

TULSA METROPOLITAN AREA PLANNING COMMISSION  
 MINUTES of Meeting No. 1523  
 Wednesday, September 26, 1984, 1:30 p.m.  
 Langenheim Auditorium, City Hall  
 Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Higgins Hinkle, Secretary Paddock Wilson Woodard	Kempe, 1st Vice- Chairman Rice C. Young, Chairman T. Young	Compton Gardner Wiles	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 25, 1984, at 8:46 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Acting Chairman Hinkle called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-1 (Connery, Draughon, Higgins, Hinkle, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Kempe, Rice, C. Young, T. Young, "absent") to approve the Minutes of September 12, 1984 (No. 1521).

Ms. Hinkle informed that the Final Approval and Release for the Sub-division Plats were left out of the original Minutes of the August 1, 1984, meeting. These items have been entered into the Minutes, and the amended Minutes need to be approved.

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to approve the amended Minutes of August 1, 1984 (No. 1515).

CONTINUED ZONING PUBLIC HEARING:

Z-5969 Pitcock SE corner of Apache Street and Urbana Avenue RM-1 to CG

Ms. Hinkle informed an untimely request was filed by the applicant asking that this item be continued to the October 24, 1984, meeting (Exhibit "A-1").

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to continue consideration of Z-5969 until Wednesday, October 24, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #359 Bob Latch 77th Street and East side of South Memorial Drive AG

Ms. Hinkle informed an untimely request was filed by the applicant asking that this item be continued to the October 3, 1984, meeting (Exhibit "B-1").

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to continue consideration of PUD #359 until Wednesday, October 3, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.



CZ-118 (continued)

approval of this would be subject to any type of restrictions concerning the water or if that would come in the platting process. Mr. Gardner informed if the applicants were trying or intending to plat the property, all the utility questions would be answered at that time. They are wanting to have two pieces of property which could be accomplished through getting approval of a lot split or a subdivision plat. At that point, the utility questions would be answered.

Instrument Submitted: Letter from Sand Springs Regional Planning Commission (Exhibit "C-1")

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of County Commissioners that the following described property be zoned RE:

The N/2, S/2, SW/4, NW/4 of Section 19, Township 19 North, Range 11 East, Tulsa County, Oklahoma.

Application No. Z-5994 Present Zoning: RS-2  
Applicant: Hinkle (Azar) Proposed Zoning: CS  
Location: SE corner of 66th Place and Peoria Avenue

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Date of Application: August 6, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: .5 acre, more or less

Presentation to TMAPC by: Roy Hinkle Phone: 494-2650  
Address: 1515 East 71st Street, Suite 309

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- 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 .5 acres in size and located on the southeast corner of Peoria Avenue and 66th Place. It is non-wooded, flat, vacant, and zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by a bar zoned CS, on the east by single-family dwellings zoned RS-2, on the south by vacant property zoned OM, and on the west by multifamily dwellings zoned RM-2 and PUD #341.

Zoning and BOA Historical Summary -- Past zoning cases have allowed a mixture of medium intensity zoning districts along Peoria Avenue including CS.

Conclusion -- Existing zoning and development patterns along Peoria Avenue would support the CS request even though the Comprehensive Plan does not. Based on this fact, the Staff would recommend APPROVAL of the CS request and also recommend that the District 18 Comprehensive Plan be amended to reflect the change.

Comments:

Mr. Gardner informed the District 18 Plan was just updated for one piece of property that was similar to this. The Plan should be changed to just show medium intensity.

Applicant's Comments:

Mr. Hinkle, informed he is in concurrence with the Staff Recommendation.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays";

Z-5994 (continued)

no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned CS and that the District 18 Comprehensive Plan be amended to reflect the change:

Lot 1, Block 2, Dell Rose Place, a Resubdivision of Lots 1, 2, and 3, Block 2, and Lots 1, 2, 3, and 4, Block 1, Keim Gardens, to the City of Tulsa, Tulsa County, Oklahoma.

Application No. CZ-119 Present Zoning: AG  
Applicant: Dorris (Washum) Proposed Zoning: CG  
Location: SW corner of 201st Street and South Peoria Avenue

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Date of Application: August 7, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: 1.5 acre

Presentation to TMAPC by: Otto Dorris Phone: 827-6553  
Address: Rt. 1, Box 365, Mounds, Oklahoma

Relationship to the Comprehensive Plan:

The Comprehensive Plan for the Tulsa Metropolitan Area does not cover the subject tract, however, the Development Guidelines would support a certain amount of medium intensity development.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.5 acres in size and located at the intersection of 201st Street and South Peoria Avenue. It is partially wooded, gently sloping, vacant, but used for the storage of wooden shingles and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by an electrical substation zoned AG, on the east by a vacant single-family dwelling zoned CS, on the south by a mobile home zoned AG, and on the west by a single-family dwelling and a mobile home zoned AG.

Zoning and BOA Historical Summary -- Past zoning action has established a small amount of CS zoning at the intersection.

Conclusion -- The Staff sees this as a very unique request. There appears to be very little residential development in the area at this time which would support commercial uses and this is reinforced by the fact that the tract east of the subject tract is zoned CS but not used. Also it is an off-set intersection making it difficult to identify where the Type One Node should be located. However, because the Guidelines support medium intensity at the intersection of two major streets, the fact that the tract is adjacent to existing CS, and the request is only 1.5 acres, the Staff can support CS zoning.

Therefore, the Staff recommends DENIAL of the requested CG zoning and APPROVAL of CS zoning.

Applicant's Comments:

Mr. Dorris informed he lives on the subject tract, and he would like to use the front section of the property to store supplies for his business. He wanted to know what the difference between CG zoning and CS zoning is.

Mr. Gardner informed the applicant that CG zoning is a heavier, more intense, zoning classification. This particular area is not designated

CZ-119 (continued)

for the heavier commercial, but it would accommodate light commercial--CS. He informed that in order to use the property for some kind of outside storage, the applicant would probably have to get Board of Adjustment permission.

Mr. Dorris stated that he has been using the property for storage of cedar shingles. He did not know he had to get the zoning changed for the use. He has taken special precautions against any hazard that could occur on the property. He intends to build a fence around the property to screen the shingles so this will not be unsightly to the neighbors.

