

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1466
Wednesday, July 27, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Draughon	Higgins	Chisum	Linker, Legal
Hinkle, Secretary	Inhofe	Compton	Department
Flick	Miller	Gardner	
Kempe, Chairman		Martin	
Petty			
C. Young, 1st Vice-Chairman			
T. Young			
Woodard			

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

Chairman Kempe called the meeting to order at 1:35 p.m.

The Commission honored Denise Chisum as this was her last TMAPC meeting she would be attending before starting her new position.

Public Hearing on Proposed Use Unit Changes:

This item was mistakenly put on this weeks agenda, it is advertised for the 3rd of August, 1983.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Draughon, Hinkle, Flick, Kempe, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to continue this item till next week.

Items #6 (Z-5855) and #7 (PUD #334):

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Draughon, Hinkle, Flick, Kempe, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to continue Z-5855 and PUD #334 till next week.

Instruments Submitted: on PUD #334 & Z-5855

Letter from Mr. William F. Warren, protesting proposal (Exhibit "A-1")
Letter from Mr. Steven R. Tollette, opposes rezoning (Exhibit "A-2")
Letter from Mr. Thomas V. Carnagey, protesting rezoning (Exhibit "A-3")
Letter from Mrs. G.L. O'Brian, concerned with density (Exhibit "A-4")
Letter from Mr. Laurence L. Pinkerton, atty., for the
Area Homeowners Association, requesting postponement
to August 3rd, 1983. (Exhibit "A-5")
Letter from Mr. Jim Weinland, Dist. 6 Chairman,
requesting consideration of recommendation. (Exhibit "A-6")

ZONING PUBLIC HEARING:

Application No. CZ-86 Present Zoning: AG
Applicant: Russell Rumsey Proposed Zoning: CG
Location: NW corner of 98th Street North and Peoria Avenue

Date of Application: June 9, 1983
Date of Hearing: July 27, 1983
Size of Tract: 1.7 acres

Presentation to TMAPC by: Dwight Smith
Address: 2727 East 21st Street Phone: 747-8900

Relationship to the Comprehensive Plan: CZ-86

The District 12 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract. However, the Development Guidelines would identify the area of the subject tract as a Subdistrict.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.7 acres in size and located 1/4 mile east of Sperry, just north of Mack Taylor Park. It is partially wooded, flat, contains one single-family structure, within a designated 100-year floodplain and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by mostly vacant land and two single-family dwellings zoned AG, on the east by mostly vacant land zoned AG, on the south by Mack Taylor Park zoned AG and on the west by mostly vacant land and some storage buildings zoned AG.

Zoning and BOA Historical Summary -- The subject tract was a part of an earlier application for RMH zoning that was withdrawn. Past zoning actions have allowed medium intensity uses to occur where they have direct access to Highway #11.

Conclusion -- The Development Guidelines identify the area of the subject tract as a Subdistrict and appropriate for no greater than RS-1, RS-2, or RS-3 zoning. In addition, the tract appears to be located within a 100-year floodplain. The Staff feels that CG or CS zoning on this tract would influence additional medium intensity uses along both the east/west and north/south interior access roads around the park.

Therefore, the Staff recommends DENIAL of either CG or CS zoning on the subject tract.

Comments:

Before the Staff Recommendation was read, it was noted that the map was accurate based on the legal description furnished, but the south portion of the property is actually in the Mack Taylor Park. But it would not be a part to be considered in zoning.

Application No. CZ-86 (continued)

After the Staff recommendation was read, there was an addition. The CS may be appropriate on the applicant's westernmost property, because at that point it does abut the highway and it would be next to the existing restaurant.

Applicant's Comments:

Dwight Smith was present representing the applicant.

He is wanting to amend the application to less and except the south 100 feet of the tract and to request CS instead of CG. Mr. Smith noted that the property that abuts & fronts on 98th Street North around and behind the property is agricultural. In Photo 1 - the front view of the proposed site, directly south of it, is a tract zoned CG. Photo's 2 and 7 show a ceramic shop and directly west of the subject tract a nonconforming use of a restaurant, its Five Hundred and Sixty feet to the west of the subject tract shown (Exhibit "B-1"). South and east is a tract zoned IL and used as a used truck/trailer/auto/motorcycle dealership, and in Exhibit "B-3" a large frame building is under construction. Exhibits "B-4 and B-5" south and east, on either side of Peoria, are zoned CS and IM for salvage and auction. Exhibit "B-8" is in front of the restaurant showing the access to the proposed location. The other access point would be at the intersection-98th Street and Peoria Avenue. The property has changed from primarily agricultural use to commercial usage. The proposed use of the property for CS usage is compatible with the surrounding property and uses to which property in the area is being used. The fact that the property is in a floodplain favors the application, because the access problem to build any new structures or any commercial zoning would require a significant expense to get any proposed structure out of the floodplain. The small size of the existing structure, less than 1,000 sq. ft., would not permit much traffic going through a building of that size. Mr. Smith talked with Jay Stump, the Program Manager of Community Planning for INCOG, currently the Sperry assigned planner. Mr. Stump commented if the application was in front of him, because the property was currently in a floodplain and existing and developing use around the property, he would have no objections to the City of Sperry zoning the property CS. But Sperry has no jurisdiction over the property.

