

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2196

Wednesday, March 10, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes	Boyle	Beach	Jackere, Legal
Dick	Jackson	Brierre	Counsel
Harmon		Dunlap	
Hill		Huntsinger	
Horner		Lasker	
Ledford		Matthews	
Midget		Stump	
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, March 8, 1999 at 2:45 p.m., posted in the Office of the City Clerk at 2:13 p.m., as well as in the office of the County Clerk at 2:18 p.m.

After declaring a quorum present, Vice Chairman Westervelt called the meeting to order at 1:30 p.m.

### Minutes:

#### **Approval of the minutes of February 24, 1999, Meeting No. 2194:**

On **MOTION** of **HARMON** the TMAPC voted **5-0-1** (Carnes, Harmon, Hill, Ledford, Westervelt "aye"; no "nays"; Dick "abstaining"; Boyle, Horner, Jackson, Midget, Pace "absent") to **APPROVE** the minutes of the meeting of February 24, 1999 Meeting No. 2194.

### REPORTS:

#### Chairman's Report:

Mr. Westervelt reported that the Special Residential Facilities Task Force Zoning Code amendments were adopted by the City Council during the March 4<sup>th</sup> meeting. He thanked staff and Ms. Matthews for their hard work on the changes.

Mr. Westervelt acknowledged a letter from Councilor Anna Falling recommending that the Planning Commission press for \$50,000.00 for a pilot program for the Neighborhood Conservation District or the design guidelines.

**Director's Report:**

Mr. Westervelt reported that the briefing on the proposed Tulsa Metropolitan Area Trails Master Plan will be moved to the end of the meeting.

Mr. Stump reported that INCOG had their first briefing on the annual accomplishments with the City Council on March 9. He commented that the meeting went well. He reminded the TMAPC that the first budget meeting will be Friday, March 12<sup>th</sup> with the Mayor.

Mr. Westervelt stated that he will be attending the budget meeting on Friday.

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Ms. Pace in at 1:32 p.m.

**Continued Zoning Public Hearings:**

**PUD-559-A/Z-5888-SP-3 - John W. Moody**

(PD-18) (CD-8)

Northwest corner East 91<sup>st</sup> Street and South Mingo Valley Expressway  
(Minor Amendment and Corridor Site Plan)

**Staff Recommendation:**

Mr. Stump stated that the applicant has requested a continuance until March 24, 1999.

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Dick, Harmon, Hill, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Horner, Jackson, Midget "absent") to **CONTINUE** the Minor Amendment and Corridor Site Plan for PUD-559-A/Z-5888-SP-3 to March 24, 1999 at 1:30 p.m.

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**Z-6681 - William LaFortune**

East of southeast corner East 32<sup>nd</sup> Street and South Harvard

**RM-1 to CS**

(PD-16) (CD-3)

**Staff Recommendation:**

Relationship to the Comprehensive Plan:

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – Residential.

According to the Zoning Matrix the requested CS zoning **is not** in accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is approximately 70' x 140' in size and is located east of the southeast corner of East 32<sup>nd</sup> Place South and South Harvard Avenue. The property is gently sloping, non-wooded, contains a parking lot, and is zoned RM-1.

**Surrounding Area Analysis:** The subject tract is abutted on the south by an apartment, zoned RM-1; to the west by a parking lot, zoned RM-1; to the east by a single-family dwelling, zoned RM-1; to the north, across East 32<sup>nd</sup> Place South, by a strip shopping center, zoned CH; and to the northeast by a public library, zoned CS.

**Zoning and BOA Historical Summary:** The most recent zoning activity in this area denied a request for rezoning on a tract fronting East 33<sup>rd</sup> Street between South Indianapolis Avenue and South Jamestown in which a request to rezone two residential lots, zoned RM-1 and RS-3 to CG, was denied.

In November 1987, a request to rezone a lot located on the southwest corner of East 33<sup>rd</sup> Street and South Jamestown from RS-3 to CH was denied and CG zoning was approved.

**Conclusion:** The Comprehensive Plan designates Medium Intensity – Residential for the subject tract. The tract is abutted on the east, west and south by RM-1 zoned property. Based on the Comprehensive Plan and the existing zoning and development in the area, staff recommends **DENIAL** of CS zoning and recommends **APPROVAL** of OL zoning for Z-6681.