Comments and Questions:

There was discussion about whether the applicant's use is nonconforming. Mr. Dorris informed he has used the property for storage of small items since about 1978. This summer he started getting his materials in larger quantities, so he has more materials on the property now than before.

Mr. Gardner informed that even if the Planning Commission approved the CG zoning, the applicant would still have to go to the Board of Adjustment for an exception because storage is classified as light industry. The applicant has sought the appropriate zoning to give him some relief, but he cannot get the total relief needed with just a zoning change unless he goes industrial which is not in conformance with the Plan Map.

Mr. Connery asked the applicant who advised him to have the property rezoned, and Mr. Dorris informed that the County Inspector gave him notice.

Protestant: Leigh Shands                      Address: Route 1, Box 364, Mounds, Okla.

Protestant's Comments:

Ms. Shands informed her property is directly across the street from the subject tract and is zoned CS. She informed that her husband, Jerry Shands, wrote a letter to the Commission stating their concerns (Exhibit "D-1"). They object to CG zoning being granted, but they would go along with the CS classification. She expressed some of her concerns about the size of the lot and the problems the applicant and neighbors could run into. Ms. Shands informed they are concerned about fire protection since the applicant is storing wood shingles.

Ms. Hinkle informed a letter was sent in protest of this application from Everett Delcouse, Route 1, Box 368, Mounds, Okla. (Exhibit "D-2").

Applicant's Rebuttal:

Mr. Dorris informed that if CS zoning would allow him to do what he wants to do on the property, he would have no objection to having that instead of CG. He stated that he believes there is a fire hydrant on the Shands' property across the street from the subject tract. He has installed two water hydrants on the subject property specifically for the purpose of decreasing the fire hazard. He has spread gravel all over the area where he has stored his materials, thus lessening the danger of grass fire getting to the materials.

CZ-119 (continued)

Comments and Questions:

Ms. Wilson asked the applicant how much of his property he uses for storing materials, and he informed he has an area gravelled that is approximately 60 feet wide and 100 feet or 120 feet long. The nearest building to the storage area is a mobile home that is located next door to the subject tract on the south—it is about 200 feet from the stored materials.

Mr. Connery asked Mr. Gardner to explain what the setbacks would be on this property, and Mr. Gardner informed that the setbacks relate to a building. The setback would be 100 feet from the centerline of Peoria. The only requirement for storage of materials would be that all the materials be on his own property. The Board of Adjustment could require screening and could restrict the area that could be used for the storage.

Ms. Wilson asked the Staff if the County Health Department would enter in on this on any of their requirements for safety and health regarding the materials being stored, and Mr. Gardner informed that any time the zoning is changed, it requires a subdivision plat or a waiver by this Board. If the platting requirement is waived, it can be waived subject to any reasonable requirements that would be needed. The Board of Adjustment can also make requirements.

Instruments Submitted: Protest Letter from Mr. Shands (Exhibit "D-1")  
Protest Letter from Mr. Delcouse (Exhibit "D-2")

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of County Commissioners that the following described property be zoned CS:

The East 200 feet of the North 325 feet of the NE/4 of the NE/4 of Section 13, Township 16 North, Range 12 East, Tulsa County, Okla.

Application No. Z-5995 Present Zoning: RM-2  
Applicant: Johnson (Holler) Proposed Zoning: CS  
Location: South of the SW corner of West 42nd Street and 33rd West Avenue

Date of Application: August 7, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: .5 acre, more or less

Presentation to TMAPC by: Evelyn Johnson  
Address: 5265 South Union Avenue and, Phone: 446-6918  
Sherri Staggs, Rt. #2, Box 125-D, Sperry, Okla.

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- 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 .25 acre in size and located just south of the southwest corner of 42nd Street and South 33rd West Avenue. It is non-wooded, flat, contains a single-family dwelling and zoned RM-2.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling and accessory building zoned RM-2, on the east by the Red Fork Trade Center zoned CS, and on the south and west by single-family dwellings zoned RS-3.

Zoning and BOA Historical Summary -- The surrounding medium intensity zoning patterns were established in the "60's", however, recently the City denied a request for CG on the CS and OL tracts across the street from the subject tract. The OL was put in place at that time as a buffer to stop northern expansion of medium intensity. The Red Fork Trade Center was developed in the CS District under Board of Adjustment approval.

Conclusion -- The Staff feels that in this case the Comprehensive Plan should be amended. We see the OL on the east side of 33rd Street and RM-2 on the west side of 33rd Street as being the transition or buffer and that south of these districts extending to the Red Fork Freeway would be appropriate for nonresidential uses and should be shown on the Comprehensive Plan as Medium Intensity -- No Specific Land Use.

Given this change the Staff recommends APPROVAL of the requested CS zoning.

Applicant's Comments:

Ms. Staggs informed she and Ms. Johnson are going into this venture as business partners. They would like the zoning changed on this property because they would like to put in a small dress consignment shop. They feel that the area would support a shop of this nature, and they feel

Z-5995 (continued)

that the establishment would not cause any harm to the neighborhood.

Protestants: John Sharp  
R. L. Connor

Addresses: 4216 South 33rd West Avenue  
4217 South 33rd West Avenue

Protestants' Comments:

Mr. Sharp informed he lives next door to the south of the subject tract. He does not think the applicants would have adequate parking on the subject tract for people to come and shop. He stated that he has a line of windows on the side of his house which face the subject tract, and he would not like people to be looking into his house. He submitted two letters of people in the area who are opposed to this application (Exhibit "E-1").

Mr. Connor informed he lives across the street from the subject tract. His primary objection is that the applicants would not have any place for parking, except for the driveway. If people park in the street, it will create a traffic hazard. Mr. Connor informed that since commercial zoning has come into the area, he has had flooding problems because of the concrete that was poured.

Comments and Questions:

Ms. Wilson asked Mr. Gardner if the subject tract looks directly onto the frontage of the CS property across the street, and Mr. Gardner informed they are looking directly onto a parking lot and a new building.

