

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1754
Wednesday, July 26, 1989, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Coutant	Carnes	Gardner	Linker, Legal
Doherty, Chairman	Randle	Jones	Counsel
Draughon, Secretary		Setters	
Kempe			
Paddock			
Parmeale			
Selph			
Wilson, 1st Vice			
Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, July 25, 1989 at 11:45 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:37 p.m.

MINUTES:

Approval of the Minutes of July 12, 1989, Meeting #1752:

On **MOTION** of **WILSON**, the TMAPC voted **7-0-2** (Doherty, Draughon, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; Coutant, Kempe, "abstaining"; Carnes, Randle, "absent") to **APPROVE** the **Minutes of July 12, 1989, Meeting #1752**, as amended to reflect the corrections noted by Ms. Wilson and Mr. Coutant.

REPORTS:

Chairman's Report:

Chairman Doherty advised the TMAPC was in receipt of a letter from Mayor Randle requesting a public hearing in regard to major/minor amendments to PUD's. He referred this matter to the Rules and Regulations Committee for consideration.

Committee Reports:

Mr. Coutant advised the **Comprehensive Plan Committee** met this date in regard to the Arterial Right-of-Way Study.

Mr. Paddock announced the **Rules & Regulations Committee** had a tentative meeting scheduled for August 2nd to continue review of the sign ordinance.

SUBDIVISIONS:

FINAL PLAT APPROVAL & RELEASE:

Little Light House (PUD 410)(2293) East of 36th St & South Yale Ave (RM-1, RD)

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Randle, "absent") to **APPROVE** the Final Plat of Little Light House and release same as having met all conditions of approval.

ZONING PUBLIC HEARING:

Application No.: **Z-6249 & PUD 450** Present Zoning: AG
Applicant: **Johnsen (Woodfill Dev Co)** Proposed Zoning: CS
Location: SW/c of East 111th Street and South Sheridan Road
Date of Hearing: July 26, 1989
Presentation to TMAPC by: Mr. Roy Johnsen, 324 Main Mall (585-5641)

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity - Residential and Low/Medium Intensity - No Specific Land Use.

According to the Zoning Matrix the requested CS District is in accordance with the Low/Medium Intensity portion of the Plan Map and is not in accordance with the Low Intensity - Residential portion of the Land Map. All zoning districts are considered **may be found** in accordance with Special Districts guidelines.

Staff Recommendation: Z-6249

Site Analysis: The subject tract is approximately 4.5 acres in size and is located at the southwest corner of East 111th Street and South Sheridan Road. It is partially wooded, gently sloping, vacant and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by vacant property zoned AG; on the east by vacant property in the City limits of Bixby zoned RS-1; on the south by vacant property zoned RS-2; and on the west by vacant property zoned RS-2.

Zoning and BOA Historical Summary: Commercial zoning was recommended for approval by TMAPC on the northeast corner of this intersection in 1976, but denied by the City Commission.

Conclusion: It has been Staff's policy not to recommend the first commercial zoning on a corner where existing residential development has occurred. In this case, the tract containing the only existing residential dwelling was proposed for commercial zoning in 1976. Staff could therefore support the requested rezoning and the modified commercial configuration (675' x 290' instead of the typical 467' x 467') since the area does not exceed five acres and follows existing lot lines.

Therefore, Staff recommends **APPROVAL** of CS zoning as requested by Z-6249.

Staff Recommendation: PUD 450

The applicant is proposing a commercial shopping center on a 3.5 acre (net) tract at the southwest corner of East 111th Street South and South Sheridan Road. The center would be surrounded on the south and west by single-family lots now being platted. To the north across 111th Street is vacant land and the area to the east across Sheridan Road is vacant. A request to rezone the tract to CS (Z-6249) is being made in conjunction with the PUD request.

The shopping center is proposed to be of a Cape Cod Colonial style finished in used brick and siding with a shingled roof containing dormers in both the front and rear of the building.

After review of PUD 450, Staff finds the uses and intensities of uses proposed to be in harmony with the spirit and intent of the Code. Based upon the following conditions, Staff finds PUD 450 is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site and; (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 450 subject to the following conditions:

1) That the applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2) **Development Standards:**

Land Area:

Gross: 4.62 acres

Net: 3.44 acres

Permitted Uses:

Use Units 11, 12, 13, 14 and customary accessory uses, except no Entertainment and/or Drinking Establishment uses as defined in Use Unit 12, and no Funeral Home uses. Bars are permitted only as an accessory to a principal use restaurant.

