TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1473
Wednesday, September 14, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on September 13, 1983, at 10:57 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Hinkle, T. Young, Inhofe, "absent") to approve the minutes of August 31, 1983 (No. 1471).

REPORTS:

Report of Receipts and Deposits:

The Staff advised the Commission this report is in order. A new format of the report was adopted which presents not only the receipts and deposits, but INCOG's standing from the beginning of the fiscal year to better project revenues.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, Hinkle, T. Young, Inhofe, "absent") to approve the Report of Receipts and Deposits for the month ending August 31, 1983.

Chairman's Report:

Chairman Kempe advised the Commission of a work session on Friday, September 23, 1983, at 2:00 p.m., in the 4th Floor Conference Room of the Center Office Building to aid the new Commission members as there have been several new appointments to the Commission very recently.

Chairman Kempe introduced Mr. Mike Connery who will be taking Mr. Scott Petty's place on the Commission.

Director's Report:

Mr. Gardner explained the TMAPC requested that the INCOG staff prepare a special study for the Brookside area specifically dealing

with problems of inadequate off-street parking. Mr. Gardner submitted a memorandum summarizing 13 specific findings and various alternatives designated is short-range, intermediate and long-range solutions (Exhibit "A-1"). Not any of the solutions will rectify the problem, but a combination of the solutions could be used to help alleviate the parking problem. Some of the various sollutions were highlighted and summarized.

The Brookside study will be forthcoming and will be discussed more at length on September 28, 1983, as a public hearing item. The additional two weeks will allow interested parties and the Commission members to review the memorandum. Copies of the memorandum were available for any interested party present at the hearing.

ZONING PUBLIC HEARING:

PUBLIC HEARING FOR PROPOSED AMENDMENTS TO TITLE 42, SECTION 1221.5 (d) 4. & 5. TULSA REVISED ORDINANCES (TULSA ZONING CODE).

Section 1221.5 (d) 4. & 5.

Mr. Gardner advised this request has come before the Planning Commission after 13 years of the Staff reviewing and working with this section of the Zoning Code dealing with sign controls specifically in a CS district, the most restrictive commercial type of zoning. The Staff has requested that both portions (4 & 5) of Section 1221.5 be deleted.

Section 4 deals with business and outdoor advertising on vacant property which may be erected without any size limitation and can continue on that property until a use is placed on that tract. Section 5 deals with the Board of Adjustment granting special exception to permit additional signs behind the building setback line. If that section was deleted those signs would still be permitted, but would be permitted by a variance rather than a special exception.

The major reason for the deletion is when the Sign Code was adopted it was the first time sign control was addressed, and after 13 years certain limitations must be placed on signs. The Sign Ordinance, as written, makes no distinction between outdoor advertising and business signs and was added to the Code on a trial bases, but has presented numerous problems.

Presently there is no distinction made between vacant property and property which contains a business in the Zoning Code. The calculation used in determining the amount of display sign area is 2.5 sq. ft. for every lineal foot of frontage; therefore, a 375' sign could be placed on a CS zoned lot which meets the minimum lot containing 150' of frontage. Placing a sign behind the building setback line eliminates sign clutter on the street, but moving them back does not eliminate that problem because they are merely constructed taller and larger.

Chairman Kempe advised that any interested parties would now be given time to address the Commission concerning the proposed amendment to the Zoning Code.

Public Hearing for Proposed Amendments to Title 42: (continued)

Tom Quinn, 7419 South Jackson Avenue, a licensed and bond sign contractor, expressed that the Zoning Code should not be changed as it permits a sign without any sq. ft. limitation to be placed on an unimproved CS lot. Mr. Quinn, who builds and erects signs and billboards in Tulsa, stated that signs placed in CS zoned areas represent 49% of his work. If the two provisions are deleted Mr. Quinn's business would greatly suffer.

Chairman Kempe advised that signs are not being prohibited in a CS zoned district, but a size limitation is being placed on signs. Mr. Quinn was reminded that a 375 sq. ft. sign would be permitted on a CS zoned tract which contains 150' of frontage.

Mr. Gardner questioned if the size of the sign has relationship to the property why should it exceed the formula. (2.5 sq. ft. for every lineal foot of frontage.) Legal Counsel Passo asked if there is any provision in the Code which would permit a waiver to increase the amount of display sign area in a CS zoned district and Mr. Gardner advised a variance of the display surface area could be granted for further relief.

Bill Stokely, 8921 South 70th East Avenue, stated it was his belief that CS zoning is not the most restrictive zoning, but AG is more restrictive than CS. It was advised that the present Zoning Code concerning limitations of sign size is appropriate. Billboards are better maintained and utilized today than three years ago. Mr. Stokley expressed his extreme concern with the image of outdoor advertising in Tulsa.

Mr. Stokley was strongly opposed that the size of a sign be reflected by the frontage of a lot in a CS zoned district. Although a variance through the Board of Adjustment could be sought Mr. Stokely felt the request would be voted down as most of his past requests have not been granted.

Mr. Beckstrom asked if the existing signs would be affected if these two sections were deleted from the Code and it was advised that the signs now existent would be considered legal nonconforming sign structures.

The Commission suggested that Item #4 remain as part of the Zoning Code, Code, but limit the sign provided it does not exceed 320 sq. ft. on any undeveloped or unimproved lot and if a building or business is placed on the tract that the sign be removed or must meet the zoning requirements. Mr. Gardner suggested that a limit be placed on vacant property if it was the Commission's desire. Regardless of the size of the lot a 320 sq. ft. sign would be permitted. If the lot is larger, this restriction is not in effect.

The Commission asked Mr. Quinn and Mr. Stokley if they would be in agreement with the 320 sq. ft. limitation and they were fully supportive of the Zoning Code without any amendment, but were more satisfied with that limitation rather than deleting the entire section.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, C. Young, Woodard, "aye";

no "nays"; no "abstentions"; Hinkle, T. Young, Inhofe, "absent") to close the public hearing.

On MOTION of C. YOUNG, the Planning Commission voted 7-1-0 (Beckstrom, Connery, Draughon, Flick, Kempe, Woodard, C. Young, "aye": Higgins, "nay"; no "abstentions"; Hinkle, T. Young, Inhofe, "absent") to delete Section 1221.5 (d) 5 and to amend Section 1221.5 (d) 4 to read as follows:

> 1221.5 (d) 4. An unimproved lot may, as a matter of right, erect outdoor advertising signs behind the building setback having a display surface area of 320 sq. ft. or 2.5 sq. ft. of display surface area per each lineal foot of street frontage, whichever is greater, provided that upon the occupancy of any building on the lot, any sign not complying with the display surface area limitations set out herein shall be removed prior to such occupancy.

