minutes of November 10, 1982 (No. 1430).

REPORTS:

Director's Report:

Mr. Lasker advised that the INCOG Board approved the recommendation made by the TMAPC to contract with the Western Sign Company for zoning signs.

ZONING PUBLIC HEARING

Application No. Z-5763
Applicant: Nichols (Barrett, Shoulders, Parsons,
Wright, Riggs)
Location 400-600 Blocks South 129th East Avenue

Present Zoning: RS-2
Proposed Zoning: CO

Date of Application: October 1, 1982
Date of Hearing: November 24, 1982
Size of Tract: 18.47 acres

Presentation to TMAPC by: Bob Nichols
Address: 111 W. 5th Street

Phone: 582-3222

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property potential Corridor District -- Low Intensity.

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

Staff Recommendation:

The subject tract is 18.47 acres in size and contains several single-family dwellings, some being used for commercial activities. To the north is vacant property and to the south and west similar single-family dwellings. A large welding shop is to the east of the subject tract along with additional single-family dwellings. The subject tract and surrounding area seem to be in a transition to heavier use due to the proximity of the expressway.

The Staff can support the Corridor Zoning based on the Comprehensive Plan. Corridor zoning, however, is not commercial zoning and therefore would not allow retail striping of 129th East Avenue. Some commercial uses may be considered appropriate for the area provided they can meet the 200-foot building setback from 129th and the land use compatibility test. In addition, CO zoning requires a second public hearing to consider the specific use. The subject property, if approved for CO zoning, will require a resubdivision of the land. At that time, access point, number of lots, etc., will be determined.

Therefore, the Staff recommends APPROVAL of the requested CO zoning.

Applicant's Comments:

Mr. Bob Nichols was present for the owners of the property and supports the Staff recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CO:

Lots 1-4, PLAINVIEW HEIGHTS ADDITION, part of NE/4, SE/4, Section 5, Township 19 North, Range 14 East, City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof.

Application No. CZ-65
Applicant: Cothran, Curtis
Location: 5335 S. 65th West Avenue

Present Zoning: AG
Proposed Zoning: RMH

Date of Application: October 4, 1982
Date of Hearing: November 24, 1982
Size of Tract: 5 acres

Presentation to TMAPC by: Curtis Cothran
Address: 5335 S. 65th West Avenue

Phone: 446-0980

Relationship to the Comprehensive Plan:

The District 9 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 RMH District may be found in accordance with the Plan Map.

Staff Recommendation:

The subject tract is 5 acres in size and contains 2 mobile homes. The property to the north and east is vacant and to the south is Addams Elementary School. Single-family dwellings on large lots comprise the property to the west.

Even though the Comprehensive Plan designates RMH zoning as being a "may-be-found" category, the Staff cannot support the request due to the fact that RMH zoning is not consistent with surrounding zoning and land uses. RMH zoning would allow a much higher density than is existing in the surrounding area, and is unsupportable under the Development Guidelines, except at the major street intersections or surrounding a major intersection.

Therefore, the Staff recommends DENIAL of the requested RMH zoning.

Applicant's Comments:

Mr. Curtis Cothran is the owner of the property and would like to improve the land to make it profitable. The school needs more children and a mobile home park would increase the enrollment. The surrounding land is agriculture, so this would not interfere with any single-family homes. The attorney for the Sapulpa Water Department first informed him there was no problem with supplying water. There are only two neighbors within a mile, except for the school. There are already two mobile homes in front of his home.

Mr. Gardner informed the Commission that RMH zoning would permit approximately 8 units per acre, whereas RS zoning would permit about 4 units per acre and mobile home use with a Board of Adjustment Special Exception. The advertising would permit consideration of RS zoning.

Mr. Cothran stated there is a problem because the Sapulpa Water Department attorney has now told him the water could not be supplied. There would have to be 642' of sewer line installed, but natural gas is available.

Protestants: John Hale
A.C. Thiessen

Addresses: 5700 S. 65th W. Ave.
6250 W. 51st Street

Protestants' Comments:

Mr. John Hale owns land that adjoins the subject tract. He presented a petition of protest containing 22 signatures of people living in the immediate neighborhood (Exhibit "A-1"). Mr. Hale is also Chairman of the Rural Water District #2 and he discussed this project with Mr. Cothran. After this discussion, the Board decided the water could not be supplied because Sapulpa is serving 5 rural water districts that are already having problems. The Board agreed to one additional trailer on the property. In addition, Mr. Hale is personally opposed to this rezoning because the value of the land would be decreased and was concerned that it would back up to the school.

Mr. A.C. Thiessen lives north and east of the subject tract and owns property in the area. He feels the property would be devalued with a trailer park so close.