**Mr. Midget in at 1:37 p.m.**

Applicant's Comments:

**William LaFortune**, 2900 Mid-Continent Towers, Tulsa, Oklahoma 74103, stated that he is representing the Tulsa City/County Library System. Mr. LaFortune reviewed the history of the subject property.

Mr. LaFortune stated that the library is in need of additional parking and the system entered into a purchase agreement for the subject lot to provide the additional parking. He explained that he requested CS zoning primarily because the subject property was surrounded by CH to the west and CS to the north.

Mr. LaFortune submitted photographs of the subject property and surrounding properties.

Mr. LaFortune explained that the staff recommended denial based on the fact that the request for CS zoning was not in accordance with the Comprehensive Plan. He stated that he has met with staff and is agreeable to an OL zoning as an alternative if the Planning Commission is not inclined to approve the CS zoning. He commented that the OL zoning would allow the subject property to have the off-street parking.

**TMAPC COMMENTS:**

Mr. Carnes asked Mr. LaFortune if the OL zoning would obtain all of the needs for the subject property. In response, Mr. LaFortune answered affirmatively.

**Mr. Dick informed the Chairman that he would need to abstain from this case. He explained that he is a member of the Library Commission.**

**Interested Parties:**

**Hollis Copeland**, 3321 East 33<sup>rd</sup>, Tulsa, Oklahoma 74135, stated that he lives and owns the apartment building directly south of the subject property. He suggested that if the library needs more parking there is a grassy area that could be utilized for parking. He explained that the grassy area used to be a parking lot and is owned by the same owner as the subject property. He stated that if the grassy area was used for parking, patrons of the library would not have to cross the street to access the library.

Mr. Copeland expressed concerns with security problems if a parking lot was allowed. He commented that the owners of the subject property have been trying to rezone the surrounding area to CS.

**TMAPC COMMENTS:**

Mr. Westervelt asked Mr. Copeland if he is aware that staff recommended OL zoning rather than CS zoning and the applicant is agreeable to the alternative. Mr. Copeland stated that he objects to any rezoning other than residential. He commented that his renters want residential zoning.

Ms. Pace stated that if the Planning Commission were to approve the OL zoning it would clean up the zoning line and would probably prevent CS rezoning in the future. She commented that the library is a responsible neighbor and will be in the area for the long term. She stated that the library system would give his renters a measure of comfort because the parking lot would be maintained. She concluded that she would be inclined to agree to the OL zoning and not the CS zoning that was requested.

Mr. Harmon asked Mr. Copeland if the subject property is currently being used for a parking lot. In response, Mr. Copeland stated that the subject property has a house on it and is not being used as a parking lot. Mr. Copeland stated that paving the grassy area would be cheaper to pave than to tear a house down and pave.

**Applicant's Rebuttal:**

Mr. LaFortune stated that the lot Mr. Copeland is indicated as the grassy area to his knowledge is not for sale. He explained that the subject property is already utilized for parking and is not being maintained at this time. He stated that there is a single-family residence on the subject property and part of the agreement is that the house will be removed.

Mr. LaFortune stated that Ms. Pace made a good point regarding security. He commented that with the library owning the subject lot, there will be limited hours of operation and it would not be open late into the evening.

Mr. LaFortune commented that the subject area is a difficult area for zoning purposes because of the ongoing transition.

Ms. Pace requested staff to explain the landscaping requirements for the OL zoning. Mr. Stump stated that in the Landscape Ordinance, the applicant would have a five-foot landscape strip on the east, west and south sides. He further stated that the applicant would have a 25-foot strip of landscaping along the front of the subject property, except where the entrance and exits are. Mr. Stump explained that the lot is a 70-foot-wide lot and after taking ten feet for landscaping, it will be a 60-foot-wide lot. He stated that there is enough room for a double row of 90° parking.

Mr. LaFortune concluded that if the Planning Commission is not inclined to approve CS, he is agreeable to OL zoning as an alternative.

In response to Ms. Hill, Mr. Stump stated that the applicant will be required to install a solid screening fence on the east, west and south sides.

**TMAPC Action; 8 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Carnes, Harmon, Hill, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Dick "abstaining"; Boyle, Horner, Jackson "absent") to recommend **DENIAL** of the CS zoning for Z-6681 and recommend **APPROVAL** of OL zoning for Z-6681 as recommended by staff.

**Legal Description for Z-6681:**

Lot 13, Shafer Heights Addition, a subdivision of Albert Pike II Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma.

