

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2070

Wednesday, June 12, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Carnes, Chairman
Dick
Gray
Horner
Ledford
Pace, Secretary

Members Absent

Ballard
Boyle
Doherty
Edwards
Midget

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, June 7, 1996 at 3:05 p.m., in the office of the County Clerk at 2:31 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:40 p.m.

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REPORTS:

Chairman's Report:

Mr. Carnes asked Mr. Gardner to inform the Commission of the request received from Ms. Sharon King. Mr. Gardner stated that Ms. King is on the Mayor's Committee on the Status of Women. Ms. King's request is to consider amending the Zoning Code in regards to residential treatment facilities so that the facilities may be permitted as a matter of right in lieu of going through the Board of Adjustment in all cases. Mr. Gardner stated that Staff has begun working on the request and will schedule a meeting. Mr. Gardner expressed the need for participation from the City Council, Board of Adjustment and the Planning Commission, as well as Staff.

Committee Reports:

Budget and Work Program Committee

Mr. Horner informed the Commission that the Budget and Work Program Committee will be meeting next week following the TMAPC meeting.

Comprehensive Plan Committee

Mr. Ledford informed the Commission that the Comprehensive Plan Committee will meet next week prior to the TMAPC meeting.

Rules and Regulations Committee

Mr. Gardner informed the Commission that the Rules and Regulations Committee will also meet next week to discuss multifamily development policies/multifamily zoning and development inventories; timing of infrastructure improvements and outdoor advertising signs.

Community Participation Committee

Ms. Gray informed the Commission that the Community Participation Committee will be meeting today in Room 1101 following the TMAPC meeting.

Director's Report:

Mr. Gardner reported that there are seven zoning applications, two subdivision plats and some ordinance amendments on the City Council agenda for June 13. Mr. Gardner stated that Jay Stump will be in attendance. Mr. Carnes stated that Mr. Doherty will attend the meeting. Ms. Pace stated that she will also be attending the meeting to present a minority opinion on a zoning case.

SUBDIVISIONS:

Approval of Amended Certificate of Dedication:

Forest Park South 2nd (2783)

(PD-26)(CD-8)

South of the southwest corner of East 101st Street South & South Sheridan

Staff Comments:

Mr. Jones stated that the document is an amendment to the original Deed of Dedication Restrictive Covenants for Forest Park South 2nd Addition. This is a residential, single-family subdivision that was filed of record in 1988. Mr. Jones stated that when the subdivision was filed of record it made provisions for a homeowners association, which was established, and provisions that any amendment to the Deed of Dedication would

require City of Tulsa's approval. The Homeowners Association is requesting to amend the Deed of Dedication/Homeowners Association by allowing provisions for assessments. The Homeowner's Association is proposing a \$125 per lot, per year assessment and to establish voting criteria. Mr. Jones stated that Staff has reviewed the document and it does not, in any way, have a negative impact on dedications, rights-of-way or easements. Legal Department has reviewed and signed off on the document.

TMAPC Action; 6 members present:

On **MOTION** of **PACE**, the TMAPC voted **6-0-0** (Carnes, Dick, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Edwards, Midget "absent ") to **APPROVE** the Amended Certificate of Dedication for Forest Park South 2nd.

Lot-Split for Waiver of Subdivision Regulations:

L-18278 Doy & Carolyn Raines (1923)

(PD-13)(County)

14833 North Trenton Avenue, Skiatook, Oklahoma

AG-R

TAC Comments:

Jones presented the application with the applicant present.

Considerable discussion was given to easements and their locations.

Rains pointed out that the east lots will not have a roadway easement, rather actual lot frontage.

Jones noted the requirement from Washington County Rural Water District #3 and the applicant agreed.

L-18278 is a request to create four lots on a 9.65 acre parcel in order to construct three additional single-family dwellings (Tract 1 has an existing residence). The property is located in the unincorporated portion of Tulsa County and has water service via Washington County Rural Water District #3. Staff has determined all four proposed lots will meet bulk and area requirements for the AG-R district. However, due to the configuration of the splits, the two easterly tracts will have more than three side lot lines. Therefore, these lots do not comply with Tulsa Subdivision Regulations requiring that residential lots have no more than three side lot lines. Applicant is requesting waiver of this requirement. These two tracts would have 30' frontage on N. Trenton Ave. with private road easements approximately 335' in length to serve each lot.

On the motion of Rains, the Technical Advisory Committee voted unanimously to recommend Approval of the Lot Split L-18278, subject to the water district requirement.

