

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1719
Wednesday, November 2, 1988, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Draughon	Dickey	Linker, Legal
Coutant, Secretary	Randle	Gardner	Counsel
Doherty		Malone	
Harris		Matthews	
Kempe, Chairman		Setters	
Paddock, 2nd Vice-Chairman		Stump	
Parmele, 1st Vice-Chairman			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, November 1, 1988 at 9:10 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:46 p.m.

MINUTES:

Approval of the Minutes of October 19, 1988, Meeting #1717:

On **MOTION** of **PARMELE**, the TMAPC voted **4-0-2** (Doherty, Harris, Parmele, Wilson, "aye"; no "nays"; Kempe, Paddock, "abstaining"; Carnes, Coutant, Draughon, Randle, Woodard, "absent") to **APPROVE** the **Minutes of October 19, 1988, Meeting #1717**.

REPORTS:

Chairman's Report:

Chairman Kempe requested the TMAPC members review the 1989 calendar provided by Staff as to TMAPC meetings, cut-off dates, etc. and advised Staff of any changes or comments.

Committee Reports:

Mr. Paddock advised the **Rules & Regulations Committee** had met this date to review and discuss the Development Fees Inventory Study, an analysis of the City/County development and subdivision fees structure. The Committee recommended a public hearing be set for December 14th on this topic, and hearing no objection from the Commission, Chairman Kempe request the notice be prepared.

Director's Report:

RESOLUTION NO. 1717:673

Stating TMAPC support of the concept of the Tulsa Trails pedestrian/bikeway trails system, and support of its future inclusion in the Comprehensive Plan of the Tulsa Metropolitan Area.

TMAPC ACTION: 6 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Harris, Kempe, Paddock, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Draughon, Randle, Woodard, "absent") to **ADOPT Resolution No. 1717:673** supporting, in concept, the Tulsa Trails Systems for future inclusion in the Comprehensive Plan, as recommended by the Rules & Regulations Committee and Staff.

ZONING PUBLIC HEARING:

Application No.: **Z-6214 & PUD 443**

Present Zoning: **RS-3**

Applicant: **Norman (Dillon)**

Proposed Zoning: **OL**

Location: **South of the SW/c of East 61st Street & Sheridan**

Date of Hearing: **November 2, 1988**

Continuance Requested to: **Timely Continuance requested by Interested Party**
(Date to be determined)

Comments & Discussion:

Mr. Charles Norman, representing the applicant (Shadow Mountain Institute), advised that the applicant had mailed a two page outline of the proposal to 108 property owners, 69 of which were outside the 300' notification radius. Based on this, Mr. Norman stated he would agree to a two week continuance, but any time beyond that would not be appropriate. He also invited the Commissioners to visit the Institute, and sated he he would assist in arranging a tour, although he would not be present during the tour.

Mr. James Poe, representing the Hidden Valley Homeowners Association, requested a continuance of this case to January 4, 1989 in order to give the interested parties and protestants time to evaluate the proposed expansion of Shadow Mountain Institute.

Mr. Paddock commented the January 4th continuance date was really too long, but he felt a four week continuance would be reasonable. Therefore, he moved for a continuance to November 30th.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **7-0-1** (Doherty, Harris, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Carnes, Draughon, Randle, "absent") to **CONTINUE Consideration of Z-6214 and PUD 443 Norman (Dillon)** until Wednesday, **November 30, 1988** at 1:30 pm in the City Commission Room, City Hall, Tulsa Civic Center.

SUBDIVISIONS:

PRELIMINARY & FINAL PLAT APPROVAL & RELEASE:

West Park Plaza Amended (2992) West 46th St, west of South 49th West Ave (IM)

The only purpose in this amended plat is to eliminate and/or reduce the building lines as shown on the present plat of record (Plat #4123). The building lines as presently platted are not required now since the adjacent property has been zoned IM and there is no setback requirement between the IM districts.

Also note that the previous plat indicated a full dedication for West 48th Street but the original filed plat of Bridges Heights only dedicated a half-street. This street is unimproved and it is not used by the public, so no new dedication is being made by this plat.