Applicant's Comments:

Mr. Cothran explained that the requested mobile home park would be on the back two-thirds of his property. Mr. Thiessen's land is approximately 10 or 15 acres away from the subject tract and Mr. Hale runs cattle on the property adjoining the tract.

Instruments Submitted:

Petition of Protest containing 22 signatures (Exhibit "A-1")

Special Discussion for the Record:

Commissioner Young was in favor of an RS zoning with a possible County Board of Adjustment for mobile home consideration, but would like to see it limited to 5 units per acre.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of County Commissioners that the following described property be approved for RS zoning:

The S/2 of the SW/4 of the W/2 of the N/2 of the NW/4 of Section 32, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Survey thereof, containing 5 acres more or less.

CZ-66 DePriest (Overturf) 8900 Block West 51st Street North AG to RMH

Chairman Parmele advised that this application was withdrawn before the Sand Springs Planning Commission and a letter was received to the effect (Exhibit "B-1").

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to withdraw application CZ-66.

Application No. Z-5764

Present Zoning: AG

Applicant: Jones (Carroll)

Proposed Zoning: CS, RM-2

Location: NE/c of East 91st Street and South Memorial Boulevard

Date of Application: October 7, 1982

Date of Hearing: November 24, 1982

Size of Tract: 35 acres

Presentation to TMAPC by: Bill Jones

Address: 201 W. 5th Street

Phone: 581-8200

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 on 10 acres node and Low Intensity -- No Specific Land Use on the remainder of the tract.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the CS District is in accordance with the Plan Map at the node and the CS and RM-2 Districts are not in accordance with the Plan Map on the remainder.

Staff Recommendation:

The subject tract is located at the northeast corner of 91st Street and South Memorial Drive. It is 35 acres in size, contains a temporary road construction batch plant, is zoned AG and the applicant is requesting CS and RM-2 zoning. It is abutted on the north by a single-family dwelling zoned AG, on the east by vacant land zoned AG, on the south by vacant land zoned CO and on the west by vacant land zoned CS and RM-0.

Based on the Development Guidelines, Comprehensive Plan and adjacent zoning patterns, the Staff recommends APPROVAL of CS on the 660-foot x 660-foot 10-acre node and DENIAL of CS on that area outside of the node. We also recommend APPROVAL of RM-0 on that portion of the tract advertised for RM-2, which is within a 300-foot "wrap-around" buffer of the CS node and RS-3 on the remainder (same as the northwest corner of intersection).

Applicant's Comments:

Mr. Bill Jones represented Mr. and Mrs. Alden Carroll, the record owners of the property since 1967. The property is in the Haikey Creek Drainage Shed and drains to the southeast. However, the creek itself does not cross the property, merely a tributary that crosses the southeast and northeast portions. The property is presently served with City of Tulsa water and sanitary sewer. Easements were given to serve residential districts beyond this property. It is also served by natural gas, telephone, etc.

The filing of this application was delayed due to the proposed expansion of Memorial to a 6-lane, major street. That construction is now underway. He has discussed the State's plans with the Highway Department's Engineers, as well as the Traffic Engineer for the City of Tulsa. Mr. Jones recognizes this application is not in keeping with the guidelines, but it is based on the actual physical facts that are going to exist, as distinguished from theoretical lines. There is an inconsistency in the application which is difficult to correct because the right-of-way for widening of Memorial is not a true North/South line that runs 60-feet from the center-line right-of-way. The northern portion is almost 70 feet of right-of-way

and was worked out with the State Highway Department. The subject property is being used for headquarters during the construction of the project, which should be finished in approximately two years. Memorial will be a major, if not the major, north and south street serving east Tulsa. To the south of the subject property is 91st Street, which is also a major street. Plans for 91st Street adjacent to this property have been examined and considered.

Across from the subject property to the west is CS zoning. There is also CO zoning to the south. High intensity uses are already being developed in the CO area. This is the reason for the request for RM-2 zoning wrap-around on the CS zoning, instead of RM-0. The 20 acres to the east of the subject property has been used for recreational purposes. Presently, there are approximately 35 semi-trailers on the property to the east, as well as recreational equipment and signs. There is also a dinner theater, a warehouse and a commercial western store further to the east. Basically, the proposal is for a 10-acre node with an RM-2 wrap-around. Mr. Jones did not think it would be logical to zone land residential directly across the street from CO. The node at the corner is not an exact 10 acres because the State Highway maps and plans show a left-turn bay at 89th Street. Therefore, the entrance had to be moved to the north. Regardless of the width permitted at the node, Mr. Jones is asking for the additional length to accommodate the plans for Memorial. The request is for a tract that will net 800' x 660', which is in excess of the guidelines. Mr. Gardner explained that the north-south dimension from the centerline would be 850'. Mr. Jones noted that the State Engineer suggested room for an acceleration lane on the subject property going north.