Maximum Building Floor Area:	25,900 sf
Maximum Building Height:	One story
Minimum Building Setbacks:	
from South boundary	60'
from North boundary	80'
from East boundary	80'
from West boundary	80'
Off-Street Parking:	As required by the applicable Use Unit
Minimum Internal Landscaped Open Space:	12%
Minimum Width of Perimeter Landscaping:	
North boundary	10'
East boundary	10'
South boundary	20'
West boundary	20'
Minimum Setback for Trash Containers:	All trash containers (dumpsters) shall be set back a minimum of 50' from the south and west boundaries of the PUD.

Signs:

- a) One monument sign shall be permitted at the main arterial street entry on 111th Street South, with a maximum of 60 square feet of display surface area and 6' in height setback a minimum of 150' from the south and west boundaries.
- b) Wall signs shall be permitted not to exceed 1.0 square feet of display surface area per lineal foot of building wall to which attached. All tenant signage is to be coordinated as to size, and the length of a tenant wall sign shall not exceed 75% of the frontage of the tenant space.

Screening:

- a) An 8' high screening fence with masonry columns, which is architecturally compatible with the shopping center buildings, will be erected on the southern and western boundaries to within 35' of the east and north property lines. All fence braces and supports shall be on the interior side of the fence, except when both sides are of the same design and appearance.
- b) All trash, equipment and utility areas shall be screened from public view.
- c) All mechanical equipment for buildings shall be screened from view of persons at ground level on site or on the abutting residential lots.

Lighting: All exterior and parking lot lighting shall be directed downward and away from adjacent areas. Freestanding parking lot lighting shall not exceed 16' in height.

- 3) No freestanding buildings are allowed. All buildings shall form one continuous structure.
- 4) That no Building Permits shall be issued within the Planned Unit Development until a Detail Site Plan, which includes all buildings and required parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 5) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify that all landscaping and screening fences have been installed in accordance with the approved landscape plan prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
- 6) No building permits shall be issued for erection of a sign within the PUD until a Detail Sign Plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
- 7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

Mr. Roy Johnsen, representing Woodfill Development Company, reviewed the recently approved residential zoning case that prompted submittal of the PUD for that portion of the tract requesting CS zoning. Mr. Johnsen pointed out that the City of Bixby acknowledged their portion of this intersection (southeast corner) as being appropriate for CS development. He advised that he has met with the neighborhood residents to discuss their concerns as to height, screening, signage, etc. Mr. Johnsen stated that he felt this proposal was in conformity with the District 26 Plan.

In regard to building height, Mr. Johnsen agreed with Staff's revision to indicate one story and not a specific foot measurement, due to the architectural styling of the project. He submitted copies of the PUD text proposal to the TMAPC members, indicating suggested modifications to the Staff recommendation, as follows:

APPLICANT'S PROPOSED TEXT AMENDMENTS AND
MODIFICATION OF STAFF RECOMMENDATION

	<u>Staff</u>	<u>Applicant</u>
1. Building Setbacks:		
from South Bdry - East Wing	60'	39'
from South Bdry - West Wing	60'	59'
from North Bdry - East Wing	80'	69'
from North Bdry - West Wing	90'	119'
2. Landscaping - South & West Bdry	20'	10'
3. Screening Fence Height	8'	6'
4. Trash Receptacle Setback from South & West Boundary	50'	35'
5. Signage:	No ground signs other than one monument sign	In addition to monument sign, one sign 25' ht 150 sf display surface area.
6. Text as originally submittd could be interpreted to require ground-mounted mechanical equipment. It is proposed that mechanical equipment be either ground-mounted or roof-mounted if screened from view of abutting resi- dential properties.		

Mr. Johnsen spoke briefly on the requested modifications. In reply to Ms. Wilson, Mr. Johnsen clarified the screening fence and landscaping along the residential boundary would be installed in the very early stages of development, most likely within the boundary of the PUD.

In regard to the permitted uses, Mr. Gardner stated it was not Staff's intention to prohibit an accessory bar to a principal restaurant use. Therefore, the Staff recommendation would be amended accordingly.