Application No. CZ-89 Present Zoning: RMH
Applicant: INCOG Proposed Zoning: RE
Location: East of 145th West Avenue, North of 15th Street South

Date of Application: July 18, 1983
Date of Hearing: September 14, 1983
Size of Tract: 15 acres, more or less

Presentation to TMAPC by: John Patterson
Address: 14443 West 17th Street Phone: 245-3569

Relationship to the Comprehensive Plan: CZ-89

The District 23 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract. However, the Development Guidelines do apply and the area is defined as a subdistrict.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 15 acres in size, plus or minus, and located on the east side of 145th West Avenue, south of the Arkansas River. It is partially wooded, rolling, contains 6 single-family dwellings, 8 mobile homes and several vacant lots and is zoned RMH.

Surrounding Area Analysis -- The tract is abutted on the north by the Arkansas River zoned AG, on the east by the Arkansas River and vacant land zoned AG, on the south by scattered single-family dwellings zoned AG and RE and on the west by a mobile home park and single-family subdivision zoned RMH and RE.

Zoning and BOA Historical Summary -- The subject tract was rezoned to RMH in the 1980 remapping when Tulsa County took over zoning control in the unincorporated areas. Before the 1980 remapping, the Board of Adjustment approved a variance to permit the existing 8 mobile homes to remain as they appear today.

Conclusion -- With present development as it is occurring, the Staff's opinion is that RE zoning allowing mobile homes as a use by exception would be more appropriate. This would allow the control of mobile homes on the subject tract. It was not the intent of the Staff to turn the subject tract into a dense mobile home park as exists to the west. The Board of Adjustment approval is still applicable on that portion developed as mobile homes, and therefore, does not require RMH zoning. We believe the existing zoning occurred as an error in the 1980 remap.

Therefore, the Staff recommends APPROVAL of the RE zoning.

Chairman Kempe advised a letter was submitted from Don Harris, who owns 5 acres of the subject property and wishes that the 5-acre portion remain RMH (Exhibit "B-1").

Application No. CZ-89 (continued)

Applicant's Comments:

Mr. John Patterson stated when he bought his property it was zoned under the RE classification and later discovered it was changed to a mobile home park zoning without any notification. There are many mobile homes surrounding the property, but Mr. Patterson requested that the property be zoned RE. He was in agreement with the Staff recommendation.

Mrs. Paula Patterson stated the property surrounding the subject property to the north, east and south is vacant. She expressed her fear if RMH zoning were granted on the property it would set a precedent in the area.

Protestants: Don Harris — Addresses: 14101 West 17th Street
Mrs. Don Harris — 14101 West 17th Street

Protestants' Comments:

Mr. Don Harris stated he owns the 8 mobile homes located within the 15-acre tract and felt the RMH zoning should be retained. There are more mobile homes in the area than single-family residences.

Chairman Kempe advised Mr. Harris that his mobile home park would be unaffected by the RE zoning because the variance granted by the BOA would retain the 8 mobile homes on his property.

A letter was submitted from the Sand Springs Regional Planning Commission, who voted 6-0-0 to recommend approval of the rezoning request (Exhibit "B-2"). Their recommendation included the stipulation that the 5.0 acre tract, more or less, owned by Mr. Harris be excluded from the rezoning request and for it to remain zoned RMH.

Mrs. Don Harris inquired if the variance granted by the BOA would run with the land and the Staff assured her the 8 mobile homes would still be permitted and would run with the land if the RE zoning were approved. Mrs. Harris stated she preferred that the land remain RMH.

The Staff stated they were unaware of the Sand Springs Regional Planning Commission recommendation. Mr. Gardner stated the Staff recommendation is based on the fact that the zoning was in error and would be concerned that a precedent not be established.

Instruments Submitted: Protest Letter from Don Harris (Exhibit "B-1")
Letter from Sand Springs Regional Planning Commission (Exhibit "B-2")

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; none, "abstaining"; Hinkle, T. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RE:

That portion of the W/2 of Section 9, Township 19 North, Range 11 East, lying South of the Arkansas River and North and East of 15th Street South, Tulsa County, Oklahoma.

Application No. Z-5871 Present Zoning: AG
Applicant: Moskowitz (Manley) Proposed Zoning: CO
Location: SE corner of 66th Street and Mingo Road

Date of Application: July 22, 1983
Date of Hearing: September 14, 1983
Size of Tract: 37.18 acres

Presentation to TMAPC by: Frank Moskowitz
Address: 3530 East 31st Street Phone: 743-7781

Relationship to the Comprehensive Plan: Z-5871

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- 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 37 acres in size and located on the east side of Mingo Road, 1/4 mile north of 71st Street. It is partially wooded, rolling, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by large lot single-family dwellings zoned RS-3, on the east by vacant property zoned RS-2, on the south by vacant property zoned AG and on the west by Union School zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions have allowed CO zoning between the expressway and Mingo Road both north and south of the area of the subject tract.

Conclusion -- Due to the location of the subject tract between Mingo Valley Expressway and Mingo Road the tract qualifies for Corridor zoning. Based on this fact and the Comprehensive Plan, the Staff recommends APPROVAL of the requested CO zoning.

For the record, zoning of CO should not be construed as commercial zoning. Specific uses of the land require an additional public hearing and approval.

Applicant's Comments:

Mr. Frank Moskowitz stated he was in concurrence with the Staff Recommendation and advised he would return with a site plan for apartments for the Commission's review. The utilities will be extended and the street dedication will be completed when the plating process is finished.

Mr. Flick was concerned with the proposed CO zoning and the increase in traffic. Mr. Moskowitz stated the tract is located within a Corridor area and he felt a plan could be presented which would be favorable with the Planning Commission and City Commission.

Chairman Kempe advised in the Corridor zoning the applicant is required to return with specific proposals to this Commission for another public

hearing when development is about to begin. Mr. Flick suggested that the Union School District be notified at that time since they are located directly across the street.