TMAPC Action; 6 members present:

On **MOTION** of **PACE**, the TMAPC voted **6-0-0** (Carnes, Dick, Gray, Horner, Ledford, Pace “aye”; no “nays”; none “abstaining”; Ballard, Boyle, Doherty, Edwards, Midget “absent”) to **APPROVE** the Lot-split for Waiver of Subdivision Regulations for L-18278 subject to the water district requirement as recommended by TAC.

Lot Split for Ratification of Prior Approval:

L-18280 Robert Hawks, Jr., Rev. Trust (1973)	(PD-21)(County)
1730 East 151st	AG
L-18293 Metroland Development (383)	(PD-18)(CD-7)
Northeast of the northeast corner of 71st & Yale	AG
L-18295 Aspen Square, Inc. (684)	(PD-18)(CD-8)
6200 South 103rd East Avenue	IL, RS-3

Staff Comments:

Mr. Jones informed the Commission that these lot-splits for ratification of prior approval are in order and meet Subdivision Regulations. Staff recommends approval.

TMAPC Action; 6 members present:

On **MOTION** of **BAKER**, the TMAPC voted **6-0-0** (Carnes, Dick, Gray, Horner, Ledford, Pace “aye”; no “nays”; none “abstaining”; Ballard, Boyle, Doherty, Edwards, Midget “absent”) to **APPROVE** the Lot-split for Ratification of Prior Approval, finding them in accordance with Subdivision Regulations.

ZONING PUBLIC HEARING:

Application No.: Z-6542

(PD-5)(CD-6)

Applicant: Curtis G. Holsted

RM-1 to IL

Location: East of southeast corner I-244 and Garnett Road

Presented to TMAPC: Curtis G. Holsted

TMAPC Comments:

Mr. Carnes informed the Commission that a timely request for a two-week continuance has been received on Zoning Public Hearing Z-6542.

TMAPC Action; 6 members present:

On **MOTION** of **BAKER**, the TMAPC voted **6-0-0** (Carnes, Dick, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Edwards, Midget "absent ") to **CONTINUE** Zoning Public Hearing Z-6542 to June 26, 1996.

Application No.: Z-6544

(PD-5)(CD-6)

Applicant: Richard Cleverdon

RMH to CG

Location: 10759 East Admiral Place

Presented to TMAPC: Richard Cleverdon

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity - No Specific Land Use on the south 375' and Low Intensity - No Specific Land Use on the remainder, Development Sensitive on the north 200' and all designated Corridor.

According to the Zoning Matrix the requested CG **may be found in** accordance with the Plan Map on the south 375', but CG zoning **is not in** accordance with the Plan Map on the northern portion.

Staff Comments:

Site Analysis: The subject property is approximately 1.5 acres in size and located on the north side of East Admiral Place and east of U.S. Highway 169. It is gently sloping, partially wooded, contains an office building and is zoned RMH.

Surrounding Area Analysis: The subject tract is abutted on the north by vacant property, zoned AG; to the west by commercial businesses and offices on the south half, zoned CS, and vacant property on the north half, zoned RS-3; to the east by office use and a single-family dwelling, zoned OL and CS; and to the south by a private club, zoned CS.

Zoning and BOA Historical Summary: CS zoning has been approved in the area.

Conclusion: Based on the Comprehensive Plan and the existing zoning patterns in this area, Staff recommends **DENIAL** of CG zoning and **APPROVAL** of CS zoning for Z-6544.

Applicant's Comments:

Richard Cleverdon, 616 South Main, Suite 107, presented the considerations for seeking CG zoning. Mr. Cleverdon stated that a portion of the land to the north is owned by the City and is used for a safety training center and recreation. The entire tract, including what the City owns, was formerly a well-developed mobile home park. It is Mr. Cleverdon's understanding that the City took into account potential flood problems prior to acquisition and abandonment of the mobile home park. The uses for this tract have been office buildings for the park, and prior to that, a mobile home business. In addressing the suitability of this tract for the zoning application that is requested, Mr. Cleverdon brought to the Commission's attention that across the street due north is a business of Fluid Specialties, which is an auto repair business. This business performs auto repairs, tire recapping, has a machine shop and deals in lubricants for major machinery. Mr. Cleverdon stated that to the east is a manufacturing shop. Mr. Cleverdon feels that the intended use that is being sought and which would be permitted by a CG zoning would not be out of harmony with the other actual uses in this area. Mr. Cleverdon asked the Commission to approve the application for CG zoning.