In summary, the property can be put to little other use than the grazing of cattle, its not fit for residential use due to the floodplain problem.

Comments:

Mr. Smith was asked if he talked to Sperry about annexation of this tract. Mr. Smith commented he talked with the Mayor of Sperry and she indicated she would have no problem with an annexation.

C. Young recommended that a 75' strip be put down the east side and zone the rest CS; this was to try to buffer and stop any further commercial use to the east, so that the park will not be surrounded by commercial. Additional review lead to the strip of OL being reduced to 50 feet.

T. Young agreed completely with the Staff; there is nothing there that convinces him it is appropriate for commercial or office at this particular time.

Instruments Submitted:

Photo of front view of the proposed site (Exhibit "B-1")
Photo of area directly west of the tract (Exhibit "B-2")

Application No. CZ-86 (continued)

Photo of used truck/trailer/auto/motorcycle dealership	(Exhibit "B-3")
Photo of salvage	(Exhibit "B-4")
Photo of salvage	(Exhibit "B-5")
Photo of ceramic shop	(Exhibit "B-6")
Photo of restaurant	(Exhibit "B-7")
Photo of County road in front of restaurant looking east	(Exhibit "B-8")
Aerial view of area	(Exhibit "B-9")
Plat of area	(Exhibit "B-10")

On MOTION of C. YOUNG, the Planning Commission voted 7-1-0 (Draughon, Hinkle, Flick, Petty, C. Young, Woodard, "aye"; T. Young, "nay"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to rezone 50' along the east boundary to OL and the remainder CS; Less and Except the south 100 feet of the tract; and to note the reason the Planning Commission is doing this is to prevent stripping the entire street CS, on the following described property:

LEGAL PER NOTICE

Beginning at a point 885' West of the Southeast corner of the North-east Quarter of the Southeast Quarter of Section 13, Township 21 North, Range 12 East; thence North 275'; thence West 275'; thence South 275'; thence East 275' to the point of origin, all in Tulsa County, Oklahoma.

LEGAL PER PLANNING COMMISSION ACTION:

To be furnished by the applicant prior to Ordinance publication.

Application No. Z-5856 Present Zoning: CS
Applicant: William B. Jones Proposed Zoning: CH
Location: NW corner of East 61st Street and South Yale Avenue

Date of Application: June 21, 1983
Date of Hearing: July 27, 1983
Size of Tract: 8.68 acres

Presentation to TMAPC by: William Jones
Address: 201 West 5th Street, Suite 400 Phone: 581-5641

Relationship to the Comprehensive Plan: Z-5856

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 8.68 acres in size and located at the northwest corner of 61st Street and South Yale Ave. It is non-wooded, gently sloping, contains a shopping center and is zoned CS.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family neighborhood zoned RS-3; on the east by Lafortune Park zoned RS-3, on the southeast by St. Francis Hospital zoned RS-3; on the south by a multi-story office building zoned CH; on the west by a bank zoned OMH and a single-family neighborhood zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have allowed a large tract of CH zoning at the southwest corner of 61st Street and Yale Avenue. Also a small tract of land abutting the subject tract on the west was approved OMH.

Conclusion -- The requested CH Commercial High Intensity Zoning District is not in accordance with the Comprehensive Plan and is incompatible with the existing single-family neighborhood north and west of the subject tract. The existing CS Commercial Shopping Center Zoning District is in accordance with the Comprehensive Plan and affords ample usage of the property.

The existing CH zoning at the SW corner was approved long before the Development Guidelines were adopted and if this CH is developed to maximum intensity, it will be difficult to accommodate from a traffic standpoint. The major streets when fully improved in the area are designed to accommodate medium intensity land use, not unrestricted CH development.

Therefore, the Staff recommends DENIAL of CH or CG zoning.

Applicant's Comments:

William Jones, the applicant, stated that Mr. King and Mr. Latch were developers of Holliday Hills Shopping Center. The applicant actually

Application No. Z-5856 (continued)

owns 12.17 acres at the NW corner of 61st Street and Yale Avenue. Across the street is 54 acres of CH zoning. The CH zoning was put on this property across the street several years ago before they adopted the Comprehensive Plan with the district Vision 2000 and so forth. There is heavy construction in the area of St. Francis, Warren Professional Building and the Kelly Building. The applicant is wanting a quality use and can't do that on CS zoning. Mr. Jones would like to have CH zoning on this portion and leave the CS land as a protective buffer. Mr. Jones stated that the developers are presently giving to the City of Tulsa land for a major intersection improvement project at 61st and Yale. He sees two alternatives for the development of the tract, a project similar to Utica Square, or the same type of office/hotel/commercial development that is being made by Metropolitan Insurance.

Protestants: None.