Mr. Linker, Legal Counsel, pointed out that this is a prime example of when the Planning Commission is relying on planned expressways in approving Corridor zoning as this issue has been raised concerning subdivision plats. Applicants do tend to rely on the planned facilities.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-1 (Beckstrom, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; Connery, "abstaining"; Hinkle, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CO:

Lot 6, of Section 6, Township 18 North, Range 14 East of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

Application No. Z-5872 Present Zoning: RS-1
Applicant: Robert C. Law Proposed Zoning: RS-2
Location: 3939 South Lewis Place

Date of Application: July 29, 1983
Date of Hearing: September 14, 1983
Size of Tract: .4 acre, more or less

Presentation to TMAPC by: Robert C. Law
Address: 3939 South Lewis Place Phone: 743-2074

Relationship to the Comprehensive Plan: Z-5872

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning District", the requested RS-2 District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately .4 acre in size and located on the northeast corner of 40th Street and Lewis Place. It contains large trees, is sloping, and contains a single-family dwelling zoned RS-1.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling on a large lot zoned RS-1, on the east by a single-family dwelling on a large lot zoned RS-1, on the south by a single-family dwelling on a large lot zoned RS-2 and on the west by single-family dwellings on large lots zoned RS-1.

Zoning and BOA Historical Summary -- The subject tract is located within the square-mile which was downzoned by the City of Tulsa last summer at the request of the property owners in the area.

Conclusion -- As stated above, this tract was downzoned from RS-2 to RS-1 at the request of the applicant. Based on this fact, along with the Comprehensive Plan and existing RS-2 zoning in the area, the Staff recommends APPROVAL of the requested RS-2 zoning.

Applicant's Comments:

Mr. Robert Law presented a map of the subject area and advised the Commission of the existing RS-2 zonings in the area. The only entrance into this area is through Lewis Place. Mr. Law proposes to split the subject lot and place two residences on the property. There are 19,015 square feet contained in the tract. There is adequate square-footage to split the lot if it is zoned under the RS-2 classification, but would not be sufficient area if it remained RS-1. Mr. Law's house will contain approximately 2,000 square feet and the second house will contain 1,700 square feet.

Mr. Law advised he contacted all his neighbors within 300' of the subject tract and the majority were in support of the zoning. He submitted a petition bearing 15 signatures of property owners in support of the zoning request (Exhibit "C-1").

Application No. Z-5872 (continued)

Chairman Kempe submitted a letter from the District 6 Steering Committee who recommended denial of the zoning application to retain the integrity of the neighborhood (Exhibit "C-2").

There was some discussion as to the zoning request being valid. Chairman Kempe explained to the new Commission members that approximately one year ago this entire square mile was before the Commission for rezoning from RS-2 to RS-1. There were numerous public hearings on that request.

Mr. Gardner advised when the Staff evaluated the area they determined that RS-2 would be compatible in the area as there are other RS-2 zoned properties in the immediate area. If the area had been surrounded by RS-1 with no other RS-2 zonings in the area, the Staff would have recommended denial of the request because that would have presented spot zoning.

Mrs. Higgins was concerned that there be adequate open space on the tract.

Mr. Flick felt the integrity of the neighborhood should be protected and that the Commission should be supportive of the District #6 recommendations.

Mr. Beckstrom stated he could support the zoning request because the neighbors most affected by the zoning change were informed of the request and have given their support.

Instruments Submitted: Petition in Support of the Zoning (Exhibit "C-1)
Letter from District 6 Steering Committee (Exhibit "C-2")

TMAPC Action: 8 members present.

On MOTION of BECKSTROM, the Planning Commission voted 6-1-1 (Beckstrom, Connery, Draughon, Higgins, Kempe, Woodard, "aye"; Flick, "nay"; C. Young, "abstaining"; Hinkle, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-2.

Lot 1, Block 1, Rice Addition, Tulsa County, Oklahoma.

Application No. Z-5873 Present Zoning: AG
Applicant: Brown (Corbin, Boggs, Brown) Proposed Zoning: IL
Location: NW corner of Elwood Avenue and 91st Street South

Date of Application: July 29, 1983
Date of Hearing: September 14, 1983
Size of Tract: 23.5 acres

Presentation to TMAPC by: Darvin Brown
Address: 5561 South Lewis Avenue Phone: 742-6454

Relationship to the Comprehensive Plan: Z-5873

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special Industrial District.

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 tract is approximately 23.5 acres in size and located on the NW corner of 91st Street and Elwood Avenue. It is partially wooded, rolling, contains 3 metal buildings and is zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north, across the County Levee, by scattered single-family dwellings on large tracts zoned AG, on the east by Jones Airport zoned IL, on the south by mostly vacant property zoned AG and on the west by vacant property zoned AG.

Zoning and BOA Historical Summary -- With the proximity of the airport and based on the Comprehensive Plan, the Staff noted the subject tract is contained in a transition area from agriculture to industrial.

Conclusion -- The Staff can support IL zoning based on the above mentioned facts, and therefore, recommends APPROVAL of IL zoning. When the application was taken FD zoning was requested in the alternative in case a portion of the tract was located in the 100-year floodplain. According to the Hydrology Report the tract is outside that flood area, so FD zoning is not needed.

Applicant's Comments:

Mr. Darvin Brown represented the owners of the property. The owners of the property do not propose a major industrial development, but wish to utilize the buildings presently in place which are vacant. The property owners have purchased approximately 80 acres in this area, but only desire that the 23 acres be rezoned.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, C. Young, Woodard, "aye"; no "nays"; no "abstentions"; Hinkle, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL, per Staff Recommendation.

Application No. 5873 (continued)

The East 500' of all that part of the E/2, SE/4 of Section 14, Township 18 North, Range 12 East of the I.B. & M., lying south of levee constructed on easement owned by Tulsa County Drainage District No. 13, Tulsa County, Oklahoma, containing 23.5 acres, more or less.

Z-5873 Grimmer (Vandever) East of the NE corner of Peoria Avenue and 35th St.
RS-3 to OL

Chairman Kempe advised that a request for continuance until October 5, 1983, has been made concerning this zoning matter.

Mr. Gardner advised the zoning matter is located within the Brookside area under special study. An open or public hearing will be held on September 28, 1983, of the area which could possibly be continued to October 5, 1983. Mr. C. Young suggested that the zoning be continued to October 12, 1983 to allow for the completion of the report on the Brookside special study.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Hinkle, T. Young, Inhofe, "absent") to continue consideration of Z-5874 until October 12, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-90 Present Zoning: AG
Applicant: Orvis (Gerber) Proposed Zoning: RMH & FD
Location: SE corner of 136th Street North and U. S. Highway #169

Date of Application: August 2, 1983
Date of Hearing: September 14, 1983
Size of Tract: 13.46 acres

Presentation to TMAPC by: Bruce Orvis
Address: 3336 East 32nd Street Phone: 744-0075

Relationship to the Comprehensive Plan: CZ-90

The District 14 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Agricultural and Development Sensitive with a potential for Expressway Corridor.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 13.46 acres in size and located at the southeast corner of 136th Street North and Mingo Valley Expressway; which is under construction. It is partially wooded, flat, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land used for a servive road and an industrial use zoned IL, on the east and northeast by scattered single-family structures zoned AG, on the south by vacant land and then large lot mobile home dwellings zoned AG and on the west by the expressway and vacant land zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions have allowed medium intensity IL zoning at the planned major intersection of 136th Street North and U. S. Highway #169.