Mr. Gardner advised that 850' x 512' would be within the guidelines, as far as size is concerned. Chairman Parmele suggested 525 feet instead. Mr. Jones would like to have at least 550 feet. Commissioner Rice felt that 600 feet would be needed in order to get the turn area. Commissioner Rice did not want to violate the guidelines by too much and Chairman Parmele agreed.

Mr. Gardner explained that the northwest corner is zoned 10 acres to the centerline. It is platted but is not developed. Whatever is approved for this subject tract would affect the other corner. He feels the gross area should be 10 acres to the centerline. Under a PUD, this could be spread. Mr. Jones agreed. Mr. Gardner reminded the Commission that CO zoning has been approved to the south and will have a density of approximately 28 units per acre.

Commissioner Young asked the difference in the density if the entire tract were zoned RM-0 instead of RM-2. Mr. Gardner explained the maximum would be 15½ units under RM-0 and 35½ under RM-2, with 25½ under RM-1.

Protestants: None.

Interested Party: Jack Morse Address: 3530 E. 31st Street

Interested Party's Comments:

Mr. Jack Morse has an application on the property immediately to the north. He was interested in the property to the north that is platted. Mr. Gardner explained this is floodplain, detention open space.

TMAPC Action: 6 members present.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the West 512' of the South 850' of the Southwest Quarter of the following described property be rezoned CS and approval of RM-1 zoning on that portion advertised for RM-2:

As Per Legal Notice:

CS

South 850' of the West 720' of the SW/4 of the SW/4 of Section 13, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

RM-2

SW/4 of the SW/4 of Section 13, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, LESS and EXCEPT the N/2 of the N/2 of the N/2 thereof, and LESS and EXCEPT the South 850' of the West 120' thereof.

As Per Planning Commission Action:

CS

South 850' of the West 512' of the SW/4 of the SW/4 of Section 13, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

RM-1

SW/4 of the SW/4 of Section 13, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, LESS and EXCEPT the N/2 of the N/2 of the N/2 thereof, and LESS and EXCEPT the South 850' of the West 512' thereof.

Z-5765 Moody (Pennington) 4200 S. 33rd W. Avenue CS, RS-3 to CG

A letter was presented from the applicant's attorney, John Moody, requesting a 45-day continuance in order to resolve a title and property question (Exhibit "C-1").

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to continue consideration of Z-5765 until January 12, 1983, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-68 (Z-5766)
Applicant: Paul Pearson Realtors (Simmons)
Location: 4570 W. 57th Street

Present Zoning: RS-3
Proposed Zoning: CH

Date of Application: October 7, 1982
Date of Hearing: November 24, 1982
Size of Tract: .8 acre

Presentation to TMAPC by: Raymond Ashlock
Address: 4621 S. 33rd West Avenue - 74107

Phone: 446-9345

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- Commercial.

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

Staff Recommendation:

The subject tract is located just east of I-44 on West 57th Street. It is .8acre in size, contains a single-family structure and accessory building, is zoned RS-3, and the applicant is requesting CH. It is abutted on the north by a closed restaurant zoned CH, on the east by a single-family structure zoned RS, on the south by industrial property zoned IL and on the west by the Red Fork Expressway (I-44).

The Staff sees the CH request as an encroachment of the CH that parallels the Red Fork Expressway into the interior of the area, which would be inconsistent with the Development Guidelines and sound planning practice. The Staff cannot support the CH but can support CG zoning, which would serve as a transition between the CH and the existing homes to the east. CH zoning does not require any building setback or maximum floor area.

Therefore, the Staff recommends APPROVAL of CG and DENIAL of CH.

Applicant's Comments:

Mr. Raymond Ashlock represented Paul Pearson Realtors and felt CG zoning would be satisfactory, since they are planning a small motel.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CG:

Lot 8, Block 2, Bozarth Acres Addition, Tulsa County, State of Oklahoma.

Application No. Z-5767

Applicant: Spurlock (S & S Vending)

Location: Southeast corner of Madison and Easton

Present Zoning: RM-1

Proposed Zoning: IL

Date of Application: October 8, 1982

Date of Hearing: November 24, 1982

Size of Tract: .44 acre

Presentation to TMAPC by: S & S Vending

Address: P.O. Box 15004 - 74115

Phone: 583-1294

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- 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 subject tract is presently being used for off-street parking and is mostly vacant. Single-family dwellings abut the property to the north and a small warehouse is to the south. The subject tract is abutted to the west by the Cherokee Expressway and to the east by residential zoned lots.

The entire area in which the subject tract is located is a transition zone from residential to industrial. The single-family dwellings would still be protected from the industrial by the required 75' building setback from a residential boundary line.

For the above-mentioned reasons, the Staff can support and therefore recommends APPROVAL of the request IL rezoning.