Comments:

Chairman Kempe stated one possibility would be to call for CS zoning wrapping around the entire tract which might bring forth a PUD with the controls the Commission appears to be seeking. The Commission might consider moving the CH line back on a north/south line with the east boundary of the OMH, cutting off the corner and bottom.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Draughon, Hinkle, Kempe, Petty, Flick, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to approve the CH zoning on the entire application, except the westernmost section that lines up with the OMH, on the following described property:

LEGAL PER NOTICE:

All of Lot 1, Block 1, Holiday Hills Center Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS and EXCEPT the following portions thereof:
(a) The North 150 feet thereof; and (b) beginning at the Southwest Corner of said Lot 1, Block 1; thence North 2°-38'-20" West along the West line of said Lot 1 a distance of 447.36' to a point; thence due East a distance of 243.68' to a point; thence South 1°-43'-01" East a distance of 447.10' to a point on the South line of said Lot 1; thence due West along the South line of said Lot 1 a distance of 236.48' to the point of beginning; and (c) beginning at the Southwest corner of said Lot 1, Block 1; thence North 2°-38'-20" West along the West line of said Lot 1 a distance of 447.36' to the point of beginning; thence due East a distance of 150' to a point; thence North and parallel to the West line of said Lot 1 to a point that is 150' South of the North line of said Lot 1; thence West and parallel to the North line of said Lot 1 a distance of 150' to a point on the West line of said Lot 1; thence in a Southerly direction along the West line of said Lot 1 to the point of beginning; AND

All of Lot 1, Block 1, Holiday Hills Center 2nd Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS and EXCEPT the North 150 feet thereof.

Case No. Z-5856 (continued)

LEGAL PER PLANNING COMMISSION ACTION:

All of Lot (1), Block (1), HOLIDAY HILLS CENTER ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS and EXCEPT the North 150 feet thereof; AND LESS a tract described as beginning at the SW corner of Lot 1, Block 1; thence East a distance of 236.48 feet; thence North $1^{\circ}43'01''$ West to a point 150 feet South of the North line; thence West to a point on the West line of Lot 1, said point being 150 feet South of the NW corner of Lot 1; thence South $2^{\circ}38'20''$ East to the SW corner of Lot 1, to the point of beginning; AND ALL of Lot 1, Block 1, HOLIDAY HILLS CENTER 2ND ADDITION, to the City of Tulsa, State of Oklahoma, according to the recorded plat thereof, LESS and EXCEPT the North 150 feet thereof:

Application No. CZ-87
Applicant: C. E. Richards
Location: 145th East Avenue and 66th Street North

Present Zoning: AG
Proposed Zoning: RMH

Date of Application: June 10, 1983
Date of Hearing: July 27, 1983
Size of Tract: 29.1 acres

Presentation to TMAPC by: Tom Birmingham
Address: 2727 East 21st Street

Phone: 745-0101

Relationship to the Comprehensive Plan: CZ-87

The District 15 Plan, a part of the Owasso Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Rural-- Residential.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 30 acres in size and located 600 feet west of 145th East Ave., (Rogers County Line) on the north side of 66th Street. It is non-wooded, gently sloping, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north, east and south by vacant land zoned AG and on the west by one single-family dwelling and several accessory buildings zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions allowed mobile home zoning approximately 1/4 mile west of the subject tract.

Conclusion -- Even though RMH was approved on a tract in the general subject area, that tract has not developed. Instead, the area had developed at a very low residential density because of lack of a sewer. The Staff finds the density allowed under RMH inappropriate for the area and recommends DENIAL of the requested RMH and APPROVAL of RE zoning.

NOTE: The size of lots will depend on the ability of the land to perc.

Comments:

Before the Staff Recommendation was read, the Chair read a letter from the Owasso Planning Commission (Exhibit "C-1") recommending denial of the application. Also, a letter from the Superintendent of Schools of Owasso (Exhibit "C-2") stating he does not object to mobile homes if they are placed on at least one-acre of land and the total trailer park is less than forty acres. A letter from the attorney for the Tulsa Rock Company was also read stating they plan to continue their quarrying operation on the east side of 145th East Avenue.

Application No. CZ-87 (continued)

Applicant's Comments:

Tom Birmingham, representing the applicant, C. E. Richards, stated he would like to amend the present application from RMH to RE for the entire tract, which is approximately 29 acres. The applicant owns the entire 140 acres on this side of 166th Street North and he lives on the property in this location. Due to the lack of sewers, Mr. Birmingham feels the RE zoning is appropriate. They have run perc tests and the tests indicate the land is suitable for septic tanks and can be developed that way. The present intent for the property is to develop manufactured housing.

Protestants: Mr. Louis Levy, attorney for Mr. John Oxley --

Jerry Cole, President of the Owasso Community Homeowners Association --

Protestant's Comments:

Mr. Levy represents Mr. Oxley who owns the property immediately across the street from the subject property. He is in protest to the application as originally filed because they object to any mobile home zoning in this area. Because of the change in the application, Mr. Levy asks for a continuance so the protestants can study the new proposal for a couple of weeks.