Conclusion -- Based on the following facts: (a) The area is designated as having potential for much higher intensity uses than RMH when the expressway is completed, (b) medium intensity IL has been approved abutting the tract on the north, (c) access to and from the tract will be provided from three directions to equally distribute any potential traffic increase and (d) mobile homes already exist in the area just south of the subject tract--RMH zoning is found to be appropriate.

Therefore, the Staff recommends APPROVAL of RMH zoning as requested.

For the record, density (no. of mobile homes) will depend on type of sewage treatment facilities. The tract will require platting and approval by TMAPC prior to any development. The Staff is concerned about water and water pressure in the area, since it lies within the Washington County rural water district.

Applicant's Comments:

Chairman Kempe submitted a continuance request to September 28, 1983, from Bruce Orvis (Exhibit "D-1"). The letter of continuance was not timely filed. Mr. Orvis was present and stated the applicant became aware of a

protest petition and decided that more time was needed to prepare for the hearing.

The Commission members felt the application should be heard because the letter requesting continuance was not timely submitted.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Hinkle, T. Young, Inhofe, "absent") to hear the zoning request and deny the requested continuance.

Prior to the Staff Recommendation being read, Mr. Gardner explained that the Staff has established some policies that RMH zoning is inappropriate in a rural location. He stated he had not seen a specific plan as to the proposed number of mobile homes. The ultimate development will be dependent on the ability to provide the needed utilities and the ultimate zoning.

Mr. Bruce Orvis, engineer for the applicant, advised the initial development consists of 32 mobile home lots which are in excess of 6,000 sq. ft. each. Sanitary facilities will be provided for a lagoon system along the expressway to handle the 37 original lots and later be used for the ultimate development which will consist of 66 lots with a clubhouse and pool. This would be accomplished later when sanitary sewer lines are available from Collinsville and water would be provided by the rural water district in the area. The streets, when paved, will be 36' in width and the platting and easements will be according to TMAPC standards.

Mrs. Higgins was concerned with the County's attitude toward a lagoon system as proposed on the tract. Mr. Gardner stated the County is in support of Tulsa City-County Health Department's action provided it is designed properly. Mr. Orvis advised nothing would be constructed without state or county approval.

There was limited discussion concerning the zoning category which the application should be considered. There is not a single classification which accommodates what the applicant is proposing to place on this tract. It is either all RMH or a combination of RMH and another category.

Protestants:	Betty Abshire	Addresses:	13910 E. 136th Street North
	Paula Hamlin		Route 2, Box 897 - Collinsville
	Georgia Priddy		13510 North 155th E. Avenue
	Ray Koons		Route 2, Box 887 - Collinsville
	Wayne Priddy		13510 North 155th E. Avenue
	David Hamlin		Route 2, Box 897 - Collinsville
	Jay Daniel		Route 2, Box 939 - Collinsville

Protestants' Comments:

Mrs. Betty Abshire advised she lives directly east of the subject tract. The Abshires, who own 8.7 acres, have a house, barn, horses and cattle on the property. She stated she was extremely opposed to placing a mobile home park in this area as the increased amount of individuals living in the area would be a disturbance to the animals. The abshires' property was recently tested and failed the percolation test and they, too, must proceed with a lagoon system.

Application No. CZ-90 (continued)

Mrs. Paula Hamlin informed the Commission of four mobile home parks in close proximity to the property and felt the proposed mobile home park is not needed because that area is presently saturated with that use. She submitted a protest petition signed by 153 residents.

Mrs. Hamlin, who is a school teacher in the Collinsville School system, advised the school recently had their gym burn down, has had problems with transporting the children, has no cafeteria, and has had numerous problems with passing bond issues and felt the school could not accommodate the increased enrollment if the mobile home park is approved.

Mrs. Hamlin also addressed the water problem in the area. The water pressure is very low and the septic system has caused problems in the area. The subject area is very low and when there is a heavy rain sewage stands in the surrounding area. Increased traffic would be a detriment especially on 136th Street North which is a one lane county road.

Mrs. Georgia Priddy reiterated the same concerns as presented by Mrs. Hamlin. Her main concern was the increase in traffic if the mobile home park use is approved.

Mr. Ray Koons stated his main concern with the project is the moratorium on water. Mr. Koons advised he spoke with the district manager from the rural water district who felt the moratorium would not be lifted until next summer. The Commission was requested not to approve the zoning because adequate utilities are not available on the property at this time.

Mr. Beckstrom asked Mr. Koon's opinion of the proper use on the property and Mr. Koons suggested that it be used for residential purposes with larger acreage.

Mr. Wayne Priddy raised some concern as to the access on and off of Highway #169 at 136th Street North. It was advised that one traveling to Highway #169 would have to go to 146th Street North to gain access to the expressway. Mr. Priddy was concerned that the service road would be the primary access to Highway #169. It was advised that the subject property is located within a floodplain. Another concern expressed was the tax base from a mobile home park as opposed to a tax base for single-family residential. The high density on the tract was one more concern raised.

The Staff addressed Mr. Priddy's concerns on the subject property. Mr. Gardner discussed the various zoning categories and the number of mobile home units permitted in each, if they were approved for this tract.

Mr. Beckstrom expressed his sympathy with the property owners in the area but felt the Staff Recommendation was in accordance with all the zoning requirements and Comprehensive Plan.

Mr. David Hamlin expressed a concern with access to and from the subject area from Highway #169. He was also concerned with the density.

Mr. Jay Daniel stated he was not opposed to progress but did not feel the mobile home park would be feasible on the tract. He suggested that the property be used for industrial purposes.

The Staff addressed the issue of density and advised if the tract was zoned AG it would permit 6 mobile home units, AG-R would permit 12, RE would permit a maximum of 24 units and RS would permit a maximum of 70 mobile home units on the property.

Applicant's Rebuttal:

Mr. Dan Gerber, Rt. 2, Box 838, the owner of the property, stated he purchased the property for development and felt a mobile home park was the best use of the property. He did not foresee that traffic would be greatly increased or create a problem for access to Highway #169.