The Staff presented the plat with the applicant represented by Adrian Smith and Phil Smith.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of West Park Plaza Amended, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. If any additional easements were filed of record not shown on the original plat, show same on this amended plat. (New release letters required for this plat.)
2. All previous requirements such as grading and drainage, water and sewer extensions, and City-County Health Department approvals shall apply. (New release letters required for this plat.)
3. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
4. All Subdivision Regulations shall be met prior to release of final plat.

West Park Plaza Amended - Cont'd

NOTE: Staff advised the TMAPC all release letters had been received; therefore, this case was ready for Preliminary and Final Plat Approval.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the **Preliminary and Final Plat of West Park Plaza Amended**, and release same as having met all conditions of approval.

FINAL PLAT APPROVAL & RELEASE:

New Bedord (1793) East 25th Street & South Columbia Avenue (RS-2)

This plat is in the final process and all release letters should be received prior to the November 2nd TMAPC meeting. The Commission previously asked Staff to "red flag" this plat regarding Department of Stormwater Management (DSM) requirements, and this has been done. Staff has been advised by Mr. Jack Page of DSM that their release letter is written and that someone from DSM would be at the TMAPC meeting to address any questions that might arise at that time. Staff has also notified those parties that spoke at the preliminary review of this plat on September 7, 1988. Final approval and release is recommended.

Comments & Discussion:

Mr. Richard Greenwood (2611 East 25th Street) expressed concerns regarding flooding and water run-off in this area during peak periods of rainfall as the existing drainage was not adequate to handle the run-off.

Mr. Jack Page, Department of Stormwater Management detailed the special DSM requirements for this project due to its particular circumstances. He added the developer had agreed to these requirements; i.e., overlaid drainage swall. Mr. Page answered questions from the Commission regarding specifics of the proposed drainage.

Mr. George Sanderson (2643 East 26th Street) inquired if the disputed strip of encroachment to the south had been deeded over to the adjacent property owners, as the applicant had indicated he would do at the September 7th hearing on this tract. He requested the TMAPC withhold action until such time as this had been completed.

Mr. Dan Tanner, engineer for the project, advised a lot split application would be needed for the encroaching triangular piece of land, and this could not be started until the matter of the plat was finalized.

New Bedford - Cont'd

After discussion, the Commission confirmed a condition for a tie contract could be required as a part of the lot split application. Therefore, Mr. Parmele moved for approval of the Final Plat, withholding release subject to approval of a lot split containing a tie contract with the southern abutting tract.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the Final Plat of New Bedford, withholding release subject to approval of a Lot Split containing a tie contract with the southern abutting tract.

REQUEST FOR WAIVER (Section 260):

BOA-14931 Alsuma (3094) NE/c of East 50th Pl & South 101st East Ave (IL)

This is a request to waive plat on Lots 13 - 18, Block 49 of the above named plat. The applicant proposes to use the property as a church as per plot plan submitted. Staff recommends APPROVAL, subject to grading and drainage plan approval by Stormwater Management through the permit process. (Watershed Development Permit in process.)

The applicant was represented by Sam Lewis.

The TAC voted unanimously to recommend **approval** of the WAIVER OF PLAT on BOA-14931, subject to the conditions outlined by Staff and TAC.

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-1** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, "aye"; no "nays"; Woodard, "abstaining"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the **Waiver Request for BOA-14931 Alsuma**, as recommended by Staff.

* * * * *

BOA-13731 Albert Pike Addition (2193)

3404 East 33rd Street

(RM-1)

This is a request to waive plat on the West 70' of the East 140' of the West 165' of the North 120' of Block 23 Albert Pike Addition. The Board of Adjustment approved day care use at this location which is part of a day care center that has operated since 1954. The property is already platted and lot split #345 was on 12/9/52. Staff recommends APPROVAL since the present plat and lot split satisfy the provisions of Section 260.