Mr. Gardner gave a brief history of the zoning in the area. He informed that if this is approved, the applicant will have to meet the off-street parking requirements, and they would have to put up a screening fence on the south boundary.

Applicant's Rebuttal:

Ms. Johnson described the part of the property that will be used for parking and informed there will be enough parking for about 10 cars at a time. She informed they do plan to utilize the existing building on the property for the business. She informed they would like to have a gravel parking lot, but the Staff informed her that they would have to have a hard-surfaced parking lot. Ms. Johnson stated that the house on the subject tract has never been flooded.

Comments and Questions:

Ms. Wilson asked the applicants if they plan to do exterior alterations to the house to give it more of a commercial image, and Ms. Johnson informed that they do.

Mr. Connery asked the Staff if it is permissible for the applicants to include the alleyway in their plans as part of their access, and Mr. Gardner informed that if it is a public alleyway, as it appears to be, they could use it.

Ms. Wilson informed that she cannot support the change in the area because of the existing residential zoning.

Z-5995 (continued)

Ms. Higgins described the commercial uses in the area and informed that she believes the people would be protected, and this use might be better for the area than having a vacant piece of property there. She stated that it looks like the property in the area will eventually either go multifamily or CS. She does not believe that a small dress shop would generate much traffic and would probably operate during such hours that the people in the area would not be bothered by it.

Ms. Wilson informed she does not think just a small portion of the property in the area should be zoned at this time. Ms. Higgins informed it looks like the zoning in the area has been done a piece at a time.

Mr. Paddock asked Mr. Gardner if the Staff considered other land use possibilities and then concluded that this was the only good use that the property could be put to. Mr. Gardner informed that, as a general rule, uses that front each other of a similar nature are usually quite successful. Commercial uses backing to residential makes a pretty good land-use relationship. The worst kind of relationship is where commercial fronts into residential. There is spot zoning across the street from the subject tract. He informed that most of the property in the area is zoned for medium-density apartments which might be more objectionable than what is proposed. Developing the property into apartments would probably be ample usage of the property, but there are not very many apartments in the area.

Instruments Submitted: 2 Protest Letters (Exhibit "E-1")

TMAPC Action: 7 members present.

On MOTION of WILSON, the Planning Commission voted 3-4-0 (Draughon, Paddock, Wilson, "aye"; Connery, Higgins, Hinkle, Woodard, "nay"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to DENY\* the request for CS zoning.

\*This motion fails for the lack of a majority of affirmative votes.

On MOTION of HIGGINS, the Planning Commission voted 4-3-0 (Connery, Higgins, Hinkle, Woodard, "aye"; Draughon, Paddock, Wilson, "nay"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned CS and that the Comprehensive Plan be amended to show this change:

Lots 5 and 6, Block 19, Yargee Addition to the City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5996 Present Zoning: OM  
Applicant: Gilmore/Wilson, Inc. Proposed Zoning: CS  
Location: South of the SW corner of 61st Street and Memorial Drive

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Date of Application: August 7, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: 1-acre

Presentation to TMAPC by: Charles Gilmore  
Address: 6106 South Memorial Drive Phone: 252-5623

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1-acre in size and located at the northwest corner of 63rd Street and South Memorial Dr. It is non-wooded, flat, contains a parking lot and drives and is zoned OM.

Surrounding Area Analysis -- The tract is abutted on the north by an office and commercial complex zoned CS, on the east and south by office uses zoned OM, and on the west by a parking lot zoned OM.

Zoning and BOA Historical Summary -- Past zoning actions have established the area as medium intensity office and commercial.

Conclusion -- Given the Comprehensive Plan designation and the fact that the land surrounding the subject tract is either developed office or undeveloped commercial zoning, the request has merit. 63rd Street seems to be the logical termination for the commercial zoning on the west side of Memorial Drive since it serves that function on the east side of Memorial Drive.

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

Applicant's Comments:

Mr. Gilmore informed they asked for more property to be zoned than what they actually need. He described what they asked for and what they actually need. He informed this is a platted piece of ground, and about 20 feet of the lots that are platted are zoned OM rather than CS. He feels that this could be a hardship on them in the event that they found a CS use to go on the property. They would like the CS zoning to go to the property line instead of having the zoning line go through a piece of the property.

Ms. Wilson asked the applicant if he is planning on leaving the existing parking lot in place and just build on the vacant ground, and Mr. Gilmore informed they are planning on leaving the existing parking lot,

Z-5996 (continued)

but there could be a change. They are proposing to build on the pad that is there now. They do not have any plans yet for a building. This approval will give them more options for uses on the property.

Protestant: Tom Duncan

Address: 7313 East 63rd Place

Protestant's Comments:

Mr. Duncan informed he represents, as agent, several of the owners of office buildings in this area--8023 East 63rd Place (an eight-story office building known as 2 Memorial Place), 7615 East 63rd Place (a two-story office building known as 3 Memorial Place), Southeast Limited which is located at the SE corner of 61st Street and Memorial Drive and which is to be developed as a retail/shopping center, the northeast corner of 61st and Memorial which will be a retail development known as Eton Square, and 7633 East 63rd Place (a five-story office building known as 1 Memorial Place). They are protesting the change in zoning at this site because of the amount of office space that already exists in this location. They do not feel that the zoning would be compatible with the development that currently exists in the area, and they see potential traffic problems should something other than office be developed under the CS zoning at some time in the future. They do not think that more retail space is needed at this location.

Mr. Connery informed the zoning would apply primarily to 20 feet of the subject tract, and he asked the protestant if this would be such a threat to the other businesses in the area. Mr. Duncan stated that the degree of a threat would be dependent upon what is developed on the property.

Applicant's Rebuttal:

Mr. Gilmore informed they developed the piece of property on the north of the subject tract, and it is their intention to continue developing with the same type of structures and buildings and compatibility which they have in the past. He does not think they would be a threat to the surrounding businesses.

There was discussion about how much of the subject property will actually need to be zoned.

Mr. Paddock asked the Staff if PUD #202 covered the subject property, and Mr. Gardner informed him that it did not.

Ms. Wilson asked about the underlying zoning of surrounding properties, and Mr. Gardner informed that most of the property to the west and north of 63rd Street is zoned commercial but developed office. He informed that the PUD restricts those commercial tracts to office use.