Mr. C. Young advised the legislature has entertained a bill which would require the Planning Commission to put mobile homes in all subdivisions if they are continually denied. He stated he did not know the Commission could continue to say no to the mobile home parks. He expressed concern with the density of the proposed use on the tract. He stated he could support no more than 24 units on the tract under the RE zoning classification because Highway #169 has very limited access and it is not a physical crossing of two major roads where a lot of traffic could be handled.

Mrs. Higgins stated due to the size of the property and the size of the acreage surrounding the tract she would tend toward AG-R which would permit 12 units.

HIGGINS made a MOTION to approve AG-R zoning, but due to the lack of a second, the motion died.

Special Discussion for the Record:

Mr. Flick was in concurrence with Mr. C. Young's statements that RE zoning would be more appropriate for the subject tract. He felt the compromise of permitting a mobile home on each half-acre would be appropriate for that area. Mr. C. Young clarified his statement and advised if RE zoning were approved the applicant would be required to return to the Commission with a PUD.

Mr. Gardner advised the RE allows 24 residential units assuming they are placed on a minimum of one-half acre lot which must have frontage on a dedicated street. The applicant must return to the Planning Commission or Board of Adjustment and a subdivision plat will be required.

Mr. Beckstrom felt it was not the Commission's authority to deny all mobile home parks in Tulsa County. He felt the proposed density for the tract was premature because the road is not in place, road improvements have not been made, access to the south is not adequate, and water problems are existent. He stated he would be in support of the AG-R or RE zoning.

Instruments Submitted: Letter requesting continuance (Exhibit "D-1")
Protest Petition, with 153 signatures (Exhibit "D-2")

Application No. CZ-90 (continued)

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Hinkle, T. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RE.

The W/2 of the NW/4 of the NE/4, Section 33, Township 22 North, Range 14 East, Tulsa County, Oklahoma.

Application No. Z-5875 Present Zoning: RS-3
Applicant: Riddle (Mobley) Proposed Zoning: CS
Location: 6419 East Pine Place

Date of Application: August 3, 1983
Date of Hearing: September 14, 1983
Size of Tract: .18 acre

Presentation to TMAPC by: Tom Herbelin
Address: 5314 South Yale Avenue, Suite 200 Phone: 494-3770

Relationship to the Comprehensive Plan: Z-5875

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately .18 acres in size and located at the northwest corner of Pine Place and North Sheridan Road. It is partially wooded, flat, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land zoned CS, on the east by single-family dwellings zoned CS and a church zoned RM-2, on the south by a plumbing supply company zoned CS and on the west by a single-family neighborhood zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have allowed medium intensity zoning districts abutting the tract on three sides. The Comprehensive Plan is in error since it does not reflect the changing conditions in the area.

Conclusion -- Given the fact that CS zoning exists on three sides of the tract and that there is no discernable difference between the subject tract and the abutting tract to the south, the Staff recommends APPROVAL of the requested CS zoning. We would also recommend amending the Comprehensive Plan to reflect this zoning change.

Applicant's Comments:

Mr. Herbelin represented Rick Riddle on behalf of the owner, Winston Mobley, stated the property is surrounded on all three sides by CS zoning. The property is presently being used for a rental house. Mr. Mobley has no intention of changing the use, but desires to pursue the best and highest zoning of the property.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Hinkle, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS.

Application No. Z-5875 (continued)

Lot 1, Block 1, Douglas Court Addition to the Town of Dawson, now an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat thereof.

Application Nos. Z-5876 and PUD 337 Present Zoning: AG
Applicant: Kelsey (Sparkman) Proposed Zoning: RS-1
Location: South side of East 101st Street and 1/4 mile West of Sheridan Road

Date of Application: August 4, 1983
Date of Hearing: September 14, 1983
Size of Tract: 6.031 acres

Presentation to TMAPC by: Gary Howell
Address: 311 North Aspen, Broken Arrow, Oklahoma, 74012 Phone: 251-1537

Relationship to the Comprehensive Plan: Z-5876

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2 - limited to RS-1 Low Density without a PUD and the southern portion of the tract is Low Intensity -- Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-1 District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 6 acres in size and located on the south side of 101st Street, east of Joplin Avenue. It is partially wooded, flat, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by a developed single-family subdivision zoned RS-1, on the east by scattered single-family dwellings on large lots zoned AG, on the south by vacant property zoned AG and on the west by mostly vacant property zoned AG.

Zoning and BOA Historical Summary -- Existing zoning and development away from the corner of 101st Street and Sheridan Road has been for low intensity residential.

Conclusion -- Based on the Comprehensive Plan and existing conditions, the Staff recommends APPROVAL of the requested RS-1 zoning.

Staff Recommendation: PUD #337

The subject tract is located 1/4 mile west of the southwest corner of 101st Street and South Sheridan Road. It is approximately 6.03 gross acres in size and the Staff has recommended approval of RS-1 underlying zoning.

Based upon that recommendation, the Staff reviewed the PUD application and find the proposal is; (a) consistent with the Comprehensive Plan; (b) in harmony with the existing and expected development of the area; (c) a unified treatment of the development possibilities of the site; (d) designed in a manner that provides proper accessibility, circulation and functional relationships of uses; and (e) is consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #337, subject to the following conditions:

PUD #337 (continued)

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

(2) Development Standards:

Land Area (Gross):	6.031 acres
(Net):	5.973 acres
Permitted Uses:	Detached Single-Family Residential
Maximum Number of Dwelling Units:	9 units
Minimum Livability Space:	7,000 sq. ft. per unit
Maximum Building Height:	2½ stories/40 feet
Minimum Building Setbacks:	
From all boundary lines,	25 feet
from centerline of private street,	50 feet
from side yard.	15 feet
Minimum Off-Street Parking:	2 spaces per unit

(3) Signs shall be limited to 2 fence mounted signs not exceeding a combined total of 32 square feet of display surface area, nor 5 feet in height. Illumination, if any, shall be by constant light.

(4) That a Homeowner's Association be established to maintain all common paved or open space areas.

(5) That the approval of the Final Plat be considered as the approval of a Detail Site Plan.

(6) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to issuance of a building permit, including; (1) entry design and landscaping, (2) entry driveway design, landscaping, fencing, etc., (3) screening, fencing and/or buffering along the remaining boundary lines to insure compatibility with proposed or existing development abutting the subject tract.

(7) That no building permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and 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. Gary Howell represented the applicant. He stated he concurred with the Staff Recommendation for the zoning and PUD. The original PUD site plan showed the cul-de-sac at a different location, but it has been moved and is in accordance with the recommendation. The applicant was also given the opportunity to pay a fee in lieu of detention which has been accomplished.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-1.