Mr. Birmingham opposes any continuance at this time, the applicant is under a time limit and it could hurt him.

C. Young commented he could support the RE recommendation of the Staff and the fact that it would be amended. He sees no reason for a continuance.

Mr. Levy was not aware that the zoning would be amended to an RE and would like a continuance.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-2-0 (Draughon, Hinkle, Flick, Kempe, T. Young, Woodward, "aye"; C. Young, Petty, "nay"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to DENY a continuance.

Commissioner T. Young commented that the ultimate zoning does occur at the Board of County Commissioners level and that Commission would be more than happy to entertain his comments at that time.

For the Record:

Commissioner Petty does not object to the RE zoning; however, when the applicant comes up at the last minute and amends an application, he believes the Commission should entertain and grant a continuance to the opposing side. He does not like how the situation was handled.

Commissioner T. Young stated that private restrictive covenants are not the Commission's business; however, those surrounding residents that are concerned with the types of developments proposed, even if they are large lot developments of this sort, should have an opportunity to express their concerns to the developer. Mr. Birmingham and the applicant should be available to Mr. Levy and the other protestants to consider restrictive covenants that will address those issues.

Mr. Birmingham agreed to meet with Mr. Levy after the meeting to discuss the issue.

Application No. CZ-87 (continued)

Instruments Submitted:

Letter from the Owasso Planning Commission (Exhibit "C-1")
Letter from the Superintendent of Schools of Owasso (Exhibit "C-2")
Letter from Roy D. Johnsen, attorney for Tulsa Rock
Company (Exhibit "C-3")

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Draughon, Hinkle, Kempe, Flick, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to approve the Staff Recommendation for RE zoning, on the following described property:

Beginning at a point 660 feet West of the Southeast corner of Section 33, Township 21 North, Range 14 East; thence West 642 feet; thence North 1,980 feet; thence East 642 feet; thence South 1,980 feet to the point of beginning, a plot of land containing 29.1 acres, more or less.

Application No. Z-5857

Present Zoning: RM-2

Applicant: B. N. Voss

Proposed Zoning: IL

Location: West of SW corner of 1st Street and Utica Avenue

Date of Application: June 10, 1983

Date of Hearing: July 27, 1983

Size of Tract: .160 acre each

Presentation to TMAPC by: Bernie Voss

Address: 5119 South Joplin Avenue

Phone: 584-1341

Relationship to the Comprehensive Plan: Z-5857

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special Districts -- Industrial.

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

Staff Recommendation:

Site Analysis -- The subject tracts are approximately .16 acres in size and located west of the SW corner of 1st Street and Utica Avenue. It is non-wooded, flat, contains a single-family dwelling and zoned RM-2.

Surrounding Area Analysis -- The tracts are abutted on the north by the Crosstown Expressway zoned RS-3, on the east by single-family dwellings and a Getty Service Station zoned RM-2 and IL, on the south by single-family dwellings zoned RM-2 and on the west by single-family dwellings zoned RM-2.

Zoning and BOA Historical Summary -- As noted in the zoning background there have been several rezonings from residential to industrial in the area. The exhibit map does not reflect it, but the large tract west of the western subject tract has been rezoned IL, but is waiting for the Ordinance to be published.

Conclusion -- Based on the Comprehensive Plan, existing area zoning patterns and the fact that the area is in a transition, the Staff recommends APPROVAL of the requested IL zoning.

Applicant's Comments:

The applicant, B. N. Voss, desires to zone these two lots for the purpose of accommodating office and warehouse with packaging units. He had done this earlier on the two lots adjoining on the west and the three lots in an area two blocks west of Peoria Avenue.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Draughon, Hinkle, Flick, Kempe, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to approve the Staff Recommendation for IL zoning, on the following described property:

Lots 4 and 7, Block 2, Midway Addition, Tulsa County, Okla.

7.27.83:1466(11)

Application No. Z-5860 Present Zoning: RS-3, OL
Applicant: Gudgel (Pendergraph) Proposed Zoning: CH
Location: West of the NW corner of Delaware Avenue and Admiral Place

Date of Application: June 21, 1983
Date of Hearing: July 27, 1983
Size of Tract: 244' x 148'

Presentation to TMAPC by: John Gudgel
Address: 1748 South 75th East Avenue Phone: 834-2720

Relationship to the Comprehensive Plan: Z-5860

The District 4 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 requested CH District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately .82 acres in size and located on the north side of Admiral Place west of Delaware Avenue. It is non-wooded, flat, contains several single-family dwellings and zoned RS-3 and OL.

Surrounding Area Analysis -- The tract is abutted on the north by single-family dwellings zoned RS-3, on the east by an automobile repair facility and a Quik-Trip zoned CS, on the south by the Mabee Crosstown Expressway zoned RS-3, on the west by single-family dwellings and a mixture of commercial activities zoned OL and CS.