Interested Parties:

Mr. Frank Lindner (10602 South Quebec Place, 74137), District 26 Chairman, stated the residents in District 26 were opposed to commercial zoning at the nodes. He added the residents in this area made the decision to live in this rural type setting knowing they would have to drive to commercial uses, and they wanted to preserve the integrity and character of this setting. Mr. Lindner commented he felt there was more than adequate commercial uses throughout the remaining portion of District 26. He stated he was not opposed to commercial development or progress, but he just did not want set a precedent at this corner for the node.

Ms. Jackie Larkin (9810 South Granite, 74137) stated she was representing the 327 homeowners in Sun Meadow. Ms. Larkin reiterated that the majority of the homeowners built in this area due to the rural setting, and they would like to keep it that way. She agreed with Mr. Lindner's comments in regard to setting a precedent for commercial use at this node. She also felt there was adequate commercial development within one mile of this area.

Discussion followed as to the history of the Comprehensive Plan process which established the policy of placing commercial development at the nodes and encouraged the use of PUD's in relation to commercial development. Mr. Parmele and Ms. Kempe, who were members of the Planning Commission in 1978 during the District 26 Plan hearings, commented that commercial development was a point of contention at that time. However, the District 26 Plan was finally adopted with this property designated Low Intensity - Residential, and Low & Medium Intensity - No Specific Land Use and Development Sensitive.

Mr. Gardner agreed that these map designations were used as indicators for special review and/or consideration. He added that the Comprehensive Plan also indicates that, unless there are reasons to show differently, a tract should have a 467' x 467' configuration. In this particular case, Staff felt a significant physical fact was the established ownership lines across 111th Street. Mr. Gardner cautioned the Commission that, if this node was restricted to single-family residential, it could possibly lead to a situation with single-family residential on three corners and commercial on the one corner in Bixby city limits. He added that, if the north/south zoning line was approved in its proposed configuration, this might influence the City of Bixby in their treatment of the southeast corner to do likewise.

Applicant's Rebuttal:

Mr. Johnsen pointed out that the basic format of Staff recommendation was originally written when the application was first presented which included the single-family residential portion. He added that he did not feel Staff was implying the Plan called for single-family at this corner. Further, the Plan shows this tract as a medium intensity node, which does indicate CS to be in conformance.

Mr. Lindner was recognized by the Chairman to speak. He remarked that if a mistake was made when the Plan was adopted, it did not mean that the Plan could not be changed or corrected. Mr. Lindner added that he felt the City of Tulsa could "set the pace", regardless of what Bixby might be planning for the southeast corner.

Additional Comments & Discussion:

The Commission reviewed the applicant's proposed modifications with Staff. Mr. Gardner indicated agreement to the 6' height for the screening fence, noting that this was the traditional height for commercial. However, he would leave this to the judgement of the TMAPC. In regard to the setbacks, Mr. Gardner agreed to the applicant's proposal, commenting that he could support the concept of differentiating between the east and west wings. Mr. Gardner suggested, in regard to the landscaping, that the heavier landscaping materials could be placed on the residential side of the fencing in the rear yards of the homeowners (as done at 111th & Sheridan). He added that the landscaping alternatives could be reviewed at the Detail Landscape Plan presentation.

In regard to the trash receptacle, Mr. Gardner stated he had no problem with the suggested 35' if the TMAPC was in agreement with the setback modifications. Chairman Doherty suggested it might be more appropriate to confine the trash receptacles to the line screened by the building; i.e. 39' as proposed. Mr. Gardner stated agreement.

As to signage, Mr. Gardner commented that the TMAPC could review the applicant's proposal now or in the future, as an amendment or Detail Sign Plan would most likely be requesting the 25' pole sign. Mr. Gardner also concurred with item #6 of the applicant's modifications to permit ground-mounted or roof-mounted mechanical equipment.

In reply to Ms. Wilson, Mr. Gardner confirmed commercial zoning required the applicant to screen as well as maintain the screening once installed. Discussion followed on the landscaping and screening alternatives, and the proposed 25' pole sign.

Mr. Parmele stated support of the node concept, and he felt the TMAPC had the opportunity to control this first commercial development through the PUD. He added this was a very restrictive PUD in regard to the landscaping, screening, height, etc. Therefore, Mr. Parmele moved for approval of the CS zoning and the PUD, with the following revisions:

- Building setbacks as proposed by the applicant
- 10' landscaping along the south and west boundaries, with some type of language indicating that this 10' area shall contain substantial sizes of trees.
- 6' screening fence, to be maintained by the owner(s) of the commercial properties.
- 39' setback for the trash receptacle(s) on the south and west boundaries.
- No ground signs other than one monument sign be permitted, and the signs on the buildings per Staff's recommendation.
- The text be modified as suggested by the applicant to allow either ground-mounted or roof-mounted mechanical equipment.