On MOTION of C. YOUNG, the Palnning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Hinkle, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the Staff Recommendation:

Z-5876 LEGAL:

All that part of the E/2, E/2, NW/4, NE/4 of Section 27, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, more particularly described as follows, to wit:

Beginning at a point on the North Boundary Line of said E/2, E/2, NW/4, NE/4 a distance of 281.13 feet West of the Northeast corner thereof, said point being 1,656.64' West of the Northeast corner of said Section 27; thence South 89°-51'-36" West along the North line of said E/2, E/2, NW/4, NE/4 a distance of 50.20' to the Northwest corner of said E/2, E/2, NW/4, NE/4; thence South 0°-01'-47" East along the West line of said E/2, E/2, NW/4, NE/4, a distance of 1,320.86' to the Southwest corner thereof; thence North 89°-51'-00" East along the South Boundary of said E/2, E/2, NW/4, NE/4 a distance of 331.39' to the Southeast corner thereof; thence North 0°-01'-58" along the East Boundary of said E/2, E/2, NW/4, NE/4 a distance of 698.42 feet; thence South 89°-51'-19" West a distance of 281.16'; thence North 0°-01'-48" a distance of 622.41' to the point of beginning, containing 6.031 acres, more or less.

PUD #337 LEGAL:

All that part of the E/2, E/2, NW/4, NE/4 of Section 27, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, more particularly described as follows, to wit:

Beginning at a point on the North Boundary Line of said E/2, E/2, NW/4, NE/4 a distance of 281.13' West of the Northeast Corner thereof, said point being 1,656.64' West of the Northeast corner of said Section 27; thence South 89°-51'-36" West along the North line of said E/2, E/2, NW/4, NE/4 a distance of 50.20' to the Northwest corner of said E/2, E/2, NW/4, NE/4; thence South 0°-01'-47" East along the West line of said E/2, E/2, NW/4, NE/4 a distance of 1,320.86' to the Southwest corner thereof; thence North 89°-51'-00" East along the South Boundary of said E/2, E/2, NW/4, NE/4 a distance of 331.39' to the Southeast corner thereof; thence North 0°-01'-58" along the East Boundary of said E/2, E/2, NW/4, NE/4 a distance of 698.42'; thence South 89°-51'-19" West a distance of 281.16'; thence North 0°-01'-48" a distance of 622.41' to the point of beginning, containing 6.031 acres, more or less.

Application No. Z-5877 Present Zoning: RS-1
Applicant: Nichols (Miles) Proposed Zoning: IL
Location: East of the NE corner of East Admiral Place and 177th East Avenue

Date of Application: August 4, 1983
Date of Hearing: September 14, 1983
Size of Tract: 2.5 acres

Presentation to TMAPC by: Robert Nichols
Address: 800 Grantson Building - 111 West 5th Street Phone: 582-3222

Relationship to the Comprehensive Plan: Z-5877

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

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 tract is approximately 2.5 acres in size and located just east of the northeast corner of Lynn Lane and Admiral Place. It is partially wooded, flat, vacant and zoned RS-1.

Surrounding Area Analysis -- The tract is abutted on the north by I-44, to the east are single-family dwellings zoned RS-1, on the south is vacant land zoned CS and on the west is vacant land zoned RS-1, but recently recommended by the Planning Commission for CS zoning. (Pending City Commission action)

Zoning and BOA Historical Summary -- Past zoning actions have allowed medium intensity land uses between Admiral Place and I-44.

Conclusion -- Based upon the Comprehensive Plan, existing land uses and the surrounding zoning patterns, the Staff can support the applicant's request.

Therefore, the Staff recommends APPROVAL of the requested IL District.

Applicant's Comments:
Mr. Robert Nichols, attorney, represented Mr. Troy Miles and stated he was in agreement with the Staff Recommendation and wished to reserve time for comments after the protestants made their presentation.

Protestants:	Addresses:
Betty Lear	19125 East Archer Court
Margaret Frommel	17919 East Admiral Place
Virginia Maddux	18005 East Admiral Place
Hugh Lear	19125 East Archer Court
A. R. Maddux	1805 East Admiral Place

Protestants" Comments:
Mrs. Betty Lear was present to address the Commission. Mrs. Lear advised there was a TMAPC meeting held in July 1983 in reference to the 6-acre subject tract at the corner of Admiral Place and 177th East Avenue. Mrs. Lear was convinced that the 6-acre tract heard previously and the 2.5 acre

subject tract were the same application. The Commission advised Mrs. Lear that the 1st application was heard on July 13th and continued to August 17, 1983, at which time it was approved for CS zoning and is pending action by the City Commission meeting. Mrs. Lear then suggested that the case be continued because there was not adequate notice of this zoning.

Mrs. Margaret Frommel voiced her opposition to the proposed IL zoning and felt CS would be more appropriate for the subject tract. She expressed her concern that property values would decrease as the subject property will be used for trailer storage.

A question was raised as to whether the sign to notify the surrounding property owners was placed on the subject tract, or the 6-acre tract, previously heard by the Commission. Mr. Linker, Legal Counsel, advised if the sign was not posted properly on the subject tract this Commission should not hear the case. Mr. Nichols advised that Mr. Miles sent a letter to the property owners within 300' of the subject property notifying them of the hearing and intended use of the property. Mr. Miles was certain that the sign was posted on his property.

Mrs. Virginia Maddux was concerned that the sign was properly posted. She was also interested in the proposed use of the land and was fearful that the use would decrease property values for the residents in the area. If the property became an eyesore to the area a screening fence should be erected to preserve the surrounding property.

Chairman Kempe inquired as to the screening fence requirement if the property is rezoned IL and the Staff advised that a 6' screening fence on the east boundary would be required. There was limited discussion if the IL zoning would be appropriate in this area. In the past, the Commission has approved IL zoning in the vicinity.

Mr. Hugh Lear felt that proper notice had not been given because the tall weeds on the property have covered the sign making it difficult to read it and felt it was a practice of deceit. Chairman Kempe advised the signs are placed in a location visible for the surrounding property owners, but many times the signs are stolen, removed or placed at another location. Mr. Lear was then advised that notice is given through the sign, published in the Tulsa Daily Legal News and in The World Newspaper and written notice is given to property owners within 300' of the property.

Mr. Lear did not feel that IL would be appropriate for the property and did not feel that a use of any greater density than CS should be permitted. He, too, was fearful that the property would become an eyesore to the neighborhood.