Applicant's Comments:

The applicant had no comment.

Protestants: None.

TMAPC Action: 6 members present.

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

Lots 17, 18, 19, 20, 21 and 22, Block 7, Frisco Addition,
Tulsa County, Oklahoma.

Application No. Z-5768
Applicant: Higgins (Hawkins)
Location: North side of 101st Street South and ¼ mile West of South Garnett

Present Zoning: AG
Proposed Zoning: RS-3

Date of Application: October 12, 1982
Date of Hearing: November 24, 1982
Size of Tract: 34.9 acres

Presentation to TMAPC by: Charlie Higgins
Address: 6002 S. 66th E. Avenue - 74145

Phone: 494-2811

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 RS-3 District is in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located approximately 1/4 mile west of Garnett Road on the north side of 101st Street. The subject tract is mostly vacant with similar type properties to the east and west. 80 acres to the north is under construction and the property to the south is a developing single-family subdivision. Cedar Ridge Country Club is located to the south.

The Staff recommends APPROVAL of RS-3 zoning for the above-mentioned reasons for all of that portion of the tract not found to be in the 100-year Floodway of Little Haikey Creek and DENIAL on the remainder.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-3 for the portion of the tract not found to be in the 100-year Floodway of Little Haikey Creek:

The SW/4 of the SE/4 of Section 19, Township 18 North, Range 14 East of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, LESS: The South 387.75 feet of the East 570.46 feet thereof, containing 34.9 acres more or less and LESS that area determined by the City Engineer as being in the 100-year Floodplain.

Application No. Z-5769
Applicant: Vardeman
Location: 8835 S. Memorial Drive

Present Zoning: AG
Proposed Zoning: RM-1

Date of Application: October 12, 1982
Date of Hearing: November 24, 1982
Size of Tract: 15 acres

Presentation to TMAPC by: Jack Morse
Address: 3530 E. 31st Street

Phone: 743-7781

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 RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located 1/4 mile north of the northeast corner of 91st Street and South Memorial Drive. It is 15 acres in size, contains one single-family structure, is zoned AG and the applicant is requesting RM-1. It is abutted on the north by a single-family structure on a 20-acre tract zoned AG, on the east by vacant land zoned AG, on the south by a temporary Batch Plant on mostly vacant land zoned AG and on the west by a developing single-family subdivision under a PUD.

The subject tract is beyond the node or the transition buffer area and the surrounding land uses do not support the Matrix's "may-be-found" designation. Therefore, the Staff recommends DENIAL of RM-1 and APPROVAL of RS-3.

For the record, a PUD overlay with RS-3 zoning is probably the best approach to developing the subject property.

Applicant's Comments:

Mr. Jack Morse understands that most of the land to the north of the subject property is in the floodplain and will not be developed. Single-family residential zoning fronting a major arterial would not be feasible, especially with commercial and high density to the north and the multi-family and commercial that was just zoned to the south. Mr. Morse feels RM-1 is a reasonable application.

Chairman Parmele explained that a PUD could be filed with an underlying RS-3 zoning that would permit from 12 to 13 units per acre to be developed on that portion of the tract not in the floodplain. This would be about half of the RM-1 zoning. Mr. Morse would still prefer the higher density, due to the surrounding land uses and zoning patterns. Mr. Gardner advised that there are two tributaries running through the tract to the north, one of which would run along the north side of the subject property.

Commissioner Young mentioned the fact there are other major arterials in Tulsa that have residential zoning fronting on the street.

Protestants: None.

Interested Party: Bill Vardeman

Address: 8835 S. Memorial

Interested Party's Comments:

Mr. Bill Vardeman owns the subject tract and felt this tract should stop any movement of multifamily zoning to the north due to the floodplain area on the adjacent tract to the north.

Special Discussion for the Record:

Chairman Parmele agreed with the statement made by Mr. Vardeman. He felt RM-0 would be appropriate. Commissioner Higgins agreed, since RM-1 was approved on the tract adjoining this property. Commissioner Young pointed out that the Development Guidelines have been exceeded by many feet already.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 5-1-0 (Gardner, Higgins, Hinkle, Rice, Young "aye"; Parmele "nay"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-3, based on the Staff Recommendation:

The S/2 of the S/2 of the NW/4 of the SW/4 AND THE N/2 of the N/2 of the N/2 of the SW/4 of the SW/4 of Section 13, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

Z-5770 Nichols (Hardesty Dev. Co.) 71st St. S. & S. Sheridan in PUD 190 RS-3 to RM-1

Mr. Gardner advised there is a request to continue this item for one week. Mr. Bob Nichols was present and he is working with the neighborhood on a compromise plan.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to continue consideration of Z-5770 until December 1, 1982, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5771 Latch (Schaffer, Keeter) Northeast corner of 15th Street and Lynn Lane Road
AG to CS and RMH

Several protestants were present and had informed the Staff before the meeting that they did not receive proper notice of this requested rezoning. Mr. Clint Watts lives at 17507 E. 14th, which is directly across the street from the subject tract. Mr. Gardner showed Mr. Watts the list submitted to INCOG for the mailing of notices. Mr. Watts and several others were not on the list. A petition of opposition was submitted to the Commission (Exhibit "D-1"). Also presented was a letter of opposition from Mrs. Susan Harris, Chairman of District 17 (Exhibit "D-2").