TMAPC ACTION: 7 members present

On MOTION of PADDOCK, the TMAPC voted 7-0-0 (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to APPROVE the Waiver Request for BOA-13731 Albert Pike Addition, as recommended by Staff.

* * * * *

Z-6203 East Tulsa Medical Group Center (PUD 439)(1293)

(CS)

NE/c of East 21st & South 89th East Avenue

This is a request to waive plat on the above tract which is platted as one lot and block (Plat #3818). It is also a PUD review since the zoning is being changed from OL to CS to permit expansion of the existing building. (Application is for Selco Industries which includes production of custom watches. The use is what requires the zoning change and PUD.) Since this is already a platted lot and right-of-way meets the Street Plan requirement for 21st Street and actual access is in accord with the platted access point, Staff has no objection to a waiver of the platting requirement, with Section 260 of the Code being met, subject to the following:

- a. Grading and drainage plan approval by Department of Stormwater Management in the permit process.
- b. Additional 17.5' utility easement parallel to 21st Street as required by utilities. (Per Staff, this condition has been met.)
- c. PUD conditions to be filed by separate instrument, in lieu of replatting.

The applicant was represented by Mike Benton.

Not a condition for approval, but PSO advised that a powerline must be relocated due to the location of the new addition to the building.

The TAC unanimously voted to recommend WAIVER OF PLAT on PUD 439, subject to the conditions outlined above.

NOTE: Staff advised the City Commission approved the zoning and PUD for this tract at their October 25, 1988 meeting.

Z-6203 East Tulsa Medical Group Center - Cont'd

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the **Waiver Request for Z-6203 East Tulsa Medical Group Center**, subject to conditions (a) and (c) as recommended by Staff.

* * * * *

Hillcrest Utica Park (PUD 432A)(793) SE/c of 12th & Utica (OL, RM-2)

Minutes from the previous review and plat waiver request on PUD 432 were provided in the packet for this TAC meeting. It should be noted that this amendment is to expand the PUD into the lots acquired on the corner of 12th at Utica. The additional land will permit a second building to the south which will be designed in conformity to the building setbacks and restrictions already established in PUD 432. This review is basically for the additional lot, but for easier administration the entire block is now included in the amendment. The following comments were made:

1. Dedications and/or improvements to be made at the intersection of 12th Street at Utica shall meet the approval of Traffic and City Engineering.
2. Previous conditions as approved by the TMAPC included an additional 10' of right-of-way on Utica (to total 40') and a parallel 7' utility easement. A 10' parallel perimeter easement was included on the other streets (on the north, east, & south). Language in the covenants was required relating to paving and landscape repair within utility easements. (Staff does not have copies of these items, and same should be furnished prior to issuance of building permits as a condition of approval. Since applicant now owns the entire block it may be easier to accomplish this now if it has not already been done.)
3. Grading and drainage plan approval by Department of Stormwater Management is required through the permit process.
4. PUD conditions to be filed by separate instrument, including language requested by the utilities regarding landscape and paving repair in easements.
5. Utilities were concerned about relocating facilities at the intersection at 12th Street particularly regarding planned new Southwestern Bell conduit on Utica, PS0, Cable TV lines and poles in relation to buildings and setbacks and the proposed tunnel under 12th Street for pedestrians. A coordination meeting with utilities will be necessary when plans for the intersection improvements are completed.
6. Traffic Engineering stated for the record they would still recommend the full 50' dedication on Utica, although the requirement had been reduced to 40' by previous action of the TMAPC.

Hillcresce Utica Park - Cont'd

Ted Sack was present for the applicant.

The TAC voted to recommend **APPROVAL** of **waiver of plat on PUD 432-A**, subject to the conditions outlined above, noting Traffic Engineering statement for the record regarding right-of-way.

Comments & Discussion:

Staff noted the TMAPC approved the amendment to PUD 432-A at their October 26th hearing, which was still pending City Commission approval.