Zoning and BOA Historical Summary -- Previous Board of Adjustment actions have allowed Medium Intensity under CS zoning. Surrounding zoning patterns are limited to CS Light Commercial.

Conclusion -- Existing zoning and uses of the surrounding properties show light office and commercial zoning with some medium intensity uses allowed by Board of Adjustment approval. The Staff does not feel the subject tract can support CH zoning, and therefore recommends DENIAL of the request. The Staff does recommend APPROVAL of CS zoning in the alternative based on the Comprehensive Plan and existing conditions.

Applicant's Comments:

Mr. Gudgel commented that under the zoning for wholesale use, he thought it required him to have a minimum of CH or CO with an exception, for a warehouse.

Mr. Gardner said if talking about warehousing and wholesaling, it would take a CG and a Board of Adjustment exception to allow that kind of use. We could consider CG General Commercial which would require a special exception to allow the usage Mr. Gudgel is requesting, but it would permit auto repair, etc., as a matter of right.

Mr. Gudgel said he could agree to CG.

Protestant: Fran Pace Address: 1326 South Florence Avenue

7.27.83:1466(12)

Application No. Z-5860 (continued)

Protestant's Comments:

Ms. Pace, District 4 Chairman on GTC, opposed the CH proposed zoning. Although the proposed change in zoning is in District 3, they do have an interest in that area, by sharing the same community schools, parks, etc. She talked with one of the Kendall-Whittier staff and they are concerned that Whittier Square gets the adult bookstores and they don't want another one going in. She assumed the CH zoning would give less protection from things of that sort. She also stated that other commercial is in keeping with that side of the expressway.

Commissioners' Comments:

Commissioner T. Young stated the zoning patterns don't accurately represent what is there, and the CH on the west end is an old classification, probably 1970. He is concerned with anything in that area above an office category. Commissioner Young stated he is against the Staff Recommendation.

Chairman Kempe advised Mr. Gudgel is applying for this zoning change in order to accommodate a warehousing/wholesale operation, which could be achieved with the approval of CG zoning with the Board of Adjustment.

Staff Comments:

There are several trade uses like electrical contractors where they need storage and sales, etc., that can go in a CS with Board of Adjustment approval. The Staff is concerned that if it's higher than CS, there will be a lot of open storage. The Brakeman, Quik-Trip, and service station conform with that particular area, but some of the usage that has been made during the interim after the expressway went in, is very marginal and not an improvement for the area. CG is a dangerous category and without any exceptions, one can have all kinds of salvage operations.

Ms. Pace said she would prefer a CS zoning.

Commissioner T. Young thought OL should be there instead.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-1-0 (Draughon, Flick, Hinkle, Kempe, Petty, C. Young, Woodard, "aye"; T. Young, "nay"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to approve CS zoning in the alternative, based on the Comprehensive Plan and existing conditions set out in the Staff Recommendation on the following described property:

Lots (18, 19, 20, 21, 22) Osarka Place Addition, City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5858

Present Zoning: IM

Applicant: C. Burris

Proposed Zoning: RMH

Location: 1100 Block of North Lewis Avenue (West side of Lewis)

Date of Application: June 15, 1983

Date of Hearing: July 27, 1983

Size of Tract: 22 acres

Presentation to TMAPC by: Charles Burris

Address: 2925 East 57th Street

Phone: 742-2556

Relationship to the Comprehensive Plan: Z-5858

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- Industrial.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 22 acres in size and located 1/2 mile south of the southwest corner of Pine Street and North Lewis Avenue. It is partially wooded, gently sloping, contains several abandoned industrial structures and is zoned IM.

Surrounding Area Analysis -- The tract is abutted on the north by a mixture of industrial and single-family uses zoned IL and RM-2, on the east by the University of Tulsa's North Campus zoned IM, on the south by several industrial uses zoned IM, on the west by a mixture of industrial and single-family uses zoned IM and RM-2.

Zoning and BOA Historical Summary -- Past zoning actions have established the area as being in transition from residential to industrial uses.

Conclusion -- The Staff sees the RMH District as an appropriate use in the area until the time comes for the land to be used as industrial. However, we feel that access should be onto Lewis and not into the interior single-family neighborhood north and west of the tract.

Therefore, the Staff recommends APPROVAL of RMH and a recommendation that access to the north and west be prohibited by the subdivision plat.

Applicant's Comments:

Charles Burris, the applicant, proposes to have two entrances onto Lewis out of this project. Coca-Cola Company is to the north, residential to the west, and the rest is surrounded by industrial. Mr. Burris felt this would be the best use of this property, rather than cutting and turning it into an industrial tract or multifamily project. This will be a mobile home subdivision, not a mobile home park. There are 102 lots in the layout for Area "A". With the additional Area "B" the total tract will have 160 lots, compared with multifamily which would be approximately 400-500 units.