***The applicant, Mr. Bob Latch, arrived later in the meeting and was informed of the discrepancy.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to continue consideration of Z-5771 until January 5, 1983, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center, and that this requested rezoning be readvertised, notifying all of the property owners within 300 feet of the subject property by mail.

Application No. Z-5772

Applicant: Morris (John's Park Dev.)

Location: East of the Northeast corner of Garnett and Admiral Place

Present Zoning: IL

Proposed Zoning: RMH

Date of Application: October 14, 1982

Date of Hearing: November 24, 1982

Size of Tract: 14 acres, more or less

Presentation to TMAPC by: Warren G. Morris

Address: P.O. Box 45551

Phone: 437-7682

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.

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

Staff Recommendation:

The subject tract is vacant and contains mostly vacant properties to the north and east. West of the subject tract is a developing mobile home subdivision and to the south a single-family dwelling on a large lot.

The Staff can support the request due to the fact that the developing surrounding area is consistent with the RMH request. Therefore, the Staff recommends APPROVAL of RMH zoning.

Applicant's Comments:

Mr. Morris had no comments.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RMH:

The South 450 feet of the Southeast Quarter of the Southeast Quarter, Section 32, Township 20 North, Range 14 East, Tulsa County, Oklahoma.

Application No. Z-5773 Present Zoning: RS-3
Applicant: Newhart (Adamson, Crum) Proposed Zoning: CO
Location: South of the Southeast corner of 62nd and Mingo

Date of Application: October 14, 1982
Date of Hearing: November 24, 1982
Size of Tract: 2.3 acres

Presentation to TMAPC by: Bill Hutson
Address: 3248 E. 28th Street - 74114 Phone: 744-0419

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

The subject tract is 2.3 acres in size and contains one single-family dwelling and an accessory building. It is surrounded in all directions by similar type properties.

The Staff can support the requested Corridor Zoning based on the Comprehensive Plan and due to the fact that the entire area is in a transition to a higher intensity use. The Staff would point out that the Corridor District requires a 200' setback from the centerline of Mingo Road for commercial buildings.

Based on the above reasons, the Staff recommends APPROVAL of the requested CO zoning.

Applicant's Comments:

Mr. Bill Hutson is president of Soccer for Fun, Inc., and is proposing to develop this land. He has no objections to the Staff Recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CO:

Lot 6, Block 4, Union Gardens Addition and the South portion of Lot 7, Block 4, Union Gardens Addition described as follows:
Beginning at the Northeast corner of Lot 6, thence North 30.00 feet; thence West 421.00 feet; thence South 30.00 feet; thence East 421.00 feet to the Point of Beginning.

Z-5773-SP-1 Newhart (Adamson, Crum) South of the Southeast corner of 62nd and
Mingo (Site Plan Review)

Mr. Gardner explained there are two items for hearing today on this property. However, the Staff did not receive adequate information for the Site Plan review and is requesting a continuance. The applicant is aware of the Staff's request.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to continue consideration of Z-5773-SP-1 until ~~January~~ ^{December} 8, 1983, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5659-SP-1

Site Plan Review: (C0)

Applicant: Henderson (Hinkle)

Location: East 67th Street South and South 107th East Avenue

Date of Application: October 14, 1982

Date of Hearing: November 24, 1982

Size of Tract: 28.3 acres

Presentation to TMAPC by: Roy Hinkle

Address: 7030 S. Yale

Phone: 494-2650

Staff Recommendation - Site Plan Review

The subject tract is located 1/3 mile south of 61st Street and is located on either side of 107th East Avenue. It is slightly larger than 28 acres in size, vacant, zoned C0 and the applicant is requesting a Site Plan approval.