Mr. Paddock suggested deleting condition #6 as it was really a comment by the Traffic Engineer and not a requirement. Mr. Parmele confirmed agreement with the applicant as to the conditions (deleting #6), and moved for approval.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted 7-0-0 (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the **Waiver Request for Hillcrest Utica Park (PUD 432-A)**, subject to conditions 1 - 5.

LOT SPLITS:

LOT SPLITS FOR WAIVER:

L-17108 Mahoney (1793) NE/c of East 22nd Place & South Atlanta Place (RS-2)

This is a request to split three 50' x 140' lots in such a manner to create two lots, being the west 85' containing an existing residence and the east 65' which is vacant. A variance of the lot width from 75' to 65' is being requested (subject to Board of Adjustment approval). Although the area is zoned RS-2, it was platted in 50' lots, but developed with lot widths varying from 60' to 75' or more. There are numerous lots in the area that are less than the required 75' including several that are 50', 60' or 71'. This lot will meet the minimum area requirement of 9,000 square feet so the only waiver requested is the width. (The lot contains 9,002.5 square feet after dedication of 1.5' of right-of-way to meet the 25' minimum on 22nd Place.)

The applicant has not objected to a dedication of 1.5', but Staff notes that no other right-of-way has been dedicated on any of the lot splits in the area. Staff recommends approval subject to the following:

L-17108 Mahoney - Cont'd

- a) Board of Adjustment approval of the lot width of 65' (Case #14993)
- b) Tie language joining the east 15' of Lot 63 to Lot 62.
- c) Dedication of 1.5' of right-of-way on 22nd Place to meet the Street Plan.

The applicant was not represented.

The TAC unanimously to recommend **approval** of L-17108, subject to the conditions outlined by Staff and the Technical Advisory Committee.

TMAPC ACTION: 7 members present

On **MOTION** of **COUTANT**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the **Lot Split Waiver for L-17108 Mahoney**, subject to conditions (a) and (b) only.

* * * * *

L-17106 Carpenter (1614)

13910 East 100th Street North

(AG)

This is a request to split a 1.5 acre tract from an eight acre tract in order to obtain clear title to the smaller tract. The smaller tract will require a variance of the minimum lot area (two acres) by the County Board of Adjustment. There are other lots similar in size in the area, including eight platted lots of approximately one acre in size in the City Vue Estates subdivision to the west (zoned RE). Staff has no objection to the request, noting that this approval is for the smaller tract. The larger tract will be 6.5 acres and will not require lot split approval at this time. Should the owner of the larger tract desire to create a tract less than 2.5 acres, he will be required to process a lot split at that time. The following shall apply:

- a) Board of Adjustment approval of the lot area (CBOA case #885)
- b) City-County Health Department approval of septic system.
- c) Utility easements as needed or specified by utility companies.
- d) 5' additional right-of-way on 100th Street North is recommended to meet County minimum widths.

NOTE: Referred to Owasso since this is inside their fence line. Also, the small 1.5 acre tract already appears as a separate tract on the assessor's records.

The applicant was not represented.

The TAC voted unanimously to recommend **approval** of L-17106, subject to conditions (a) through (d) as outlined by Staff and the Technical Advisory Committee.

L-17106 Carpenter - Cont'd

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the **Lot Split Waiver for L-17106 Carpenter**, subject to the conditions as recommended by the TAC and Staff.

LOT SPLITS FOR DISCUSSION:

L-17102 Williams/City of Tulsa (983) East 77th & South Jamestown (RS-1)

This lot split is only to clear title on Lot 4, Block 1, TIMERCREST ADDITION and no new building site is being created. The split is to separate the small fenced area occupied by the water tank at 77th Street and South Jamestown. This small tract was conveyed to the Southern Ridge Water Company by M.E. Morrow on 10/20/55. The City of Tulsa subsequently took over the water company facilities, including the .15 acre tank site, and a lot split should have been processed at that time. The current action will clear title as required by the Statutes and allow the tank site to be separated from the remaining lot. The Water & Sewer Department has checked the legal description and has no objections to his action. (The City may have additional title work to accomplish since the deed to the tank site is still in the name of Southern Ridge Water Company although it is now part of the City's system. This lot split would also be needed by the City and this will help clear title for the Water & Sewer Department.) Abutting property owners were notified in accordance with TMAPC policy. Approval is recommended.