Mr. A. R. Maddux contended that the zoning sign was located on the corner lot and not the subject tract. Mr. Maddux suggested that the property be zoned for residential use because if the property is used to store wrecked trailers it will deteriorate the community.

Applicant's Rebuttal:

Mr. Troy Miles, the owner of the property, stated he owns Fifth Wheel, Incorporated, a truck trailer dealership of commercial transportation equipment. Mr. Miles, who has owned the property for approximately 12 years, proposes to use the property for temporary storage of wrecked trailers

and equipment. The equipment would be located on the property until proper parts are received and approval of the insurance carrier is granted for accidents involved with this equipment. Occasionally complete trailers will be stored on the property until they are sold.

Mr. Nichols addressed the question of adequate notice being given to the property owners and reminded the Commission that written notice was given to all owners within 300' of the property. He stated that all of the concerns of the neighbors were addressed in the Staff Recommendation and assured the Commission that a 6' screening fence would be erected. It was also reminded that a 75' setback most be adhered to. Mr. Nichols completed his statements by expressing the fact that the zoning request is in compliance with the Comprehensive Plan which calls for the property to be zoned IL eventually.

Mr. C. Young asked that the Staff explain what is meant that the property is a special district for industrial development. Mr. Garnder stated the Plan was a part of the Comprehensive Plan and was adopted as a part of the District Plan. Industrial zoning has been approved in the Corridor without logical sequence and timing, therefore, the Staff has recommended approval of IL because they are hard pressed to draw the line that was originally drawn and has been violated two or three times.

Mr. C. Young stated that he did fully support the application, but strongly encouraged Mr. Miles to maintain his property and the screening fence. Mrs. Higgins stated she would support the application because it is in an area which is planned for transition. The Comprehensive Plan stated that the area is scheduled for IL.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Flick, Hinkle, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL.

The E/2 of the E/2 of the W/2 of Lot 4, also described as: The East 2 1/2 acres of the West 10 acres of Lot 4 of Section 1, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

Special Discussion for the Record:

Mrs. Higgins asked the Staff what constitutes the difference between a salvage and storage. Mr. Gardner stated it was the Building Inspections interpretation of the Ordinance.

Z-5878 Norman (St. John Medical Center) NE corner of East 21st Street and South Utica Avenue CS & RS-3 to OH

PUD #338 Norman (St. John Medical Center) NE corner of East 21st Street and South Utica Avenue CS, RS-3, OL, P

Chairman Kempe advised Z-5878 and PUD #338 need to be continued until October 5, 1983, to allow for readvertising.

Charles Norman, attorney representing the applicant, was present and advised the zoning and PUD need to be continued due to an error in the legal description. Mr. Norman made his apologies to the Commission for any inconvenience caused by the delay.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Hinkle, T. Young, Inhofe, "absent") to continue consideration of Z-5878 and PUD #338 until October 5, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #339 Barnett (Barnett Range) North side of East 101st Street, East side of Sheridan Road (CS & RM-1)

The Staff requested that the zoning matter be continued to September 21, 1983. The property is presently zoned for commercial and apartment use and the applicant proposes to place an apartment project on the tract for elderly housing. In reviewing the zoning patterns presently in place and what is permitted, the applicant is seeking the maximum density of the PUD. The Staff was confronted with some problems with the PUD because the underlying zoning is greater than the guidelines. The Staff was unable to research the different intensities which might be appropriate on the tract and were unable to completely prepare for this PUD case.

Bill Jones, attorney, represented the applicant and stated he had no objection to a one-week continuance.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Kempe, C. Young, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Hinkle, T. Young, Inhofe, "absent") to continue consideration of PUD #339 until September 21, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5879 Present Zoning: AG
Applicant: Norman (Mayo) Proposed Zoning: CS & RM-2
Location: NW corner of East 71st Street and South Mingo Road

Date of Application: August 4, 1983
Date of Hearing: September 14, 1983
Size of Tract: 40 acres

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

Relationship to the Comprehensive Plan: Z-5879

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested CS and RM-2 Districts are in accordance with the Plan Map designation of Medium Intensity and are not in accordance with the Low Intensity designation.

Staff Recommendation:

Site Analysis -- The subject tract is 40 acres in size and is located at the northwest corner of 71st Street and South Mingo Road. It is partially wooded, rolling, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by Union High School zoned AG, on the east by vacant land zoned CS, OL and AG, but pending the publishing of a CO Zoning Ordinance, on the south by vacant land zoned CS and RM-1/PUD and on the west by vacant land zoned OL/PUD.

Zoning and BOA Historical Summary -- Past zoning actions have established the land east of the subject tract Corridor District with typical medium intensity nodes at the intersection bounded by RM-1 and OL low intensity zoning districts.

Conclusion -- Based upon the Comprehensive Plan, existing land uses and surrounding zoning patterns, the Staff recommends APPROVAL of a 660-foot x 660-foot CS node (10 acres) at the intersection with a 300-foot RM-1 wrap-around strip. On the remainder of the tract the Staff recommends an additional area of RM-1 between the proposed RM-1 wrap-around and the existing OL abutting the subject tract on the west, plus RM-0 to a depth of 300 feet in the northeast corner where it fronts Mingo Road and the proposed CO District, with the remaining area RS-3.

Applicant's Comments:

Charles Norman, attorney, represented Mr. Mayo, who owns the 40-acre subject tract. Mr. Norman advised the Staff has recommended a standard 10-acre node zoned CS on the corner with the remainder of the tract being zoned RM-1, except for a 360' tract of which 920' is recommended for RS-3 with the remainder to be rezoned RM-0. The Commission was reminded that RM-1 and OL have been equated as far as density is concerned. Mr. Norman differed with the Staff Recommendation with respect to the north 10 acres and he suggested that the entire remaining portion of the tract be rezoned RM-1.

Application No. Z-5879 (continued)

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Flick, Hinkle, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1 on the entire tract with the exception of 10 acres on the corner to be rezoned CS.

LEGAL OF NOTICE:

The SE/4 of the SE/4 of Section 1, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, according to the United States Government Survey.

CS: LEGAL PER PLANNING COMMISSION ACTION:

The SE/4 of the SE/4 of the SE/4 of Section 1, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, according to the United States Government Survey, containing 10 acres, more or less.

RM-1:

The SE/4 of the SE/4 of Section 1, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, according to the United States Government Survey, Less and Except the South 660' of the East 660', containing 30 acres, more or less.