Mr. Gardner informed the Staff did not want to see commercial zoning spreading in the area, and they tried to determine what the logical place would be to put the zoning line. They feel that if this is approved, there will be identical zoning patterns on either side of the street.

Ms. Wilson informed she has a problem with changing this zoning, because she feels it will be interjecting commercial between office uses.

Z-5996 (continued)

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-1-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Woodard, "aye"; Wilson, "nay"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned CS:

The South 136 feet of Southridge East Office Park, an addition to the City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5997

Present Zoning: RS-3

Applicant: Stites

Proposed Zoning: OM

Location: SE corner of 4th Street and Harvard Avenue

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Date of Application: August 9, 1984

Date of Hearing: September 26, 1984

Size of Tract: .25 acre, more or less

Presentation to TMAPC by: Jeff Stites

Address: 3304 East 4th Street

Phone: 584-6129

Relationship to the Comprehensive Plan:

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

Staff Recommendation:

Site Analysis -- The subject tract is one single-family lot in size and located at the southeast corner of 4th Street and South Harvard Avenue. The lot is sloping, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north, east and south by a single-family neighborhood zoned RS-3, and on the west by a doctor's clinic and a single-family neighborhood zoned OL and RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have allowed two tracts west and northwest of the subject tract to be "spot zoned" office. All other surrounding uses and zoning districts have been maintained as single-family residential.

Conclusion -- Given the following facts, the Staff recommends DENIAL of either OM or OL:

- (1) The Comprehensive Plan designates the area to remain Low Intensity -- Residential;
- (2) the surrounding land uses are Low Intensity -- Residential;
- (3) this lot fronts onto 4th Street and into the fronts of existing single-family homes;
- (4) the size and slope of the lot restricts good access and parking;
- (5) the existing tracts zoned office are contrary to the majority land use in this area and should not be used as reasons to support additional nonresidential development; and
- (6) the subject tract contains a single-family dwelling which can continue to be used as such.

Comments:

Mr. Gardner informed that the two tracts that are zoned nonresidential on the west side, both of which are larger than the subject tract, front directly onto Harvard Avenue.

Z-5997 (continued)

Applicant's Comments:

Mr. Stites informed he owns the subject tract and has lived in the house on the property for approximately five years. Mr. Stites is an attorney, and he would like to use this property for his own personal law business. There is a traffic light at the intersection where the subject tract is located which makes the property unsuitable for single-family dwelling use. He informed that the property on the southwest side of the intersection is used currently as medical offices. The corner directly north of the medical offices is zoned for medium-density office, but it has been vacant for a number of years. The corner directly north of the subject tract has a duplex on it which is non-owner occupied, as is the property directly to the east of the corner. Directly east of the subject tract is another non-owner occupied duplex. Mr. Stites informed he talked to many of the neighbors and 15 of the property owners within 300 feet of the subject tract do support this application. He submitted letters from these 15 property owners which state that they do not object to the application (Exhibit "F-1"). Mr. Stites informed there are several elderly individuals in this area, some of which do not drive. This is a nice area, and he would like to maintain some contact with the area. He informed that Tulsa University is just about three or four blocks away from the subject tract. He wants to be able to use this property for his office because he does not want to have to pay rent. He informed that he has contacted the Traffic Engineer and has been told that the traffic count between Admiral and 11th is around 20,000 vehicles per day. His proposed use would not generate any more traffic than a single-family residence would generate. He informed that this neighborhood has a great deal of non-owner occupied residences in it. He does plan to landscape his property and make the intersection attractive. He informed that he lives in the house on the subject tract now, but he will not live in it if his office is there.

Mr. Paddock asked the applicant why he is requesting OM rather than OL zoning, and Mr. Stites informed he asked for OM because the structure has an unfinished upstairs area, and it was his understanding that a two-story structure had to have OM zoning. He does not plan on changing the existing structure at all.

Protestants: David Heinz                      Address: 3344 East 4th Street

Protestant's Comments:

Mr. Heinz informed his main objection is the traffic flow in this area. He does not feel that a law office would be compatible with the neighborhood. He described the traffic problems and parking problems in the area at this intersection. He feels this proposal would be too disruptive to the neighborhood which is a quiet residential neighborhood down the block.

Applicant's Rebuttal:

Mr. Stites informed the proposed use would be, in his opinion, less intense than a residential use would be because the office will only be occupied approximately 8 hours a day, 5 days a week. He informed that he plans to pave the front yard of the subject tract for parking, and thus he will not have on-street parking.

Z-5997 (continued)

Instruments Submitted: 15 letters supporting approval of this application (Exhibit "F-1").

TMAPC Action: 7 members present.

On MOTION of CONNERY, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to DENY the request for OM zoning on the following described property:

The West 50 feet of Lots 11, 12, and 13, Block 3, University Heights Addition to the City of Tulsa, Tulsa County, Oklahoma.

Additional Discussion:

Mr. Stites requested that the originals of the letters from the people in the area who supported this application be returned to him, but the Commission informed him they are an official exhibit and must be retained for the file. He stated that he felt the originals should be made available to him for possible future litigation. The Commission informed Mr. Stites that the originals will be available for future litigation because they are part of the record.

Z-5998 Miller SE corner of 15th Street and Owasso Avenue RS-3 and OL to CH

Comments:

Ms. Hinkle, informed there was an untimely request filed by the applicant asking that this item be continued to the October 10, 1984, meeting (Exhibit "G-1").

Protestants: Kevin Schoeppel                      Addresses: 1511 South Newport Avenue  
                  Marian Argodale    1512 South Owasso Avenue

Protestants' Comments:

Mr. Schoeppel informed he would like this item to be heard today since they were not notified of the requested continuance.

Ms. Hinkle informed that the Planning Commission policy is usually to allow a continuance for each side.

Mr. Gardner informed he thinks the purpose of this request is to debate whether this Board should hear the case and what the options are.