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** **L-17102 Williams/City of Tulsa**, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17101 (1603) Lewis/DeJear	L-17110 (1793) Prudden
L-17105 (2892) Taylor	L-17107 (883) Booth

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

CONTINUED PUBLIC HEARING:

TO CONSIDER AMENDMENTS TO THE DISTRICT 18 PLAN TEXT AND MAP, INCLUDING BUT NOT LIMITED TO, THE MINGO VALLEY EXPRESSWAY CORRIDOR AREA, OTHER TEXT/MAP AMENDMENTS, AND RELATED MATTERS

Comments & Discussion:

Ms. Dane Matthews reviewed the proposed amendments to the District 18 Plan Map and Text. Mr. Bob Gardner reviewed the map as to the previous Corridor (CO) development and the proposed CO guidelines for the Mingo Valley Corridor. Staff answered general questions from the Commission to clarify the proposed text and map changes.

Interested Parties:

Mr. Frank D. Spiegelberg (9032 East 67th Street), Director of the Burning Tree Homeowners Association, stated support of the proposed amendments as he felt they would help control the spread of commercial, assist with traffic control, etc.

Mr. Roy Johnsen (324 Mall Mall), spoke on behalf of several landowners in the Mingo Valley Expressway Corridor, and thanked the TMAPC for continuing this public hearing in order to give special notice to these property owners. Mr. Johnsen advised of his work with Staff on modifications to the originally proposed language concerning the extension of commercial uses to adjoining property when appropriate, if done through a Corridor Site Plan. He stated he still felt some of the amendments were not warranted as they established a policy that the TMAPC would not approve the maximum intensity the CO zoning otherwise would permitted. He reviewed how these amendments would affect a specific client at the intersection of 71st and Mingo as to future development. In response to Mr. Doherty regarding language to permit the spreading of intensities, Mr. Johnsen suggested adding wording [in brackets] to Sections 3.4.2 and 3.4.3 dealing with medium to high intensity development (.5 FAR to 1.25 FAR): "...however, the aggregate floor area [of commercial uses] shall not exceed .5 FAR, computed separately ~~and limited to that~~ [on the] area designated for medium to high intensity."

In reply to Mr. Coutant, Mr. Gardner explained there were four basic reasons why Staff recommended the proposed amendments: (1) Historically, the suggested FAR is consistent with existing development in the Corridor and will accommodate future needs; (2) the future of the Mingo Valley Expressway south of 71st Street was totally uncertain; (3) existing low intensity uses already in the Corridor pre-empts high intensity development; and (4) there was a great deal of confusion about CO zoning, and the amendments would help clarify this confusion.

Mr. Doherty asked for Staff's input regarding development of higher intensity based on the question of completion of the Mingo Valley Expressway and the Broken Arrow Spur. Mr. Gardner stated under the TMAPC policy, per the Development Guidelines, no CO zoning would be permitted until the expressway was physically built, or at the least, right-of-way

PUBLIC HEARING: District 18 - Cont'd

purchased. Therefore, what has happened in this area, with most of it already zoned CO, could not happen under the amended Guidelines. Mr. Gardner confirmed the amendments were removing the potential to develop to a maximum of 1.25 FAR in the areas currently zoned CO, except those within 660' of 71st Street.

Mr. Buddy Bain (9902 East 81st) expressed thanks to the **Tulsa World** for their article on this public hearing. As a property owner in this area since 1953, Mr. Bain commented that in the past the approach in the CO zoned areas was that cases would be reviewed on an individual basis. As a matter of history, he asked the Commission to look at the Mingo Valley Expressway development, as he doubted this expressway would ever reach completion during the next 20 - 50 years. Therefore, he questioned why the zoning requirements were being changed from review on an individual basis. Mr. Bain advised that he has been laying groundwork over the last 15 year for a heliport and, unless the expressway was completed, his plans could never become a reality. Therefore, he felt the zoning issue was a totally moot issue.