The applicant submitted the Site Plan to the T.A.C. for comments. In their review, they requested that 107th East Avenue be realigned in the southeast corner of the tract to form a "T" intersection with a curved street that would stub to the south and east. This requested change has not been made on the Site Plan; however, the Staff can support the concept of the Plan and require that the street alignment change be made. The net result may be a loss of 1 or 2 single-family homes at the extreme southeast corner of the tract.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan, subject to the following conditions and modifications:

- 1) That the applicant's Plans and Text be made conditions of approval, unless modified herein.
- 2) Development Standards:

West Side

Land Area:	851,075 square feet
Permitted Uses:	Multifamily & permitted accessory uses
Maximum Number of Dwelling Units:	448 units
Maximum Building Height:	35 feet
Minimum Building Setback:	Per Site Plan; otherwise, RM-1 Standards
Minimum Livability Space:	814 square feet per unit
Minimum Off-Street Parking:	Per Use Unit #8

East Side

Land Area:	383,634 square feet
Permitted Uses:	Single-family detached & permitted accessory uses.
Maximum Number of Dwelling Units:	28 units
Maximum Building Height:	35 feet

Minimum Building Setbacks:	RS-3*, except 15' of setback from 107th E. Avenue
Minimum Livability Space:	4,000 square feet per unit
Minimum Off-Street Parking	2 spaces per unit

*No units shall front onto 107th East Avenue. Units fronting onto realigned, corner street shall maintain a 25-foot setback.

- 3) That the Traffic Engineer's requirements for street realignment be met.
- 4) That the landscaping of the multifamily area be not less than that shown on the Site Plan.
- 5) That no building permit shall be issued until the entire property (both single-family lots and multifamily portion) has been included within a subdivision plat submitted to and approved by the TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the CO Site Plan conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Roy Hinkle was present and had no objections to the Staff Recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the submitted Site Plan on the following described property be approved, subject to the conditions and modifications set out in the Staff Recommendation:

A tract of land located in the E½ of Section 6, Township 18 North, Range 14 East of the Indian Base and Meridian according to the original U.S. Government Survey thereof, Tulsa County, Oklahoma, being more particularly described as follows, to-wit:

Commencing at a point, said point being the NE corner of the W/2 of Lot 2, Sec. 6, thence S 01°24'54" E along the East line of said W/2 of Lot 2 a distance of 91.72 feet to a point, thence S 79°15'57" W a distance of 50.39 feet to a point, thence S 06°21'42" W a distance of 255.91 feet to a point, thence S 18°20'08" W a distance of 664.27 feet to a point, thence S 01°48'26" W a distance of 701.14 feet to a point, thence S 01°27'48" E a distance of 380.00 feet to the point of beginning; thence N 88°24'52" E a distance of 212.00 feet to a point, thence N 44°55'08" E for a distance of 577.87 feet to a point, thence S 46°25'08" E for a distance of 249.01 feet to a point; thence N 71°05'17" E a distance of 236.40 feet to a point on the East line of the SW/4 NE/4 of Said Section 6, thence S 01°25'06" E and along the East line of the SW/4 NE/4 and the East line of the NW/4 SE/4 of said Section 6, a distance of 1578.30 feet to a point, thence S 88°52'26" W for a distance of 659.67 feet to a point, thence N 01°24'55" W for a distance of 660.35 feet to a point, thence S 88°52'06" W for a distance of 347.43 feet to a point, thence N 01°27'48" W for a distance of 587.58 feet to the point of beginning and containing 28.345 acres more or less.

Application No. PUD 263-A

Present Zoning: (OL)

Applicant: Riddle (Seventy First St., LTD)

Location: North of 71st Street, 2970' East of intersection of 71st and Yale

Date of Application: October 14, 1982

Date of Hearing: November 24, 1982

Size of Tract: 7 acres

Presentation to TMAPC by: Rick Riddle

Address: P.O. Box 35827

Phone: 494-3770

Staff Recommendation:

Planned Unit Development No. 263-A is located approximately 1/2 mile west of the northwest corner of East 71st Street and South Sheridan Avenue. The tract is 7 acres in size, vacant, has an underlying zoning of OL with PUD #263 approved as an office park and the applicant is now requesting to amend the PUD to multifamily use.

The Staff has reviewed the applicant's Outline Development Plan and find it to be consistent with the Comprehensive Plan, in harmony with the existing and expected development of the surrounding areas and a unified treatment of the development possibilities of the project site.

Therefore, the Staff would recommend APPROVAL, subject to the following conditions:

- 1) That the applicant's Outline Development Plan be made a condition of approval as being representative of the character of the development, unless modified herein.

- 2) Development Standards

Gross Land Area:	304,920.0 sq. ft.	7.00 acres
Net Land Area:	285,139.8 sq. ft.	6.55 acres

Permitted Uses: Attached residential dwelling units and related accessory uses such as off-street parking, covered parking, open space areas, drainageway, clubhouse, swimming pool, management office, etc.