In regard to the screening fence, Mr. Gardner inquired the intent of the motion was indicate the 6' fence would be erected along the south and west property lines, and delete reference to "within 35' of the east and north property lines" to stop the zoning at 467' x 467'. Mr. Parmele stated it was his intent to approve the zoning as requested by the applicant, as the TMAPC had the flexibility to remove the 467' x 467' configuration. He stated that this zoning request might offer some controls for zoning patterns on the remaining corners of this node.

Mr. Paddock extended appreciation to the District 26 Chairman for attending the hearings on this tract. He stated he did not feel Tulsa should take the lead in approving commercial uses at this node, as neither the Development Guidelines nor the Comprehensive Plan mandated commercial uses at the nodes. Since the zoning question was a part of the PUD presentation, he advised he would have to vote against the motion.

Mr. Coutant commented that he hoped the interested parties in attendance were not terribly discouraged, as he views this proposal as a form of progress. He stated this was not an intense development, but a light commercial use with vigorous controls through the PUD. Therefore, he could support the motion.

Ms. Wilson commented that she views this particular corner, in regard to how it might influence the other corners of this node, was that this proposal presented a minor influence as to land area, restrictive uses, etc. Mr. Doherty pointed out that the TMAPC refused to zone this tract without the benefit of the PUD, and he felt that this was a continuation of the tradition and care needed for orderly zoning and development.

TMAPC ACTION: 9 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-1-0** (Coutant, Doherty, Draughon, Kempe, Parmele, Selph, Wilson, Woodard, "aye"; Paddock, "nay"; no "abstentions"; Carnes, Randle, "absent") to **APPROVE Z-6249 and PUD 450 Johnsen (Woodfill Development Company)**, as recommended by Staff, with the following modifications:

- Building setbacks as proposed by the applicant (see page 6).
- 10' landscaping along the south and west boundaries, with some type of language indicating that this 10' area shall contain substantial sizes of trees.
- 6' screening fence along the south and west boundaries, to be maintained by the owner(s) of the commercial properties.
- 39' setback for the trash receptacle(s) on the south and west boundaries.
- No ground signs other than one monument sign be permitted, and the signs on the buildings per Staff recommendation.
- The text be modified as suggested by the applicant to allow either ground-mounted or roof-mounted mechanical equipment.

Legal Description:

CS & PUD: The north 290' of the east 675' of the NE/4 of the NE/4 of Section 34, T-18-N, R-13-E, Tulsa County, Oklahoma.

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Application No.: PUD 413-A Present Zoning: RS-3, RM-1, CS
Applicant: Johnsen (Isaacs) Proposed Zoning: Unchanged
Location: NE/c of Gilcrease Museum Road & Keystone Expressway
Date of Hearing: July 26, 1989
Continuance Requested to: August 9, 1989 (requested by Staff)

TMAPC ACTION: 9 members present

On MOTION of PADDOCK, the TMAPC voted 9-0-0 (Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Randle, "absent") to CONTINUE Consideration of PUD 413-A Johnsen (Isaacs) until Wednesday, August 9, 1989 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: Z-6256 Present Zoning: AG
Applicant: Norman (Cotton) Proposed Zoning: RS-3 & OL
Location: N/side of East 81st Street, 1/8 mile east of South Yale Avenue
Date of Hearing: July 26, 1989
Presentation to TMAPC by: Charles Norman, 2900 Mid Continent Twr (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 Low Intensity - No Specific Land Use and Development Sensitive on a small portion of the southwest corner of the tract.

According to the Zoning Matrix the requested RS District is in accordance with the Plan Map and the requested OL district may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 80 acres in size and is located on the north side of East 81st Street South, 1/8 of a mile east of South Yale Avenue. It is wooded, gently sloping to steeply sloping, vacant and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by single-family residences zoned RS-3; on the east by single-family residences zoned RS-3; on the south by Holland Hall School and vacant property zoned AG, RS-3 and RD; and on the west by vacant property, apartments and a drive-in bank zoned RS-3, RM-1 and CS.