Mr. Charles Norman (909 Kennedy Building) also expressed thanks for the notice received by the **Tulsa World** and personally by the INCOG Staff. Mr. Norman stated support of the changes suggested by Mr. Johnsen to Sections 3.4.2 and 3.4.3. He reviewed site locations of his clients in the Corridor. Mr. Norman commented his real concern was that these amendments would modify the Corridor Zoning Chapter on an area-by-area basis. Therefore, Mr. Norman formally requested a continuance of the public hearing for two purposes: (1) to allow his clients to completely analyze the most recent proposed changes; and (2) evaluate if Zoning Code changes might be the better avenue for dealing with these concerns, in lieu of Comprehensive Plan amendments.

Mr. Carnes, as Chairman of the Comprehensive Plan Committee, asked the Commission's thoughts on continuing this hearing in light of the various suggestions submitted, as he felt these should be discussed by the Committee and Staff before proceeding.

Ms. Ginny Poe, District 18 Chairman, advised the Planning Team in District 18 supported the amendments as presented.

The consensus of the TMAPC members was to continue this hearing in order to have the Comprehensive Plan Committee and Staff review the suggestions and comments submitted as to the appropriateness of proceeding through Zoning Code amendments versus Comprehensive Plan amendments.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Draughton, Harris, Randle, "absent") to **CONTINUE** Consideration of the Public Hearing to Consider Amendments to the District 18 Plan Map & Text until Wednesday, **December 14, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

PUBLIC HEARING:

TO CONSIDER AMENDMENTS TO THE DISTRICT 16 PLAN TEXT AND
MAP, SPECIFICALLY, SPECIAL DISTRICT 2

Comments & Discussion:

Ms. Dane Matthews reviewed Staff's findings on Special District 2 as to soils, topography, current zoning patterns, transportation, etc. for the area under consideration; i.e. north and east of, and including, Bird Creek. In regard to the area considered for deletion from Special District 2 Ms. Matthews advised Staff recommended leaving this area as a part of Special District 2, but designating the area as Development Sensitive. She commented this designation was merited because of floodplain, heavy vegetation, steep slopes and shallow depth to bedrock. Ms. Matthews also reviewed the proposed text amendments to the District 16 plan to accommodate the designation change, and Staff's suggestion that the existing IH zoned parcels be rezoned to an IL classification. She answered questions from the Commission regarding the streets and roads in this area.

Interested Parties:

Mr. Bob Nichols (111 West 5th) advised he was representing the applicant who applied for IM zoning on a tract in Special District 2 which prompted review of the District 16 Plan. Mr. Nichols commented he has reviewed the Staff recommendation and was in agreement. In reply to Mr. Doherty, Mr. Nichols stated his rezoning application was delayed by the City Commission, pending the TMAPC review of the District 16 Plan, which was the only item referred back to the TMAPC for consideration (not his application).

Ms. Barbara Morrison (14343 East 56th Street North, Owasso), representing the Owasso Homeowner's Association, spoke concerning the arterials in this area which were also school bus routes. Ms. Morrison commented on the safety hazards in this area due to the dilapidated condition of the bridges from the number of semi-trucks who ignore the load limits posted. She also spoke on the traffic hazards from the truck drivers who ignore speed limits and stop signs at the intersections. Ms. Morrison requested any industrial zoning be denied.

Ms. Willo Henninger (Rt. 5 Box 141, Owasso) reiterated concerns as to safety and traffic hazards, and obtained clarification as to the zoning application pending City Commission approval. Staff indicated they would convey today's decision of the TMAPC to the City Commission prior to, or at the hearing, of the industrial zoning application. Ms. Henninger submitted and review photos showing the condition of the bridges and the types of semi-trucks using these roads and bridges.