Interested Parties Comments:

Don McWhite, 1 South 109th East Avenue, stated that he is the owner of Fluid Specialties, a wholesale distributor of fittings only and does not run a machine shop or tire recapping. Mr. McWhite questioned what CG would allow that CS would not. Mr. Gardner stated that Use Unit 17 would require a general commercial zoning classification to be permitted as a matter of right. This would consist of automotive repair, mobile home sales, truck sales, car sales and all of those types that are automotive in nature other than a retail parts store. There are other uses, such as lumber yards and various others that are of a heavier, more intense nature that would be permitted in a CG general commercial district. Mr. Gardner stated that CS is more restrictive. There have been some grantings of special exceptions from the Board of Adjustment that allow uses that would otherwise require general commercial zoning, but there is a review process to make sure that the proposed business would be compatible with the surrounding area. Mr. McWhite stated he would not be opposed to the CS zoning if some restrictions could be placed on the automobile sales, in that the automobiles are in operating condition.

TMAPC Comments:

Mr. Carnes stated that CG zoning is not granted very often. Mr. Carnes asked Mr. Cleverdon what type of usage would require the CG zoning. Mr. Cleverdon stated that the applicant would like to continue the mobile home sales, which is use unit 17 and authorized under the RMH zoning. He is considering entering the used car business, which is also allowed under CG.

Ms. Pace inquired if Staff determined that the uses the applicant is applying for could be obtained through additional relief. Mr. Gardner stated that the office would be permitted in CS or CG; the mobile home sales was never a permitted use in a RMH. Mobile home sales probably occurred due to it previously being a mobile park. If approved for CS, then the applicant would have to go to the Board of Adjustment for a special exception.

Ms. Pace stated that Staff recommendation would give the best protection for the area and at the same time allow the applicant to do what he needs to do.

TMAPC Action; 6 members present:

On **MOTION** of **PACE**, the TMAPC voted **6-0-0** (Carnes, Dick, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Edwards, Midget "absent ") to recommend **DENIAL** of CG Zoning and **APPROVAL** of CS zoning for Z-6544 as recommended by Staff.

Legal Description for Z-6544:

A part of Block 1, Holiday Park, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, being more particularly described as follows, to-wit: beginning at the most Southeast corner of Block 1, Holiday Park, said point being on the North right-of-way line of East Admiral Place; thence S 88°57'11" W along the South line of said Block 1 a distance of 125.00' to a point 40.00' East of the most Southwest corner of Block 1; thence N 01°07'19" W a distance of 525.41' to a point; thence N 88°57'11" E a distance of 125.00' to a point on the East line of Block 1; thence S 01°07'20" E a distance of 525.41' to the point of beginning, and located at 10759 East Admiral Place (on the north side of E. Admiral Place and east of U. S. Highway 169), Tulsa, Oklahoma.

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Application No.: Z-6545

(PD-5)(CD-6)

Applicant: R. Dobie Langenkamp

RM to CS or IL

Location: 0.25 miles east of northeast corner N. Garnett Rd & E. Admiral Pl.

Presented to TMAPC: R. Dobie Langenkamp

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the property as Medium Intensity, No Specific Land Use and Corridor.

According to the Zoning Matrix the requested CS zoning **is in** accordance with the Plan Map and the requested IL zoning **may be found in** accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 12 acres in size and located on the north side of East Admiral Place and east of Garnett Road. It is gently sloping, partially wooded, vacant and zoned RMH and CS. The regulatory floodplain of Cooley Creek borders the tract on the north and east.

Surrounding Area Analysis: The subject tract is abutted on the north by vacant property, zoned RM-1; to the west by a private school, zoned RS-3; to the east by vacant property, zoned RM-1 and RM-2 and beyond the vacant tract is a mobile home park, zoned RM-1; and to the south by a church and commercial uses, zoned CS.

Zoning and BOA Historical Summary: A variety of land uses now exists in this area with manufactured homes to the east, a school to the west, commercial zoning and development to the south across East Admiral Place and the north boundary defines the Cooley Creek floodway boundaries.

Conclusion: Considering the Comprehensive Plan and surrounding zoning, CS zoning would appear to be appropriate for the tract. Therefore, Staff recommends **DENIAL** of IL and **APPROVAL** of CS zoning for Z-6545.