Ms. Argodale informed she would like to have the case passed.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to continue consideration of Z-5998 until Wednesday, October 10, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5999 Johnsen (Sunwestern Properties) SW corner of 14th Street and Boston Avenue CH to CBD

Ms. Hinkle informed there was a timely request filed by the applicant requesting that this item be continued to the October 10, 1984, meeting (Exhibit "H-1").

There was an interested party present who stated he did not object to a continuance.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to continue consideration of Z-5999 until Wednesday, October 10, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-6000 Present Zoning: RM-2  
Applicant: Norman (Gemini) Proposed Zoning: OMH  
Location: West of the NW corner of 51st Street and Pittsburg Avenue

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Date of Application: August 16, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: 6.38 acres

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

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is 6.38 acres in size and located on the north side of 51st Street, between Marion Avenue and Oswego Avenue. It is non-wooded, flat, contains a large apartment complex (Berkley Square) and is zoned RM-2.

Surrounding Area Analysis -- The tract is abutted on the north by I-44 Freeway zoned RS-2, on the east by an apartment complex zoned RM-2, on the south by a mixture of commercial, office and residential uses zoned OL and RS-2, and on the west by a small office building zoned OM.

Zoning and BOA Historical Summary -- A combination for OM and OMH zoning was approved east of the subject tract (Z-5587) in 1981. The only concern was how much floor area to allow. The combination zoning allowed approximately 1.5 floor area ratio.

Conclusion -- Similar to the case mentioned above, the Staff has no problem with either the office use or the increased floor area ratio for the subject tract, but the question does arise as to how much density. Using Z-5587 as a guideline, the Staff can support, as maximum, a comparable amount of square footage.

Therefore, the Staff recommends APPROVAL of OM zoning on the south 60' and the west 250' of the subject tract and OMH zoning on the balance. (This configuration would yield approximately 416,000 square feet of allowable office floor area or a 1.5 floor area ratio.

Applicant's Comments:

Mr. Norman informed this property is presently developed as an apartment complex. The site has unique locational characteristics for re-development for office use in that it is near to the off-ramp for west-bound traffic on Skelly Drive which allows left turn movements into the site. It is adjacent to the on-ramp area to the expressway to acquire access to the east. The tract has about 1,000 feet of frontage and is opposite property that is zoned OM and OL. Mr. Norman explained how OMH

Z-6000 (continued)

zoning came into existence and informed that in order to use the floor area ratio allowed would always require some sort of structural parking. He described other properties and projects in the area that are zoned OMH. He does not agree with the part of the Staff Recommendation for this case that recommends having a perimeter district of a lower intensity to reduce the floor area below 2.0 which is allowed in OMH. He explained his reasons for not agreeing with that part of the Staff Recommendation. He feels that underlying the Staff's recommendation is some questions concerning the validity of the 2.0 floor area ratio that was established in the Zoning Code. He feels that the result of this question is an attempt to rewrite the permitted floor area by establishing zoning boundaries for a reason other than land-use relationships-- for the purpose of limiting the number of square feet of floor area that can be constructed. He thinks that leaving the 60 feet of OM on the street across from the lighter office uses is appropriate, and he has no objection to that. He does object to the recommendation that the west 250 feet be zoned OM for the purpose of limiting the floor area only, because in that instance it is not necessary to provide a transition on the west portion against property that is already zoned OM. He requested that the Commission modify the Staff Recommendation, accepting the recommendation that the south 60 feet be zoned OM and the remainder of the property be zoned OMH. If the west 250 feet were zoned OM, it would restrict the location of buildings on the property because of the restrictions in the OM zoning classification unless the property were submitted to a Planned Unit Development.

Mr. Paddock asked Mr. Norman if he knows what the floor area ratio would be if the south 60 feet were zoned OM and the remainder of the property were to be zoned OMH, and Mr. Norman informed it would be about 1.72.

Mr. Paddock informed he thinks Mr. Norman's objections against zoning the west part of the subject tract OM and not OMH have a lot of merit. He felt that there should be the flexibility of locating the structures, but there should also be the protection that the Staff has built into its recommendation as far as the south 60 feet facing the lighter intensity use across the street is concerned. He informed he would be in favor of a compromise.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned OMH, LESS and EXCEPT the south 60 feet which shall be zoned OM:

Lot 3 of Morland Addition to the City of Tulsa, Tulsa County, Okla.

Application No. Z-6001 Present Zoning: AG  
Applicant: Norman (Isaacs) Proposed Zoning: CO  
Location: NE corner of West 71st Street and Highway #75

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Date of Application: August 16, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: 56.42 acres

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

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 56.45 acres in size and located at the northeast corner of 71st Street and U. S. Highway #75. It is partially wooded, rolling and sloping steeply, contains a single-family dwelling and several accessory buildings and is zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by mostly vacant land zoned AG, on the east by several single-family dwellings on large lots zoned RS-3 and AG, on the south by the improved 71st Street and vacant land zoned AG, and on the west by Highway #75 (Okmulgee Beeline).

Zoning and BOA Historical Summary -- Past planning actions have identified the area as being a Special District to recognize the unique physical features of the natural and man-made environment in this area. The area remains basically undeveloped.

Conclusion -- As previously stated when reviewing the Plan amendment for this Special District, the Staff sees this area as unique. We feel that development should be by site plan approvals and that use of the PUD or Corridor Site Plan Review process should be encouraged. Because of these facts, the Staff cannot support the request for OM. However, we can see a potential for Corridor zoning at this location which would require development to be by approved site plan. The Development Guidelines do not identify this area as having a potential for Corridor because of the lack of a paralleling arterial street within 3,000 feet of Highway #75. Such a traffic collector could, however, be a condition of site plan approval in order to increase the intensity of development above normal guideline development. In other words the approval of Corridor does not require that you approve a medium or high intensity development site plan if you feel that such a site plan is inappropriate. The Corridor zoning would accommodate the applicant's request if detailed site plans are filed and approved.

Therefore, the Staff recommends APPROVAL of the requested CO zoning. We also recommend that the width, from Highway #75, of this or future requests should not exceed 1,320 feet and that site plans proposing development of intensities greater than standard Guidelines should provide a

Z-6001 (continued)

minimum 80-foot right-of-way collector street running north and south. This street should be aligned to suit the topography and be able to be continued northward to 61st Street.