Application No. Z-5858 (continued)

Protestants: Theresa Munn
Barry Epperson
Betty Casner

Addresses: 1937 Marshall Street
324 Main Mall
1917 East Marshall Street

Protestants' Comments:

Theresa Munn talked with Mr. Burris and is concerned with him opening up their street. They are still opposed to a mobile home park going into their area. Ms. Munn presented a petition (Exhibit "D-1") of 75 signatures, with 95% of the population in the area that signed. She feels the problems with drinking water and sewer are significant. Water is off an average of once a month.

Barry Epperson represented Coca-Cola Bottling Company south of the proposed tract to be rezoned. They have no fundamental objection to the change in zoning. They want to maintain a compatible relationship with their neighbors in the area.

Betty Casner stated several years ago two trailers moved into the area and none of the neighborhood objected at a Commission meeting. She is concerned with the density and increase of crime in the area. She is not opposed so much to businesses, but the increase of people in the area. Also, she commented on the depreciation caused by mobile homes in the area and the safety hazard with strong winds.

Comments:

Commissioner T. Young stated the City Zoning Code has a different application than the County Zoning Code with regard to the exceptions for mobile homes in residential districts.

Mr. Burris was asked to explain his manufactured housing. His intent is to sell the lots to individuals and have the restrictive covenants cover the requirements that they have, just like a regular subdivision. To qualify for manufactured housing, the units must be permanently placed.

Commissioner T. Young recommends RMH, but with exceptions. He thinks density is the issue.

Commissioner Petty feels to go from industrial zoning to RMH is down-zoning because it is less in intensity.

Chairman Kempe favors Commissioner Young's proposal of squaring-off the area.

Instruments Submitted: Petition to Oppose Proposed Rezoning (Exhibit "D-1")

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-2 (Draughon, Hinkle, Flick, Kempe, C. Young, T. Young, "aye"; no "nays"; Petty, Woodard, "abstaining"; Higgins, Miller, Inhofe, "absent") to approve the RMH zoning on the application with the exception of the west 142.8' and the north 50' which would remain in the present IM classification, on the following described property:

LEGAL PER NOTICE:

A tract of land in the SE/4 of the NE/4 of Section 31, Township 20 North, Range 13 East, Tulsa County, State of Oklahoma, described as follows, to wit: Beginning at a point 1,702.11' South and 25'

Application No. Z-5858 (continued)

West of the NE corner of Said Section 31; thence West 763'; thence North 50'; thence West 531.86' to the Northwest Corner of the S/2 of the N/2 of the SE/4 of the NE/4 of Section 31; thence South along the West line of the E/2 of the NE/4 a distance of 330.38'; thence East 142.80' thence South parallel to the West line of the E/2 of the NE/4 a distance of 466.78' to a point, said point being 194' North of the South line of the SE/4 of the NE/4 of Section 31; thence East parallel to said SE/4 of the NE/4 a distance of 741.74'; thence along a curve to the right parallel to and 90' perpendicular distant from centerline of an existing railway spur tract a distance of 438.07' to a point 25' West of the East line of Section 31; thence North parallel to and 25' perpendicular distant from the East line of Section 31 a distance of 597.04' to the point of beginning and containing 20.58 acres, more or less.

LEGAL PER PLANNING COMMISSION ACTION:

A tract of land in the SE/4 of the NE/4 of Section 31, Township 20 North, Range 13 East, Tulsa County, State of Oklahoma, described as follows, to wit: Beginning at a point 1,702.11' South and 25' West of the NE corner of said Section 31; thence West 763'; thence North 50'; thence West 531.86' to the Northwest corner of the S/2 of the N/2 of the SE/4 of the NE/4 of Section 31; thence South along the West line of the E/2 of the NE/4 a distance of 330.38'; thence East 142.80'; thence South parallel to the West line of the E/2 of the NE/4 a distance of 466.78' to a point, said point being 194' North of the South line of the SE/4 of the NE/4 of Section 31; thence East parallel to said SE/4 of the NE/4 a distance of 741.74'; thence along a curve to the right parallel to and 90' perpendicular distant from centerline of an existing railway spur tract a distance of 438.07' to a point 25' West of the East line of Section 31; thence North parallel to and 25' perpendicular distant from the East line of Section 31 a distance of 597.04' to the point of beginning and containing 20.58 acres more or less, LESS and EXCEPT the West 142.8' and the North 50' thereof.

Application No. Z-5859 Present Zoning: OL
Applicant: David Sanders Proposed Zoning: CO
Location: SE corner of 71st Street South and Mingo Road

Date of Application: June 16, 1983
Date of Hearing: July 27, 1983
Size of Tract: 4.44 acres

Presentation to TMAPC by: David Sanders, Jr.
Address: Denver Building Phone: 582-5181

Relationship to the Comprehensive Plan: Z-5859

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 -- Potential Corridor.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 4.44 acres in size and located on the southeast corner of 71st Street and Mingo Road. It is partially wooded, rolling, vacant, and zoned a combination of CS and OL.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property zoned CS, on the east by apartments under construction zoned CS and OL, on the south by vacant property and apartments under construction zoned CO and on the west by vacant property zoned CS and OL.

Zoning and BOA Historical Summary -- Past zoning cases in the area have allowed a mixture of zoning classifications including CO.