Applicant's Comments:

Dobie Langenkamp, 400 South Boston, stated he is present on his own behalf as trustee for the Republic Trust and Savings Company. Mr. Langenkamp informed the Commission that this property is the Wes McKinney entity's and this is the last parcel to sell. Mr. Langenkamp stated he has a buyer who has an intended use of a mobile home sales lot. Mr. Langenkamp presented a map and a brief history of the property. Mr. Langenkamp stated that in twelve years the only inquiries on the property have been for a mobile home lot. Mr. Langenkamp informed the Commission that there are several mobile home lots in the area. Mr. Langenkamp expressed he appreciates Staff's recommendation of CS. Mr. Langenkamp is requesting IL because the potential purchaser has a good track record. It

is a large tract on which there is adequate shape for setback lines, side yards and driveways. Mr. Langenkamp presented a photograph showing where the limestone has come to the surface and stated that due to the problem with limestone, it is difficult to find uses for this property.

TMAPC Comments:

Ms. Gray asked that if it were approved for CS with a use unit limit of 17, would Mr. Langenkamp be willing to go to the Board of Adjustment for a special exception. Mr. Langenkamp stated that it is never certain that an exception will be approved. Mr. Langenkamp would subscribe to this approach more willing if there appeared to be a viable use other than a mobile home park. Ms. Gray feels she would be more comfortable with CS due to the limitations and that IL would make it more attractive to another purchaser without having to come through the rezoning process.

Mr. Horner stated that he is very familiar with the surface area, the topography and the uses. This is an area that is heavily concentrated with mobile homes and mobile home sales.

Ms. Pace stated that Mr. Langenkamp is fortunate in that this property has water and sewer available. Ms. Pace stated that there were three applications in this general area today, indicating that something is happening here. Ms. Pace feels that the CS zoning would allow for anything Mr. Langenkamp needs for a mobile home lot and give some protection to the surrounding area.

Ms. Gray asked what would be allowed in an IL zoning besides mobile home. Mr. Gardner stated that there is no guarantees, and IL basically permits anything for storage purposes. Ms. Gray asked what could be done, as a compromise, that would permit some type of zoning for the mobile home park without going to the Board of Adjustment. Mr. Gardner stated that a PUD with IL zoning would allow control of the usage. The only other control mechanism would be CS zoning and Board of Adjustment.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **4-2-0** (Carnes, Dick, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Edwards, Midget "absent ") to recommend **APPROVAL** of the IL zoning for Z-6545.

Legal Description for Z-6545:

Part of Government Lots 3 & 4 beginning 560' W of the SE corner of Government Lot 3, thence W 175.31' to the point of beginning, N 349.60', NW 233.59', NW 601.21', W 552.65', S 30', E 120', SE 356.1', thence S to a point on the S boundary line of Government Lots 3 & 4, thence E 914.69' to the point of beginning, less the S 40' thereof, Section 5, T-19-N, R-14-E, an unplatted addition to the City of Tulsa, Tulsa County, State of Oklahoma, containing 12.99 acres more or less, less and except a tract of land lying in Lot 4, being more particularly described as follows: beginning at a point on the N line of said Lot 4, said point being N 88°40'30" E a distance of 690.03' from the NW corner of

Section 5 to the point of beginning; thence S 01°06'47" E a distance of 30' to a point on the N line of Spring Lake Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma; thence N 88°40'30" E along the N line of said Spring Lake Addition and the extension of said N line a distance of 552.65'; thence N 01°06'47" W a distance of 30' to a point on the N line of said Lot 4 of Section 5; thence S 88°40'30" W along the N line of said Lot 4 of Section 5 a distance of 552.65' to the point of beginning, containing 0.38 acres more or less, and located .25 miles east of N. Garnett on N side of E. Admiral Place, Tulsa, Oklahoma.

OTHER BUSINESS:

PUD 541 - Mike Sikes (Site Plan for Day Care Center) (PD-6)(CD-9)

Development Area A - 4240 South Peoria - Peoria Child Care

Staff Recommendation:

The applicant is requesting site plan approval for the Peoria Child Care Center.

Staff has reviewed the request and finds that the plan as submitted conforms to the setback, height, landscaped area, parking and floor area restrictions of the PUD.

Therefore, Staff recommends **APPROVAL**.

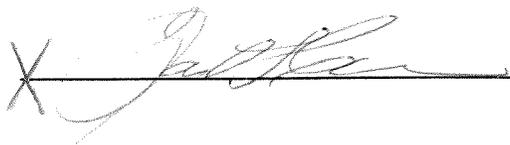
Note: Site Plan approval does not constitute Sign Plan or Landscape Plan approval.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Carnes, Dick, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Ballard, Boyle, Doherty, Edwards, Midget "absent ") to **APPROVE** the Site Plan for a Day Care Center in Development Area A of PUD 541 as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:20 p.m.

Date Approved: 6-12-96

X  Chairman

ATTEST: 
Secretary