Application PUD #286-A Present Zoning: IL
Applicant: Schuller (Barker, Lemons)
Location: 9522 East 47th Place

Date of Application: August 15, 1983
Date of Hearing: September 14, 1983
Size of Tract: 2.53 acres

Presentation to TMAPC by: Steve Schuller
Address: Suite 909, Kennedy Building Phone: 583-7571

Staff Recommendation:

Planned Unit Development No. 286-A is located just west of the southwest corner of 47th Place and South Mingo Road. It is 2.53 acres in size, contains a newly constructed one-story building. It was approved, under PUD #286, for a "trade establishment primarily providing business and household maintenance goods and services ordinarily not found in primary retail districts because of differing market and site requirements as set forth in Use Unit--Other Trades and Services". The applicant under PUD #386-A is now requesting to expand the permitted uses to include a sandwich shop (Use Unit 12) limited to a 2,400 square-foot space (30' x 80') in the northeast corner of the building.

The Staff has reviewed the request and the minutes of the meeting when the original PUD was recommended for approval and find that there was a concern expressed for not allowing free-standing strip-commercial between Mingo Road and the Regency Park neighborhood. The Staff does not view the proposed use located within the existing structure and under the control of the PUD as a typical free-standing strip-commercial. We feel the proposed type of use is often found in such trade areas to serve the workers. It is located at the extreme east side of the tract while the residential area abuts the tract on the west. In addition, ground signs advertising the use can be restricted.

Based upon the above review, the Staff recommends APPROVAL of PUD #286-A, subject to the following conditions:

(1) That the permitted uses be revised to allow a maximum of 2,400 square feet (30' x 80') located in the northeast corner to be used for a restaurant (Use Unit 12), per submitted plan.

(2) That no ground sign be allowed and that a wall sign shall be permitted as allowed under PUD #286.

(3) That all other conditions of PUD #286 shall remain as previously approved.

(4) That an amended covenant be 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 covenant.

Applicant's Comments:

Mr. Schuller represented the owner of the property and was in agreement with the Staff Recommendation.

Protestants: None.

Application No. PUD 286-A (continued)

TMAPC Action: 6 members present.

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Flick, Hinkle, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions set out in the Staff Recommendation:

Lot 2, Block 1, Regency Plaza Amended, an Addition to the City of Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

SUBDIVISIONS:

FOR FINAL APPROVAL AND RELEASE:

Sperry State Bank (1312) East side of Highway #11 at Atoka (CS)

The Staff advised this item needs to be tabled.

The Chair, without objection, tabled the consideration of Sperry State Bank.

EXCERPT FROM THE PLANNING COMMISSION MINUTES OF SEPTEMBER 14, 1983

Cooley Lake East (594) SW corner of Crosstown Expressway and 129th E. Ave. (CS)

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

On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom Connery, Draughon, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Flick, Hinkle, Woodard, T. Young, Inhofe, "absent") to approve the final plat of Cooley Lake East and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #284 Adrian Smith Urbana Heights-53rd Street and Vandalia Avenue

Staff Recommendation - Detail Site Plan Review

Planned Unit Development No. 284 is 4.336 acres in size and is located at the northwest corner of South Vandala Avenue and East 53rd Street. It has received approval of 168 elderly intermediate and self-care dwelling units. The applicant is now requesting Detail Site Plan Review.

The Staff has reviewed the Plan submitted and find the following:

Item	Approved	Submitted
Gross Area:	233,640 sq. ft.	233,640 sq. ft.
Permitted Uses:	Elderly Intermediate and self-care dwelling units.	Same
Maximum No. of Units:		
Total Development,	168 units	168 units
New building.	91 units	91 units
Maximum Floor Area:		
Existing intermediate care center,	28,600 sq. ft.	28,600 sq. ft.
Existing self-care center,	16,900 sq. ft.	16,900 sq. ft.
*Proposed self-care center.	62,220 sq. ft.	62,220 sq. ft.
Maximum Building Height:	30 feet	30 feet
Minimum Livability Space:	50,000 sq. ft.	Exceeds
Minimum Parking Spaces	92 spaces	92 spaces
Minimum Building Setbacks:		
Existing;	Same	Same
Proposed;		
from west property line,	75 feet	77 feet
from north property line,	75 feet	93 feet

PUD #284 (continued)

from centerline of 53rd Street. 100 feet 112 feet

*Changed by minor amendment from 60,033 to 62,220 on March 9, 1983.

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plan for PUD #284, subject to the Plans submitted.

TMAPC Action: 6 members present.
On MOTION of c. young, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Higgins, Kempe, C. Young, "aye"; no "nays"; no "abstentions"; Flick, Hinkle, Woodard, T. Young, Inhofe, "absent") to approve the Detail Site Plan, subject to the Plan submitted.

PUD #297 Nichols 67th Street and Troost Innovare Park - Site Plan Review

The Staff advised the Commission that consideration of PUD #297 Site Plan Review should be continued for one week.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Hinkle, T. Young, Inhofe, "absent") to continue consideration of PUD #297 until September 21, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #253-1 Johnsen East of the SE corner of 51st Street and Harvard Avenue

Staff Recommendation - Minor Amendment

The subject tract is located at the southwest corner of 51st Street and South Marion Avenue. It is 1.345 gross acre in size and approved for a combination of commercial and office uses. Commercial uses were restricted to the westernmost building of the two buildings proposed on the tract. The eastern building was restricted to office use to insure low intensity use would remain along the south side of 51st Street, east of the subject tract. The applicant is now requesting to use 923 square feet of unallocated retail floor area for a florist shop in the eastern building.

The Staff has reviewed the submitted request and the minutes of the meeting when the PUD was approved and find that the proposed florist shop would probably generate less traffic than many of the uses permitted in an OL District. Since the PUD can be used to allow only the florist use and no other retail use that could be more intense than the original intended, the Staff can support the request.

Therefore, the Staff recommends APPROVAL of a minor amendment to allow a florist shop in Building #1 that will not exceed 923 square feet of floor area, subject to the location plan submitted, the Detail Site Plan previously approved and that signs are to be restrictive since this is an office structure; therefore, proposes signage be submitted to and approved by the TMAPC prior to installation.

TMAPC Action: 6 members present.
On MOTION of C. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Higgins, Kempe, C. Young, "aye"; no "nays"; no

PUD #253-1 (continued)

"abstentions"; Flick, Hinkle, Woodard, T. Young, Inhofe, "absent") to approve the minor amendment to PUD #253-1, subject to the proposed signage submitted to and approved by the TMAPC prior to installation.

There being no further business, the Chair adjourned the meeting at 6:13 p.m.

Date Approved September 28, 1983

Cherry Kempe
Chairman

ATTEST:

Marilyn Thiele
Secretary