Maximum Dwelling Units:	178 units
Maximum Density:	25.4 DU's/ac.
Maximum Building Height	35 feet
Minimum Building Setback:	
From 71st Street Right-of-way (Primary 60')	35 feet
From North, East & West Boundary Lines:	
Front of Building Facing Boundary Line,	20 feet
Side of Building Facing Boundary Line,	15 feet
Between Buildings:	15 feet

Minimum Livability Area:	120,622.8 sq. ft.	2.77 acres
Minimum Livability Area Per Dwelling Unit:	677.7 sq. ft.	
Minimum Off-Street Parking:	Per Section 1208.4	

Minimum Parking Lot Setback:	
From 71st Street Right-of-way,	10 feet
From North, East and West Boundary Lines.	3 feet

- 3) That the sign or signs for the proposed project shall conform to the requirements of Section 420.2 (d) (2).

- 4) That no building permit be issued until a Detail Site Plan has been submitted to and approved by the TMAPC.
- 5) That a Detail Landscape Plan be submitted to and approved by the TMAPC, prior to the issuance of an occupancy permit.
- 6) That a Homeowner's Association be required to maintain all common areas, if the units are sold now or in the future.
- 7) That no building permit shall be issued until the property has been included within a subdivision plat submitted to and approved by the TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Riddle had no objection to the Staff Recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of City Commissioners approval of PUD 263-A on the following described property, subject to the conditions set out in the Staff Recommendation:

E/2, W/2, SW, SE, Section 3, Township 18 North, Range 13 East,
less the North 396 feet, Tulsa County, Oklahoma.

Application No. PUD 302

Present Zoning: (RS-3)

Applicant: Fitzwater (Mattox)

Location: Southwest corner of East 56th Street and Quincy Place

Date of Application: October 14, 1982

Date of Hearing: November 24, 1982

Size of Tract: .706 acre

Presentation to TMAPC by: Mike Taylor, Sisemore-Sack-Sisemore

Address: 5359 S. Sheridan Road

Phone: 622-0151

Staff Recommendation:

Planned Unit Development No. 302 is located at the southwest corner of 56th Street and South Quincy Place. It is slightly less than one acre in size, zoned RS-3, and the applicant is requesting a PUD to allow the tract to be used for eight (8) duplex units, four (4) structures. The tract contains one large single-family structure, is abutted on the north, east and south by single-family zoned RS-3 and on the west by apartments zoned RM-1.

The Staff has reviewed the Outline Development Plan submitted and find:

- 1) That the information submitted has inaccuracies and is insufficient to determine the appropriateness of the use, and
- 2) that the requested intensity of 8 dwelling units is greater than the tract could be developed conventionally making it inconsistent with the Code.

Therefore, the Staff recommends DENIAL of PUD #302.

Applicant's Comments:

Mr. Mike Taylor represented the applicant and requested a continuance of this hearing in order to give the engineering firm time to consider the proposal, since they received it only two days prior to this hearing. Mr. Taylor has discussed this with Staff in order to resolve the problems involved with the application as submitted. He understands the reasons for the Staff's recommendation for denial and the applicant is willing to meet the standards. He is also willing to meet with the protestants. However, the protestants did not want to continue the hearing. Commissioner Young felt the request should have been brought before the Commission earlier in the meeting. Mr. Gardner advised that a different application could be filed immediately and heard after proper notice has been given.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to DENY the request for continuance.

Protestant: Jim Frere

Address: 5613 S. Quincy Place

Protestant's Comments:

Mr. Jim Frere presented a petition containing 145 signatures of protest (Exhibit "E-1"). He asked what the maximum number of units would be on this tract under RS-3 standards. Mr. Gardner thought the maximum would be 6 duplex units, possibly five. The applicant previously went to the Board of Adjustment, making the lots 6900 square feet to meet the RS-3, single-family requirements and then asked for a variance of the 9,000

PUD #302 (continued)

square foot lot area required for duplex dwellings. Basically, the PUD application is the same proposal. The Staff has recommended to the applicant that the plan be laid out to allow only the number of units that could be developed in a conventional manner with 9,000 square foot lots and then the Planning Commission could consider this under a PUD. Mr. Gardner felt it is best if the protestants meet with the applicant in order to resolve some of the problems.

Instruments Submitted: Protest Petition containing 145 signatures (Exhibit "E-1")

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to DENY the requested PUD on the following described property:

Lot One, Block Two, Riverview Acres Addition, Tulsa County, Oklahoma.

Application No. CZ-67

Present Zoning: AG

Applicant: Finley (Deboer)

Proposed Zoning: RMH

Location: Southeast corner of 86th Street North and Memorial

Date of Application: October 14, 1982

Date of Hearing: November 24, 1982

Size of Tract: 26.5 acres

Presentation to TMAPC by: Jack Finley

Address: 3336 E. 32nd Street - 74135

Phone: 744-0075

Relationship to the Comprehensive Plan:

The District 15 Plan, a part of the Owasso Comprehensive Plan, designates the subject property Medium Intensity -- Commercial/Office at the node and Medium Intensity -- Residential on the remainder.