Conclusion -- Based on the Comprehensive Plan and existing zoning, the Staff recommends APPROVAL of the requested CO zoning.

Applicant's Comments:

Dave Sanders, Jr., is Atty. for Anderson Development Company. Anderson Development Company has owned this property for the past five years and is in the process of preparing it for a shopping center. They will own and develop the center. The 42.8 feet that was zoned OL as a buffer to adjoining residential no longer has that zoning, so the need no longer exists. They would like to have the property zoned under one zoning pattern. Mr. Sanders supports CO.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Draughon, Hinkle, Flick, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Kempe, Miller, Inhofe, "absent") to approve the Staff Recommendation for the requested CO zoning, on the following described property:

A tract of land in the NW/4 of the SW/4 of Section 7, Township 18 North, Range 14 East of the Indian Base and Meridian, more particularly

Application No. Z-5859 (continued)

described as follows; to wit: Beginning at the northwest corner of said Section 7; thence East along the North line thereof 309.9'; thence South parallel with the West line of said Section 702.8'; thence West parallel with the North line of said Section 7, 309.9'; thence North along the West line of said Section 702.8' to the Place of Beginning in Tulsa County, Oklahoma, according to the U. S. Government Survey thereof.

Application No. PUD 198-C

Present Zoning: RM-1, RM-2

Applicant: Hudson

Location: South of the SE corner of 61st Street and Lakewood Avenue

Date of Application: June 16, 1983

Date of Hearing: July 27, 1983

Size of Tract: 4.2 acres

Presentation to TMAPC by: John Sublett

Address: One Williams Center

Phone: 582-8815

Staff Recommendation: PUD #198-C

Planned Unit Development No. 198-C is located on the south side of 61st Street, between Lakewood Avenue and Maplewood Avenue. It is 4.2 net acres in size, has RM-1 and RM-2 underlying zoning, and has been approved for 84 multifamily dwelling units. The applicant is now requesting to amend the previous approval and develop a maximum of 66,000 square feet of Light Office floor area using multiple buildings sited to accommodate the topography of the tract.

The Staff has reviewed the applicant's Outline Development Plan and find that it is consistent with the Comprehensive Plan, harmonizes with adjacent land uses and is consistent with the stated purposes of the PUD Chapter of the Tulsa Zoning Code. Therefore, the Staff recommends APPROVAL, subject to the following conditions:

(1) That the applicant's Outline Development Plan be made a condition of approval.

(2) Development Standards:

Land Area (Net):	4.2 acres
(Gross):	4.6 acres
Permitted Uses:	Those uses permitted by right in an OL District
Maximum Floor Area:	66,000 square feet
Maximum Building Height:	35 feet (two stories)
Minimum Off-Street Parking:	1 space per 300 sq. ft. of floor area
Minimum Building Setbacks:	
From north and south property line;	15 ft.
from east and west property line;	20 ft.
between buildings;	10 ft.
from access drive or parking.	10 ft.

(3) Signs:

Lakewood Avenue -- One monument sign not exceeding 16 square feet of display surface area or 4 feet in height. Illumination, if any, shall be by constant light.

Maplewood Avenue -- One sign not exceeding 48 square feet of display surface area or 20 feet in height. Illumination, if any, shall be by constant light.

PUD #198-C (continued)

- (4) That a Detail Landscape Plan shall be submitted to and approved by the TMAPC prior to occupancy, including a decorative screening fence along the east property line. That the applicant provide meaningful open space as depicted on the Outline Development Plan.
- (5) That a Detail Site Plan shall be submitted to and approved by the TMAPC prior to the issuance of a building permit, including a redesign of the entries from Maplewood and Lakewood making the Maplewood entry the major access point to the tract and the Lakewood Entry a secondary or backdoor access.
- (6) That no Building Permit shall be issued until the property has satisfied the requirements of Section 260 of the Zoning Code, 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:

John Sublett, representing Mr. Hudson, the applicant, stated basically we have no objections to the Staff Recommendation.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Hinkle, Kempe, Flick, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Miller, Inhofe, "absent") to approve the Staff Recommendation, on the following described property:

Lot 1, Block 1, Southcrest Addition, an addition to the City of Tulsa, being a resubdivision of a part of Lot 1, Block 2 of Del Prado Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

Application No. Z-5861 Present Zoning: RS-3
Applicant: James Brackett Proposed Zoning: OM
Location: South of the SW corner of 31st Street and Toledo Avenue

Date of Application: June 16, 1983
Date of Hearing: July 27, 1983
Size of Tract: .18 acre

Presentation to TMAPC by: Jim Brackett
Address: 4444 East 31st Street

Phone: 749-7747

Relationship to the Comprehensive Plan: Z-5861

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately .18 acres in size and located south of the southwest corner of 31st Street and South Toledo Avenue. It is partially wooded, flat, contains a single-family dwelling and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling converted to an office use zoned OM, on the east by an office building zoned OM, on the south by single-family dwellings zoned RS-3 and on the west by vacant lots zoned RM-2.