Comments:

Mr. Gardner informed that one of the reasons the Staff is supporting CO zoning is because it would require a detailed site plan which would allow the Commission to look at the proposal in relationship to the surrounding land uses. The Commission does not get to do that with conventional zoning methods. The subject tract is not next to or in close proximity to the bluffs or the river development (the area that was considered to be very special and very sensitive). This would not interfere with something that might be detailed for that area at a later date. There is no way to detail everything within this because the Staff does not know what could be developed or what there might be a market for to be developed. Applications have to be judged on the basis of the physical facts and the relationships to other land uses. Corridor Site Plan seems to be one of the better ways to evaluate that. It can also be evaluated with PUDs, but then the Commission is restricted to the zoning pattern. The Staff favors Corridor zoning in this instance because it does not set a specific intensity that the Commission has to approve, but it does allow some flexibility in looking at land uses.

Applicant's Comments:

Mr. Norman informed he represents the Hillcrest Medical Center Foundation which is a supportive organization that creates endowment funds and provides support for Hillcrest Medical Center. The Medical Center Foundation has a contract to acquire the subject tract as a part of its long-range plan to provide medical services to the southwest Tulsa community which they believe will be expanding rapidly in the future with the construction of the 71st Street bridge and with the installation of sanitary sewer facilities which will open up a large part of southwest Tulsa to further development. He emphasized that there are no present specific plans for development of the property; however, the site does have some extremely advantageous locational characteristics which made it desirable for the foundation to acquire it at this time and preserve it for the kind of medical services they hope to have located there later. There could be a variety of related health service and health care facilities included in the long-range plan: emergency care centers, fitness centers, physicians office buildings and clinics, acute bed-care facilities (hospital), child care facilities, and facilities for the elderly. All of these uses, with a few exceptions, could be accommodated within the OM office district, although he would have to do a Planned Unit Development or seek a number of exceptions. They do not object to the Corridor district recommendation, although in some ways the OM district would have permitted development with less specific planning control by the Planning Commission and the City Commission.

Interested Party: M. F. Allen                      Address: 101 West 81st Street South

Interested Party's Comments:

Mr. Allen informed he does not object to the development, but he is concerned because this entire area is in the Haikey Creek drainage plain.

Z-6001 (continued)

He thinks the drainage from any additional hard-surfaced areas should be taken into consideration, and they should have to have detention areas to control the water.

Ms. Hinkle informed the drainage would be taken into consideration in the site plan review.

Mr. Gardner informed that, more than likely, this particular area will require on-site detention. This will require approval of an earth-change plan and a drainage plan.

Mr. Draughon asked the Staff if the Planning Commission can direct the Engineering Department to require on-site detention. Mr. Gardner informed the Engineering Department is bound by the ordinances that they operate under. The Planning Commission can recommend that they require on-site detention and can draw any potential flooding concerns to their attention.

Mr. Linker informed that the Planning Commission would have the opportunity at the site plan review stage to require on-site detention. The only problem he could see would be if the requirement was contrary to what the City Engineer was recommending. It would then be a question of whether it was a reasonable requirement by the Planning Commission. If it was a reasonable requirement and if it served a good purpose, then it would be upheld. The Engineering Department will thoroughly look into the drainage situation.

TMAPC Action: 7 members present.

On MOTION of PADDOCK, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned CO:

TRACT I

All that part of the E/2 of the SW/4 of Section 2, Township 18 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, more particularly described as follows, to wit:

Commencing at the Southwest corner of said Section 2; thence South 89°-41'-56" East along the South boundary line of said Section 2, a distance of 1,327.92 feet to the Southwest corner of said E/2 of the SW/4; thence South 89°-41'-56" East continuing along the South boundary of said Section 2, a distance of 885.00 feet; thence North 0°-02'-42" West parallel to and 885.00 feet East of the West boundary of said E/2 of the SW/4 a distance of 24.75 feet to the POINT OF BEGINNING, said POINT OF BEGINNING being 24.75 feet North and 442.91 feet West of the Southeast corner of said E/2 SW/4; thence along the right-of-way line of U. S. Highway #75 as follows; North 44°-43'-42" West a distance of 71.10 feet; thence North 89°-41'-56" West parallel to and 75.00 feet North of the South boundary line a distance of 325.00 feet; thence North 11°-55'-42" West a distance of 730.90 feet; thence North 0°-02'-42" West parallel to the West line of said E/2 SW/4 a distance of 550.00 feet; thence North 11°-15'-42" East a distance of 255.00 feet; thence North 0°-02'-42" West parallel to the

Z-6001 (continued)

West boundary line of said E/2 SW/4 a distance of 200.00 feet; thence North 23<sup>0</sup>-14'-42" West a distance of 190.40 feet; thence North 0<sup>0</sup>-02'-42" West parallel to the West boundary of said E/2 SW/4 a distance of 674.51 feet to a point in the North boundary line of said E/2 SW/4 334.48 feet from the Northwest corner thereof; thence South 89<sup>0</sup>-42'-20" East along the North boundary line of said E/2 SW/4 a distance of 991.37 feet to the Northeast corner thereof; thence South 0<sup>0</sup>-05'-23" East along the East boundary line of said E/2 SW/4 a distance of 2,033.87 feet to a point 605.00 feet from the Southeast corner thereof; thence North 89<sup>0</sup>-41'-56" West parallel to and 605.00 feet North of the South boundary line of said E/2 SW/4 a distance of 432.00 feet; thence South 0<sup>0</sup>-05'-23" East parallel to and 432.00 feet West of the East boundary line of said E/2 SW/4 a distance of 580.25 feet; thence North 89<sup>0</sup>-41'-56" West parallel to and 24.75 feet North of the South boundary of said E/2 SW/4 a distance of 10.91 feet to the POINT OF BEGINNING containing 50.45 acres, more or less.

