

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1675
Wednesday, December 2, 1987, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Draughon	Gardner	Counsel
Kempe	Parmele	Malone	
Paddock, 1st Vice- Chairman	Rice	Matthews	
VanFossen, Secretary	Wilson	Setters	
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, December 1, 1987 at 9:50 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, First Vice-Chairman Paddock called the meeting to order at 1:32 p.m.

MINUTES:

Approval of Minutes of November 18, 1987, Meeting #1673:

On MOTION of WOODARD, the TMAPC voted 6-0-0 (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Parmele, Rice, Wilson, "absent") to APPROVE the Minutes of November 18, 1987, Meeting #1673.

REPORTS:

Chairman's Report:

Mr. Paddock advised receipt of a letter addressed to Chairman Parmele and the TMAPC from Assistant City Attorney Alan Jackere regarding the master working document for the Historic Preservation Ordinance. In his letter, Mr. Jackere stated a master working document was being compiled by Mr. Mike Birkes of City Development. It was noted that the working document had not yet been distributed to the TMAPC Committee members.

REPORTS - Cont'd

Committee Reports:

Mr. Paddock announced the Rules & Regulations Committee had met this date to review proposed revisions to Appendix A of the Subdivision Regulations and Section 279 of the City Ordinance, pertaining to the Septic System Study for South Tulsa. He further announced this Committee would be meeting next Wednesday to continue discussions relating to the Historic Preservation Ordinance.

SUBDIVISIONS:

LOT SPLITS FOR DISCUSSION:

L-16973 Nagles/Straub (1894) 10130 East 29th Street (RS-3)

In the opinion of the Staff, the lot split(s) listed above meets the Subdivision and Zoning Regulations, but all residential lot split applications which contain a lot having more than three side lot lines cannot be processed as a prior approval lot split. Such lot splits shall require a five day written notice to the abutting owner(s). Deeds for such lot splits shall not be stamped or released until the TMAPC has approved said lot split in a public hearing. APPROVAL is recommended on this application.

TMAPC ACTION: 6 members present

On MOTION of WOODARD, the TMAPC voted 6-0-0 (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Parmele, Rice, Wilson, "absent") to APPROVE L-16973 Nagles/Straub, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16967 (1683) Donovan	L-16971 (2503) Neal/Tamara
L-16968 (3602) TDA	L-16974 (182) Tanner
L-16969 (392) Wiley	

TMAPC ACTION: 6 members present

On MOTION of DOHERTY, the TMAPC voted 6-0-0 (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Parmele, Rice, Wilson, "absent") to APPROVE the Above Listed Lots Splits for Ratification of Prior Approval, as recommended by Staff.

PUBLIC HEARING:

CONSIDER APPROVAL OF AMENDMENTS TO THE DISTRICT 11 PLAN MAP AND/OR TEXT TO DESIGNATE TWO TYPE I MEDIUM INTENSITY NODES, ONE EACH AT THE NORTHEAST AND NORTHWEST CORNERS OF PINE STREET AND UNION AVENUE, AND RELATED MATTERS

STAFF ANALYSIS:

In response to a request from J. D. Metcalfe, Commissioner of Streets and Public Property (see attached letter dated October 28, 1987) the TMAPC set a public hearing date of December 2, 1987 to consider amending the District 11 Plan Map to establish Type I Medium Intensity Nodes (467' x 467') at the northeast and northwest corners of West Pine and North Union. The District 11 Plan Map currently designates a ten acre Type II Medium Intensity Node at the northwest and southwest corners of the intersection of West Pine and the Osage Expressway. Approximately ten acres of CS zoning has been approved at the northwest corner; although, the land has been developed by the City for a large storm water detention facility. According to the Major Street and Highway Plan, West Pine is designated as a Secondary Arterial Street and North Union is designated as a Residential Collector.

The District 11 Plan currently designates all land which abuts the intersection of West Pine and Union as Low Intensity - No Specific Land Use. All land north of West Pine is presently vacant and zoned RM-1; land at the northwest corner is also included in PUD 232 which has been approved for a two story condominium building containing 198 dwelling units with related and accessory recreational and leisure time facilities. All land south of West Pine is zoned RS-3 and the general pattern of development is detached single-family residential.

The requested change could be approached as relocating the planned and zoned intensity from its present location at West Pine and the Osage Expressway to the requested locations at the northeast and northwest corners of West Pine and North Union. The overall medium intensity at this intersection should be limited to ten acres, the amount presently zoned to the east. Staff further recommends that the Comprehensive Plan Text require the filing of a PUD prior to release of the subdivision plat and building permits. The Staff also recommends that the land which is presently zoned CS at the intersection of the Expressway and West Pine be rezoned to an R-Residential category, or to AG-Agriculture as a condition of granting the nodal designations and Comprehensive Plan amendments for District 11.