Zoning and BOA Historical Summary -- Recent zonings in the area have allowed medium intensity uses (OM, RM-2) along 31st Street.

Conclusion -- Although the subject tract is abutted on 3 sides by medium intensity uses the Staff does not feel the subject tract could support OM zoning, but instead should be used as a buffer or transition between medium intensity along 31st Street and single-family to the south. Therefore, the Staff recommends DENIAL of OM zoning and APPROVAL of OL Light Office zoning.

For the record, OL zoning will accommodate the applicant's immediate needs and a PUD on the entire tract would permit OM intensities in the future.

Applicant's Comments:

The Chair read a letter from the Steering Committee of District #6 recommending denial of the zoning (Exhibit "E-1").

Jim Brackett, the applicant, stated the property for zoning today is his, the other already zoned OM is his and the real estate brokerage firm, in which he is the principal stock holder, leases the space. To accommodate future expansion of their needs, Mr. Brackett is asking to extend the OM zoning one lot farther down Toledo Avenue. He is trying to join two houses together to make an office.

Application No. Z-5861 (continued)

Protestants: Joe W. Chatham
Mrs. Melvin Reeves

Addresses: 3132 South Toledo Avenue
3116 South Toledo Avenue

Protestant's Comments:

Joe W. Chatham submitted a petition (Exhibit "E-2") signed by 66 property owners on Toledo Avenue and Toledo Place. Mr. Chatham comments that the people in the area are disturbed with this change in zoning. They feel the OM zoning should not have permitted business on that corner. This is an old established neighborhood, which should be protected.

Mrs. Melvin Reeves is concerned with OM zoning at 3110 South Toledo. She is the adjoining property owner and feels threatened that OM zoning will disrupt their quality of life, as well as lowering the value of the residential property. She is also concerned with what OM zoning will accommodate in a residential area other than Showcase Realtors.

The Staff explained to Mrs. Reeves the definition of OM, OL and PUD. The applicant wants to be a good neighbor and keep an atmosphere of residential.

Commissioner T. Young feels the zoning that allowed The Gas-N-Go was an atrocity. He feels this is still a growing area.

Instruments Submitted: Letter from District #6 Steering Committee
recommending denial (Exhibit "E-1")
Petition of Protest containing 66
signatures of property owners (Exhibit "E-2")

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Draughon, Kempe, Hinkle, Flick, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to recommend DENIAL of the application, on the following described property:

Lot 2, Block 5, Conway Park Addition to the City of Tulsa, Tulsa County, Oklahoma.

PUD #221-A (continued)

Minimum Livability

Development Area	Space Per Unit	Square Feet	In Acres
A	866	346,280	7.95
B	-	112,916	2.60
C	600	392,460	9.00
D*	4,000	144,000	3.31
E*	4,000	512,000	11.75
F	2,000	278,680	6.40
G	600	30,000	.69
H	1,400	33,600	.77
I	1,400	36,400	.84
J	600	120,000	.28
K*	4,000	280,000	6.43
L	-	430,801	9.27
TOTAL			51.03

*In actuality, these Development Areas will result in more than 4,000 square feet of livability space per unit on an average. At least 12-15 additional acres will exist in the single-family areas upon completion, which will more than meet the required 59.796 acres of livability space.

This table was developed to show that under the maximum livability requirements the project would exceed the amount of open space required. However, some of the development areas had been approved for uses or requirements that were different than the maximums shown on the table.

Therefore, the Staff recommends that Condition #4 on PUD #221-A be amended as follows:

- (4) That minimum livability space be provided for Areas "A" and "B" as follows:

Minimum Livability

Development Area	Space Per Unit	Square Feet	Acres
A	866	346,280	7.95
B	-	112,916	2.60

All other Development Areas shall provide livability space as required by the conditions of PUD #221.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Draughon, Hinkle, Kempe, Flick, Petty, C. Young, T. Young, Woodward, "aye": no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to approve Minor Amendment to amend original condition #4.

PUD #316 - SE corner of East 91st Street and South Memorial Drive

Staff Recommendation - Amendment to the Minutes of May 4, 1983 Meeting

This is a request to amend the TMAPC approved Minutes from the May 4, 1983 meeting. The submitted Text was in error when stating that Development Area "B" contained 28.205 gross land area and 3.95 dwelling units per acre. The amendment of the submitted text and the approved minutes should reflect the new Development Standards as follows:

AREA "B"

Gross Land Area	916,502.4 sq. ft.	21.040 acres
Maximum Density	4.90 D.U.'s per acre	

All other standards will remain the same with no changes resulting within the original intent of PUD #316.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Draughon, Hinkle, Kempe, Flick, Petty, C. Young, T. Young, Woodard, "aye"; no "nays"; no "abstentions"; Higgins, Miller, Inhofe, "absent") to approve the Amendment to the Minutes.

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

Date Approved

August 17, 1983

Cherry Kempe
Chairman

ATTEST:

Marilyn Yarille
Secretary