TRACT II

A tract of land in the E/2 of the SW/4 of Section 2, Township 18 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, described as follows, to wit: Commencing at the Southeast corner of said E/2 of the SW/4; thence North 89<sup>0</sup>-41'-56" West a distance of 360.00 feet to the POINT OF BEGINNING, said POINT being on the South line of said Section 2; thence continuing North 89<sup>0</sup>-41'-56" West along the South line of Section 2 a distance of 70.00 feet; thence North 0<sup>0</sup>-05'-23" West and parallel with the East line of the SW/4 a distance of 605.00 feet; thence South 89<sup>0</sup>-41'-56" East a distance of 70.00 feet; thence South 0<sup>0</sup>-05'-23" East a distance of 605.00 feet to the POINT OF BEGINNING, and containing 0.972 acres, more or less.

TRACT III

Commencing at the Southeast corner of the E/2 of the SW/4; thence North 89<sup>0</sup>-41'-56" West a distance of 360.00 feet; thence North 0<sup>0</sup>-05'-23" West a distance of 605.00 feet; thence South 89<sup>0</sup>-41'-56" E. a distance of 360.00 feet to a point on the East boundary line of the E/2 of the SW/4; thence South 0<sup>0</sup>-05'-23" East along the aforesaid East boundary line a distance of 605.00 feet to the POINT OF BEGINNING, containing 5 acres.

Special Discussion:

Ms. Wilson informed that at the August 15, 1984, meeting the Commission approved the proposed amendments to set up the Turkey Mountain Special District. One of the policies set up says that a detail plan for the development of the special district should be done. Ms. Wilson informed she contacted Dane Matthews and asked her how long it would take to get a study done and was informed that it would take about three weeks. Ms. Wilson stated that she thinks it would be beneficial on the City's part if the Staff would go ahead and do a development plan for the entire special district.

There was discussion about why this needed to be done at this time and the urgency of the project

Z-6001 (continued)

Ms. Higgins asked the Staff what they think about this request, and Mr. Compton informed it depends on what the Commission wants to define as "detail". This district involves several hundred acres of land, and if the Commission wants a general development plan, that could possibly be done within three weeks.

Mr. Connery informed he thinks it is inappropriate for the Commission to attempt to schedule the Staff's work for them.

TMAPC Action: 7 members present.

On MOTION of WILSON, the Planning Commission voted 4-3-0 (Draughon, Higgins, Paddock, Wilson, "aye"; Connery, Hinkle, Woodard, "nay"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to direct the Staff to prepare a detail plan for the development of the Turkey Mountain Special District in District 8 and to report back with that plan in three weeks.

Application No. CZ-120 Present Zoning: AG  
Applicant: Lewis (OK Utility) Proposed Zoning: RE & CS  
Location: NE corner of 86th Street North and Yale Avenue

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Date of Application: August 16, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: 80 acres

Presentation to TMAPC by: Bill Lewis Phone: 272-1263  
Address: P. O. Box 7, Owasso, Oklahoma

Relationship to the Comprehensive Plan:

The North Tulsa County Comprehensive Plan 1980-2000, designates the subject tract as Medium Intensity and Low Intensity -- No Specific Land Use.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 80 acres in size and located at the northeast corner of 86th Street and North Yale Avenue. It is partially wooded, rolling, vacant and zoned AG.

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

Zoning and BOA Historical Summary -- Development in the area has been limited to large lot single-family dwellings.

Conclusion -- Based on the Comprehensive Plan and the existing zoning and development patterns in the area, the Staff can support the request and recommends APPROVAL of a 5-acre CS node (467' x 467') and RE zoning on the balance.

Applicant's Comments:

Mr. Lewis presented a plat and described it. They are planning a single-family residential subdivision of about 52 one-acre or larger lots. They are planning small commercial usage at the corner. The property will all be on septic tanks and will be tied into the rural water district.

Protestants: Tom Schick Addresses: 5414 East 92nd Street North  
Frank Smith 5405 East 94th Street North

Protestants' Comments:

Mr. Schick informed he lives directly north of the subject tract. He informed he is concerned about the intensity of the project because there is the potential of flooding on the northwest corner of the subject tract. He also informed that some of the property in the area percolates and some does not.

CZ-120 (continued)

Ms. Hinkle informed the Commission is only considering the zoning of the property. It will be the applicant's worry as to whether or not the property percolates and if he can get the drainage approved.

Mr. Smith informed he does not object to residential zoning, but he does not want to see a lot of houses built in the area to distort the rural atmosphere. There is a flooding problem in the area if it rains very much. He is concerned because he is on a rural water line and sometimes his water pressure is not right. He is also concerned about the sewer system in the area. He wanted to know when the area residents would know what was going to go on the property.

Mr. Gardner informed the abutting property owners will get notice when the applicant files a subdivision plat and comes back to the Planning Commission. That is when the applicant will have to have all the answers to the protestant's questions. He informed that a lot of times the rural water districts, in order to sell the water, will say they can service a particular development when, in fact, it may affect service to their other parties. This is a question that will have to be posed to the rural water district because the Planning Commission will rely on the rural water district to tell them whether it can or cannot be served. It is the present water customers' responsibility to stay with the application as it goes through the process if they have questions or concerns about the water. Mr. Gardner informed the applicant is presently planning 1-acre lots, but he may lose some of those lots in the platting process if he has problems getting the lots to percolate.

Applicant's Rebuttal:

Mr. Lewis informed they will have to have three approved percolation tests on each lot before the Health Department will approve the lots for septic tanks. He informed they have contacted the rural water district and have been informed that they are in the process of upgrading their system in many areas. There is a 6-inch water line on the west and south sides of the property which are not too far from the water tower. They will meet all the requirements of all the agencies for the development before it is ever platted. The development will consist of stick-built houses, not mobile homes, and will be compatible with the area.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of County Commissioners that the following described property be zoned CS at the intersection (5 acres 467' x 467') and the remainder RE.

CS: The South 467' of the West 467' of the W/2 of the SW/4 of Section 22, Township 21 North, Range 13 East (5 acres).

RE: The W/2 of the SW/4 of Section 22, Township 21 North, Range 13 East, LESS the South 467' of the West 467' (75 acres).