According to the Intensity Policies, the RMH District is not in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located at the southeast corner of 86th Street North and Memorial Drive. It is 26.5 acres in size, mostly vacant except for a double-wide mobile home on a permanent foundation, zoned AG and the applicant is requesting RMH zoning. It is abutted on the north and east by mostly vacant land with scattered single-family dwellings zoned AG, on the south and west by vacant land zoned AG and on the northwest by several large-lot, single-family dwellings zoned AG.

As stated above, the Owasso Plan has designated the RMH District as being High Intensity in nature. This places it in a group of uses that require a high level of services and should be separated from less intense use areas by buffer areas or physical features. At the same time, the Development Guidelines identifies a 10-acre Medium Intensity Node as appropriate at this intersection and that RMH could be found to be an appropriate use within the Node.

The Staff has surveyed the area and found some mobile homes to be present and can support RMH on the 10-acre Node with RS on the remainder of the tract, based upon the Guidelines and the surrounding area. This would allow the applicant to develop 165 units on the entire tract under a PUD at a 6-unit per acre density. We feel this can also be supported by the Owasso Plan because they have identified that residential densities of greater than 5 units per acre and up to 14 units per acre in the Medium Intensity would be allowed on this tract as designated.

Therefore, the Staff recommends APPROVAL of RMH on the 660-foot by 660-foot 10-acre corner and RS on the remainder of the tract.

Applicant's Comments:

Mr. Finley understood that the Staff recommendation would allow a higher density of mobile homes on the corner with lower density on the interior. These will be a larger lot development and Mr. Gardner felt a PUD would be appropriate.

Commissioner Hinkle asked Mr. Finley if he were still interested in developing part of the corner for commercial and advised the Commission that the Owasso Planning Commission voted unanimously to approve RS zoning on the entire tract, since the request was for only 110 lots and could be taken to the Board of Adjustment. A letter was submitted from Carol Dickey, the Owasso Planner, advising the Commission of the outcome (Exhibit "F-1").

CZ-67 (continued)

Mr. Finley advised that the 5 acres previously proposed for commercial did not fit into the plans for the residential. He will apply again for 150 feet of commercial along Memorial and 86th Street. Commissioner Hinkle feels that the Staff recommendation is appropriate and the concerns of the Owasso Planning Commission are relieved with this recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RMH on the 660-foot by 660-foot, 10-acre corner and RS on the remainder of the tract, per Staff Recommendation:

The North 875 feet of the Northwest Quarter of the Northwest Quarter of Section 25, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

SUBDIVISIONS:

For Final Approval and Release:

Sailboat Addition (690) S. 261st W. Avenue and Coyote Trail (AG)

The Staff advised the Commission that all release letters have been received and recommended final approval and release.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to approve the Final Plat of Sailboat Addition and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #187-3 Dean Grabor 7804-7806 E. 68th St., Lot 14, Block 21, Shadow Mountain

Staff Recommendation:

The subject tract is located at the southeast corner of 78th East Avenue and 68th Street South. It is one lot in size, vacant and approved for a duplex use. It is abutted on the north, west and south by the same duplex neighborhood and on the east by an office/commercial PUD. The applicant is requesting that he be allowed to face his structure to the north and reduce the setback from 68th Street from 25 feet to 15 feet.

After reviewing the minutes concerning this tract and the submitted Plot Plan, the Staff field checked the site and surrounding area. The Staff can support facing the structure north because 68th Street is a dead-end street, which will serve only this structure and the structure across the street to the north; however, we would recommend an 18-foot setback on the front yard to allow the parking of a car on the subject property. At the same time, we would recommend a 19-foot setback from the south property line which we feel is a reasonable rear yard.

Therefore, the Staff recommends APPROVAL of PUD #187-3 (Lot 14, Block 21, Minshall Park Addition), subject to the Plot Plan submitted and the following modifications:

- 1) An 18-foot setback from 68th Street, and
- 2) a 19-foot setback from the south property line.

Applicant's Comments:

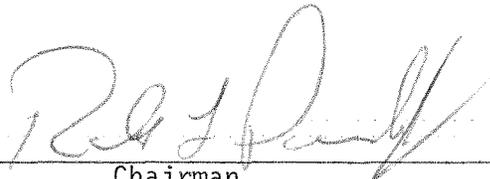
The applicant had no objections to the Staff recommendation.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Hennage, Kempe, Petty, Inhofe "absent") to approve this minor amendment to PUD #187 per Plot Plan submitted and modifications set out in the Staff recommendation.

There being no further business, the meeting was adjourned at 3:20 p.m.

Date Approved: Dec 8, 1902



Chairman

ATTEST:



Secretary