Comments & Discussion:

In reply to Mr. Doherty, Mr. Frank clarified that a PUD would have to be submitted at the time of, or prior to, the final release of a subdivision plat.

Mr. VanFossen advised the Comprehensive Plan Committee had met to review this matter and recommended approval to the TMAPC of these amendments.

PUBLIC HEARING: District 11 - Cont'd

Ms. Kathryn Hinkle (1730 West Virgin Street), District 11 Chairman, stated their primary concern had already been addressed through the requirement of a PUD. She added the residents were not opposed to the suggested amendments.

Ms. Jack A. Smith (1418 North Union) stated she was not opposed to this, but she had concerns as to the type of development that might come into this area. Mr. VanFossen advised that the Staff recommendation suggested that development be limited to "neighborhood serving" retail and office uses. Mr. Doherty added that the TMAPC would review any PUD proposal submitted, which would require notice to the residents, and would provide an opportunity for their input.

Mr. Roy Johnsen reiterated that the intensity would not be affected, and should an analysis be done on the intensity, it would probably indicate the overall intensity would be reduced. He further pointed out that the nearest single-family to the north and east was owned by Gilcrease Hills Development Company, who also had all the other undeveloped land in Gilcrease Hills. Therefore, with a major stake in this area, Gilcrease Hills Development Company had an interest in assuring this be conducted in appropriate manner. Mr. Johnsen advised he has discussed the requirement of a PUD with his client, and this was acceptable to them.

Upon a suggestion from Mr. Paddock, Mr. Gardner agreed that the wording in the proposed amendment regarding the PUD requirement was to be "shall" and not "should"; thereby making a PUD mandatory. Mr. Linker cautioned the TMAPC on thinking they could start requiring a PUD after the fact of zoning. He commented that, once the zoning was granted, an applicant had the right to develop within the zoning. In this case, it was being represented that a PUD would be submitted; however, the TMAPC had never **required** a PUD at the platting stage. Mr. Gardner remarked that Staff was handling this particular case essentially the same way the "sump area" was treated in south Tulsa, in that Staff was recognizing certain circumstances that would require the filing of a PUD. He continued by stating the difference in this case was that the PUD was being triggered on the plat filing and not the zoning filing. Mr. Gardner pointed out that Staff also felt a PUD should be required because this area was not a node, in that this was not the intersection of two secondary arterials. Discussion continued on the unique qualities of this case and the requirement of a PUD.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **6-0-0** (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Parmele, Rice, Wilson, "absent") to **APPROVE** the Amendments to the District 11 Plan Map and Text, as recommended by Staff, as follows:

MAP: Designate a Type I Medium Intensity Node at the northeast and northwest corners of Pine Street and Union Avenue. Rezone the northwest and southwest corners of the intersection of Pine Street and the Osage Expressway from CS to an R-Residential or AG-Agriculture District.

PUBLIC HEARING: District 11 - Cont'd

TEXT: (Add)

- 4.4.1.2.5 The medium intensity designations at the northeast and northwest corners of West Pine and Union should be limited to ten acres (one 5-acre node at each corner).
- 4.4.1.2.6 Before release of any subdivision plats or building permits for the nodes at the northeast and northwest corners of West Pine and Union, a PUD shall be filed and approved. Uses permitted in the PUD should be limited to neighborhood-serving office and retail.
- 4.4.1.2.7 At such time as the West Pine/Union nodes are rezoned to a Medium Intensity classification, the CS-zoned property at the intersection of the Osage Expressway and West Pine should be downzoned to an R or an AG classification.

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CONSIDER APPROVAL OF AMENDMENTS TO THE DISTRICT 17 PLAN MAP AND TEXT TO DESIGNATE THE EASTLAND SHOPPING MALL, LOCATED AT THE SOUTHWEST CORNER OF EAST 21ST STREET AND SOUTH 145TH EAST AVENUE, AS A SPECIAL DISTRICT

Comments & Discussion:

Mr. Frank advised written notice had been sent to the owners of Eastland Mall in Indiana; however, he was unable to make phone contact. Mr. VanFossen advised the Comprehensive Plan Committee had recommended approval, but felt that the owners should be notified of these changes. Therefore, he suggested a two week continuance in order to allow Staff time to make contact with the owners of the mall, either locally or in Indiana.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Parmele, Rice, Wilson, "absent") to **CONTINUE Consideration of Amendments to the District 17 Plan Map and Text** (as outlined above) until Wednesday, **December 16, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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CONSIDER APPROVAL OF AMENDMENTS TO THE DISTRICT 18 PLAN MAP AND TEXT REGARDING DELETION OF THE CORRIDOR DESIGNATION ALONG THE EAST SIDE OF THE RIVERSIDE PARKWAY BETWEEN THE I-44 SKELLY BYPASS AND EAST 91ST STREET, WEST OF SOUTH PEORIA AND WEST OF SOUTH LEWIS

Comments & Discussion:

In reply to Mr. Paddock, Mr. Gardner clarified that there was no Corridor designation on the Comprehensive Plan between 71st and 81st Street in this area; therefore, no map was included with the agenda. Mr. VanFossen advised the Comprehensive Plan Committee felt this was a housekeeping type matter and recommended approval of the amendments.

First Vice Chairman Paddock advised that the District 18 Chairman was present and had no protest to the amendments. Mr. Gardner further clarified that the decision to downgrade Riverside Drive from expressway to a parkway, technically, removed the Corridor designation. This process is just the housekeeping action to amend the maps and text to reflect the previous decision. Mr. VanFossen moved for approval as advertised in the public notice.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **6-0-0** (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Parmele, Rice, Wilson, "absent") to **APPROVE** the Amendments to the District 18 Plan Map and Text to delete the Corridor designation from that area between the Riverside Parkway and South Peoria Avenue, which is north of East 71st Street and south of the I-44 Skelly Bypass; and to delete the Corridor designation from that area between the Riverside Parkway and South Lewis Avenue which is north of East 91st Street and south of East 81st Street.

OTHER BUSINESS:

PUD 405-3: South & West of the SW/c of East 91st Street & South Memorial

Staff Recommendation: Minor Amendment & Detail Sign Plan Review

The subject tract is approximately 13 acres in size and is located off the southwest corner of East 91st Street South and South Memorial Drive. The tract has been approved and developed as an automobile mart which consolidates several makes of automobile sales and service into one location. Detail Sign Plan approval was given by the TMAPC on June 24, 1987 to permit seven monument signs along the South Memorial and East 91st Street frontages. The applicant is now requesting a minor amendment and amended detail sign plan approval to permit internal directional signs. No notice was given to abutting property owners at the applicant's request.

Review of the applicant's submitted plot plan and sign elevation show a total of eleven directional signs, 4' tall x 3' wide in size. The signs are indicated to be constructed out of plywood, set in a dirt fill and temporary in nature. Although they are larger than typical directional signs, Staff can support the request for directional signs.

Therefore, Staff recommends **APPROVAL** of the minor amendment and amended detail sign plan subject as follows:

1. Subject to the applicant's submitted plot plan and sign elevation, unless modified by the TMAPC.
2. Subject to the applicant meeting all setback requirements for the signs.
3. That no sign be constructed on a public or private easement without the prior concurrence of any affected agency.
4. That the signs be located so as not to obstruct sight distances from vehicles entering or leaving the various streets and drives to which the signs are adjacent.
5. That the temporary use be limited to a one year time limit. The applicant must remove the signs or gain additional approval by the TMAPC for an extended period of time.

Comments & Discussion:

In reply to First Vice-Chairman Paddock, the applicant confirmed agreement to the conditions of the Staff recommendation.

TMAPC ACTION: 6 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Carnes, Doherty, Kempe, Paddock, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughton, Parmele, Rice, Wilson, "absent") to **APPROVE** the **Minor Amendment and Detail Sign Plan for PUD 405-3**, as recommended by Staff.

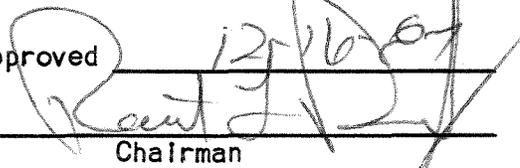
Mr. Carnes complimented Staff for cleaning up the Corridor (CO) zoning, as discussed in the District 18 amendments, as the Commission has had several past discussions regarding the need for this type of action.

Mr. Paddock commented that some of the materials distributed at the Zoning Institute in San Francisco might be helpful or of interest to the City Legal Department as the materials cited several court cases and hearings.

There being no further business, the First Vice-Chairman declared the meeting adjourned at 2:32 p.m.

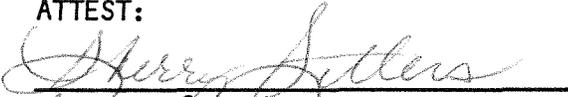
Date Approved

12/16/07



Chairman

ATTEST:


Secretary