Zoning and BOA Historical Summary: The subject tract was originally zoned AG as part of the comprehensive rezoning in 1970 and has had no rezoning requests since that time.

Conclusion: Staff finds the RS-3 zone to be compatible with surrounding zoning and development. Discussions with the Department of Stormwater Management and preliminary engineering of the site have concluded that a storm water detention area in the southwest portion of the site, which is development sensitive, will be necessary to prevent additional flooding downstream. Such a detention area centered on the existing creek would isolate an area between it and 81st Street that would be appropriate for OL uses. The applicant has proposed an area 275' in depth from the centerline of 81st Street and 525' long to an existing drainageway which takes water from 81st Street north to the major drainage channel. Such an area appears to be appropriate when the physical facts of the site area considered.

Therefore, Staff recommends **APPROVAL** of OL on the west 525' of the south 275' of the tract and RS-3 on the remainder of Z-6256.

Comments & Discussion:

Mr. Norman identified the location of Vensel Creek on this tract and reviewed the drainage and detention considerations. Ms. Wilson inquired as to the number of homes that could be accommodated on the acreage. Mr. Norman replied there were 2-3/4 lots per acre, but he did not have the exact figures. Discussion followed on the physical features of the tract.

Mr. Parmele moved for approval of the request. In response to Ms. Kempe, Mr. Gardner clarified the Staff recommendation, and commented on the OL zoning versus CS zoning at this location. Mr. Paddock stated he felt a PUD should be presented for the portion requesting OL. He then moved to amend the main motion so as to exclude the portion requesting OL, and rezone the remaining portion of the tract RS-3. Mr. Parmele expressed his views in support of the OL as he felt CS zoning was not appropriate. Ms. Wilson stated support for Mr. Paddock's motion to amend. Chairman Doherty commented that the fact there was no user for the OL portion at this time should not affect the zoning question.

On **MOTION** of **PADDOCK**, the TMAPC voted **3-5-0** (Coutant, Paddock, Wilson, "aye"; Doherty, Draughon, Kempe, Parmele, Woodard "nay"; no "abstentions"; Carnes, Randle, Selph, "absent") to **Amend** the main motion so as to delete OL zoning.

The motion to amend falling, Chairman Doherty called for the main motion to approve the request per the Staff recommendation.

TMAPC ACTION: 8 members present

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Randle, Selph, "absent") to **APPROVE Z-6256 Norman (Cotton)** for RS-3 and OL zoning, as recommended by Staff.

Legal Description:

OL Zoning: The west 525' of the south 275' of a tract described as the E/2 of the SW/4 of the SW/4 and the SE/4 of the SW/4 and the W/2 of the SW/4 of the SE/4, Section 10, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma.

RS-3 Zoning: The E/2 of the SW/4 of the SW/4 and the SE/4 of the SW/4 and the W/2 of the SW/4 of the SE/4, Section 10, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma, LESS the west 525' of the south 275' of said tract.

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Application No.: Z-6257 Present Zoning: RS-3
Applicant: Norman (St. John Medical Center) Proposed Zoning: OL
Location: E/side of South Wheeling Ave between East 19th & East 21st Streets
Date of Hearing: July 26, 1989
Presentation to TMAPC by: Charles Norman, 2900 Mid Continent Twr (583-7571)

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 1 and Low Intensity - No Specific Land Use.

According to the Zoning Matrix the requested OL District may be found in accordance with the Plan Map. All zoning districts are considered **may be found** in accordance with Special Districts guidelines.

Staff Recommendation:

Site Analysis: The subject tract is approximately 0.12 acres in size and is located on the east side of South Wheeling Avenue between East 19th Street and East 21st Street. It is nonwooded, flat, contains a parking lot and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by a parking lot zoned OL; on the east by a parking lot zoned PK; on the south by a parking lot zoned OL; and on the west by a parking garage zoned OM.

Zoning and BOA Historical Summary: The property was zoned RS-3 by the comprehensive rezoning of June 1970 and then incorporated into PUD 417-B in June 1989. The PUD provides for two multi-story office buildings with the subject tract being part of that development.

Conclusion: OL zoning is compatible with the District Plan and the surrounding zoning and development.

Therefore, Staff recommends **APPROVAL** of OL zoning for Z-6257.