Application No. Z-6002 Present Zoning: RS-2  
Applicant: Hinkle (Sanditen) Proposed Zoning: OL  
Location: East of the SE corner of 51st Street and Marion Avenue

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Date of Application: August 16, 1984  
Date of Hearing: September 26, 1984  
Size of Tract: .5 acre

Presentation to TMAPC by: Roy Hinkle  
Address: 1515 East 71st Street, Suite #307 Phone: 494-2650

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately .5 acre in size and located on the south side of 51st Street, just west of what would be New Haven Avenue. It is partially wooded, flat, contains a single-family dwelling and zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by a large apartment complex currently being considered for OMH zoning and zoned RM-2, on the east by a small office building zoned OL, on the south by single-family dwellings zoned RS-2, and on the west by a small office building zoned OL.

Zoning and BOA Historical Summary -- Several OL zoning districts have been approved along the south side of 51st Street in this area.

Conclusion -- Although the Comprehensive Plan is not in accordance with the proposed OL request the existing zoning and land use patterns would support the request.

Therefore, the Staff recommends APPROVAL of the OL zoning as requested, and also, recommends the District 18 Comprehensive Plan for this area be amended to reflect Low Intensity -- No Specific Land Use.

Comments:

Mr. Gardner informed the street on the east (New Haven Avenue) was never built.

Applicant's Comments:

Mr. Hinkle informed he believes that New Haven Avenue has been vacated. If it isn't, they will make an attempt to get it vacated.

Protestants: None.

Z-6002 (continued)

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Rice, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned OL and that the District 18 Comprehensive Plan for this area be amended to reflect Low-Intensity -- No Specific Land Use:

All that part of the NE/4 of the NW/4 of Section 33, Township 19 North, Range 13 East of the Indian Base and Meridian, in Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to wit:

BEGINNING at a point in the North boundary of said NE/4 NW/4, 505 feet from the Northwest corner thereof; thence South and parallel to the West boundary of said NE/4 NW/4, a distance of 175 feet to a point in the North boundary of W. B. North Addition; thence East and parallel to the North boundary of said NE/4 NW/4 and along the Northerly boundary of said W. B. North Addition a distance of 155 feet; thence North and parallel to the West boundary of said NE/4 NW/4 a distance of 175 feet to a point in the North boundary of said NE/4 NW/4; thence West 155 feet to the POINT OF BEGINNING.

PUD #378 Jones (Perkins) SW corner of 101st Street and Memorial Drive  
CS, RM-0, and AG

Ms. Hinkle informed an untimely request was filed by the applicant asking that this item be continued to the October 3, 1984, meeting (Exhibit "I-1").

Mr. Gardner informed the notice for this case was wrong, so it needs to be continued to readvertise.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Rice, C. Young, T. Young, "absent") to continue consideration of PUD #378 until Wednesday, October 3, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

Final Approval and Release:

Northside Clinic (2402) SE corner of East 36th Street North and Midland  
Valley Railroad CS

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

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Rice, C. Young, T. Young, "absent") to approve the final plat of Northside Clinic and release same as having met all conditions of approval.

Century Tower (PUD #179-J) (1283) 74th Place and South Memorial Drive  
CS, OL and RM-T

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

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Rice, C. Young, T. Young, "absent") to approve the final plat of Century Tower and release same as having met all conditions of approval.

Yorktown Park (PUD #283-A) (683) SE corner of 61st Street and South  
Yorktown Avenue. RM-1 and OL

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

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Rice, C. Young, T. Young, "absent") to approve the final plat of Yorktown Park and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #283-A

Staff Recommendation: Detail Site and Landscape Plans Review

The subject tract is approximately 4.72 acres (gross) in size and located at the southeast corner of 61st Street and South Yorktown Avenue. It has an underlying zoning pattern of RM-1 and OL and has been approved for a multifamily housing project.

The Staff has reviewed the applicant's submitted plans and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	4.72 acres	4.72 acres
(Net):	3.197 acres	3.197 acres
Permitted Uses: Attached Residential Dwelling Units and Accessory Uses.		Same
Maximum No. of Units:	120 units	120 units
Maximum Building Height:	39 feet, with 3-story buildings setback 40 feet from any south or west boundary.	38 feet, with 40' setbacks
Minimum Building Setback:		
From Centerline of East 61st Street;		
West-half of site;	112 feet	112 feet
East-half of site.	116 feet	116 feet
From Centerline of South Yorktown Avenue:	70 feet	70 feet
From South Boundary Line:	20 feet	20 feet
From West Interior Boundary Line:	20 feet	20 feet
From South Corner Point:	125 feet	125 feet
From East and Southeast Boundary Lines:	50 feet	50 feet
Minimum Livability Space:	72,000 sq. ft.	Exceeds
Minimum Off-Street Parking:	Per Code (192)	192 spaces

Also, it was required that the end of the three-story building in the northeast corner or handle of the project should not have windows on the second and third floors. This requirement has been met.

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

In addition, the applicant has submitted the Detail Landscape Plan which the Staff has reviewed and found to be consistent with the

PUD #283-A (continued)

requirements of the PUD and meeting the intent of the PUD Chapter. Therefore, the Staff recommends APPROVAL of the submitted Detail Landscape Plan.

The Civil Engineer for the applicant was present.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, Rice, C. Young, T. Young, "absent") to approve the Detail Site Plan and Detail Landscape Plan for PUD #283-A, subject to the plans submitted.

SPECIAL DISCUSSION:

Ms. Higgins informed she would like for the Staff to set up some type of workshop that would show the Planning Commissioners what takes place from the time an applicant gets in touch with the Staff on Subdivision matters to the time that it comes to the Planning Commission, so that when the Staff comes to the Planning Commission and tells the Commissioners that an item meets their approval, they will know what has gone on and can have some confidence in what they are approving or not approving.

Ms. Hinkle informed she thinks a workshop dealing with this would be good. Other Commissioners also stated their interest in having such a workshop.

Mr. Gardner informed the Staff could take a subdivision item and go through the process with the Commissioners. He suggested that the workshop be October 31, which is a fifth Wednesday and has no regular Planning Commission meeting scheduled on it.

There being no further business, the Chair declared the meeting adjourned at 4:15 p.m.

Date Approved

October 10, 1984

Cherry Kempe  
1st Vice Chairman

ATTEST:

Betty C Higgins  
Acting Secretary