Mr. Ron Wilson (14301 East 58th Street North, Owasso) commented that, historically, this area has been used for agricultural and residential uses, and he did not understand how some areas were designated for IH zoning. Mr. Wilson pointed out that in the Special District 2, there was only an approximate area of 27 acres that was outside the floodplain, and

PUBLIC HEARING: District 16 - Cont'd

the remainder was steeply sloped, had rough terrain, etc. He stated his main concern involved the resident's prior experience with the heavy truck traffic which presented serious safety hazards and numerous traffic violations, along with the noise, dust, etc.

Representative Grover Campbell (9602 North 111th Street, Owasso) stated he felt the real issue was not the IL/IH zoning or land use, but the type of traffic allowed and the facilities to handle this traffic. Rep. Campbell pointed out there were only three access routes to the subject area and, in his opinion, none of the three were good accesses. He commented that he constantly hears complaints from his constituents about the truck traffic from the Tulsa rock quarry. Rep. Campbell added that at one point he understood there was an agreement working between the Tulsa Rock Company and Tulsa County; however, he has heard nothing recently on this. He stated the completion of the arterials in this part of the county was a major issue. Therefore, he suggested the access problems with 145th East Avenue be resolved before any further industrial zoning was considered.

Chairman Kempe pointed out that the City Commission had only delayed their action on the zoning application (Z-6210) pending the TMAPC's findings on District 16 and Special District 2, which was the only issue before the Commission, as the TMAPC had already acted on the zoning application.

TMAPC Review Session:

Mr. Doherty initiated discussion on item #3 of Staff's recommendations for rezoning/downzoning "Rezone existing IH zoned parcel in this area to an IL classification to more accurately reflect development constraints previously identified." It was pointed out this was merely a suggestion to the TMAPC for the future, and not a change to the District 16 Plan at this time. Staff clarified that no downzoning could occur before proper notice was given and the usual public hearing process conducted. The Commission continued debate on whether or not to include the item on rezoning as worded.

The TMAPC voted 7-1-0 (Coutant "nay") to close the debate and proceed with consideration of the Staff recommendation. The TMAPC then voted on the Staff recommendation, modifying item #3 to read, "Consider rezoning of existing IH zoned...."; the motion failed in a 4-4-0 vote (Carnes, Doherty, Parmele, Woodard, "aye"; Coutant, Kempe, Paddock, Wilson, "nay"; no "abstentions"). Mr. Carnes then moved for approval of the Staff recommendation for District 16 - Special District 2, as written.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-2-0** (Carnes, Doherty, Kempe, Paddock, Wilson, Woodard, "aye"; Coutant, Parmele, "nays"; no "abstentions"; Draughon, Harris, Randle, "absent") to **APPROVE** the Amendments to the District 16 Plan, specifically Special District 2, as recommended by Staff, and **APPROVE** Staff's recommendation for future initiation of the public hearing process to rezone existing IH zoned parcels in District 16 - Special District 2 (north and east of, and including, Bird Creek).

PUBLIC HEARING: District 16 - Cont'd

Additional Comments & Discussion:

Mr. Coutant suggested the interested parties pursue a remedy to their bridges/roads problems through their state representatives, as there were other solutions available since zoning was not the vehicle to deal with these issues. Mr. Paddock requested Staff proceed with preparation of the resolution for presentation in two weeks. Ms. Wilson requested Staff forward their findings of District 16 to the Transportation Policy Committee.

OTHER BUSINESS:

PUD 428-1: Minor Amendment to Allow Physically Handicapped under Age 62
South side of East 31st, .25 miles east of Garnett
(Continuance Requested to November 16, 1988)

TMAPC ACTION: 7 members present

On **MOTION** of **PARMELE**, the TMAPC voted **7-0-0** (Coutant, Doherty, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Draughon, Harris, Randle, "absent") to **CONTINUE Consideration of PUD 428-1** until Wednesday, **November 16, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

There being no further business, the Chairman declared the meeting adjourned at 5:40 p.m.

Date Approved 11/16/88

Ralph J. Parmele
1st Vice Chairman

ATTEST:

Tom C. Coutant
Secretary