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the TMAPC voted **7-0-1** (Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Carnes, Randle, Selph, "absent") to **APPROVE Z-6257 Norman (St. John Medical Center)**, as recommended by Staff.

Legal Description:

OL Zoning: Lot 6, Block 2, REDDIN THIRD ADDITION to the City of Tulsa, Tulsa County, Oklahoma.

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Application No.: **Z-6258** Present Zoning: **RS-3**
Applicant: **Ogunseye** Proposed Zoning: **CS**
Location: **NE/c of North Lewis Avenue and East 46th Street North**
Date of Hearing: **July 26, 1989**
Presentation to TMAPC by: **Mr. A.A. Ogunseye, 10661 East 31st St (664-1711)**

Relationship to the Comprehensive Plan:

The District 25 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity - No Specific Land Use and Development Sensitive.

According to the Zoning Matrix the requested CS District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is approximately 0.73 acres in size and located at the northeast corner of North Lewis Avenue and East 46th Street North. It is wooded, gently sloping, contains one dwelling and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by a single-family dwelling and vacant property zoned CS; on the east by vacant property zoned RS-3; on the south by vacant property and a single-family dwelling zoned RS-3, and on the west by a resale shop and a vacant convenience store zoned CS.

Zoning and BOA Historical Summary: The area north and west of the tract was rezoned to CS. The subject tract was zoned RS-3 during the comprehensive zoning done in 1970.

Conclusion: The proposed CS zoning is in conformance with the Plan and existing zoning patterns in the surrounding area. Most of the site is however, in the 100 year floodplain of Flat Rock Creek. Unless measures are taken to mitigate the flood hazard, only very limited commercial development would be allowed on the site, such as parking for an adjacent commercial building.

Therefore, Staff recommends **APPROVAL** of CS zoning for Z-6258.

TMAPC ACTION: 8 members present

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Randle, Selph, "absent") to **APPROVE Z-6258 Ogunseye** for CS Zoning, as recommended by Staff.

Legal Description:

CS Zoning: A part of the S/2 of the SW/4 of the SW/4 of Section 8, T-20-N, R-13-E of the IBM, Tulsa County, State of Oklahoma, according to the US Government Survey thereof, described as follows, to-wit: Beginning at a point 25' north and 40' east of the southwest corner of Section 8; thence north parallel with the west line a distance of 152.5' to a point; thence east parallel with the south line a distance of 248' to a point; thence south parallel with the west line a distance of 152.5' to a point; thence west parallel to the south line of said Section 8, 248' to the POB.

OTHER BUSINESS:

Z-6010-SP-3:

Detail Landscape Plan

West of the Broken Arrow Expressway & So 129th E Ave

Staff Recommendation:

Z-6010-SP-3 for the State Farm Insurance corporate office requires approval and installation of the Landscape Plan prior to occupancy. The landscape and irrigation plan as submitted by Howell, McKnight and Associates, meets or exceeds Site Plan approval requirements. The number and variety of plant materials are extensive and will not only supply the buffer, but greatly add to the aesthetics of the development. Therefore, Staff recommends **APPROVAL** of the landscape and irrigation plan as submitted.

Conversations between Staff and the applicant indicate the landscape is approximately 50% in place and the balance scheduled for installation in early fall due to lower temperatures. Staff would find this to be in substantial compliance with the requirements for occupancy.

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the TMAPC voted **8-0-0** (Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Randle, Selph, "absent") to **APPROVE the Detail Landscape Plan for Z-6010-SP-3 State Farm**, as recommended by Staff.

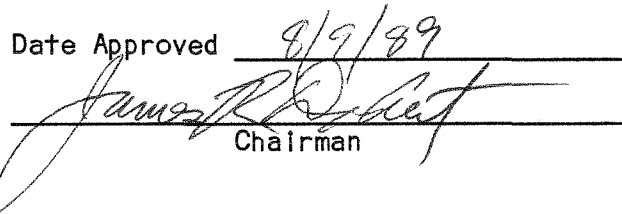
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PUD 202: Request for Refund of Fees (\$25.00)
(Detail Sign Plan approval not needed)

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the TMAPC voted **8-0-0** (Coutant, Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Randle, Selph, "absent") to **APPROVE** the **Refund of Fees for PUD 202 Gooding**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 3:57 p.m.

Date Approved 8/9/89

Chairman

ATTEST:


Secretary *1st vice chair*