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## **ZONING PUBLIC HEARING**

**Z-6683 - David B. Dooley**

West of northwest corner East I-244 & South Memorial

**RS-3 to CG**  
(PD-16) (CD-7)

### **Staff Recommendation:**

Relationship to the Comprehensive Plan:

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity - Residential.

According to the Zoning Matrix the requested CG zoning **is not** in accordance with the Plan Map.

### Staff Comments:

**Site Analysis:** The subject property is approximately 2.1 acres in size and is located west of the northwest corner of East I-244 and North Memorial Drive. The property is sloping, non-wooded, vacant and is zoned RS-3.

**Surrounding Area Analysis:** The subject tract is abutted on the north and east by single-family dwellings, zoned RS-3; to the west by a non-conforming outdoor movie theatre, zoned RS-3 and RD and to the south by I-244 freeway, zoned RS-3.

**Zoning and BOA Historical Summary:** The most recent action in this area granted a special exception use for a public park on property located north and west of the subject tract.

**Conclusion:** The requested CG zoning is not in accordance with the Comprehensive Plan. The tract is abutted on the north and east by single-family dwellings, zoned RS-3 and a non-conforming drive-in theater zoned RS-3 and RD to the west. Based on the Comprehensive Plan and the existing zoning and development, staff recommends **DENIAL** of CG zoning for Z-6683.

### **Applicant's Comments:**

**David Dooley**, 1927 West Concorde Circle, Broken Arrow, 74012, stated that the subject tract abuts the Admiral Twin Drive-in. On the east there are approximately eight single-family residences and to the north is the I-244 access road.

Mr. Dooley commented that he does not know what else to do with the subject property except to rezone to commercial. He stated that he is doubtful that the subject area would develop as residential. He explained that the subject property lies in the flight path of the Tulsa International Airport.

Mr. Dooley stated that the subject property zoned CG would be an effective buffer between the existing residential and the drive-in theater.

**TMAPC COMMENTS:**

Ms. Pace stated that the subject property is a difficult tract of land. She asked staff if a mini-storage with a PUD is appropriate for this area. Mr. Stump stated that because the ordinance has been amended and now allow mini-storage in some of the multi-family districts, there is a possibility with a PUD or perhaps straight zoning to RM-1 the applicant may be able achieve his goal with a special exception by the Board of Adjustment. Mr. Stump informed Ms. Pace that the above-mentioned possibilities cannot be considered today because it is not on the agenda and the applicant advertised for commercial. Mr. Stump stated that the applicant must have chosen the CG zoning because it allows mini-storage by right, but it is too intense and is wide open for many different uses. Mr. Stump commented that it would be a bad zoning pattern to have commercial this close to residential. Mr. Stump indicated that the lighter intensity zonings such as RM-1 would be close to conformance with the Comprehensive Plan. He indicated that with RM-1 zoning the subject property would have to be low intensity, no specific land use, rather than low intensity, residential. Mr. Stump commented that mini-storage use could be compatible in the subject location if the Planning Commission did not set a precedent with the wrong type of zoning.

Ms. Pace asked Mr. Dooley if he considered applying with a PUD. In response, Mr. Dooley stated that he did not consider a PUD and would need time to discuss the possibility with staff. Mr. Dooley stated that he would consider a PUD or rezoning to RM-1 and request a special exception.

Mr. Carnes suggested that the application should be continued for two weeks in order to allow the applicant to visit with staff and decide the appropriate tool to accomplish his request.

Mr. Stump stated that staff could not consider a PUD or residential zoning, but the application could be kept alive and this allows the applicant to submit an alternative proposal.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Horner, Jackson "absent") to **CONTINUE** Z-6683 to March 24, 1999 at 1:30 p.m.

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**Z-6272-SP-2 - John W. Moody**  
6392 South 105<sup>th</sup> East Avenue  
(Corridor Site Plan)

(PD-18) (CD-8)

**Staff Recommendation:**

Mr. Dunlap stated that the subject tract contains approximately 2.2 acres and is located 1/2 mile south of 61<sup>st</sup> Street on the west side of the Mingo Valley Expressway. The tract has 152' of frontage on 105<sup>th</sup> East Avenue (freeway service road). An outdoor advertising sign was approved for this site on April 17, 1990 for a period of five years (see attached letter from the Department of Public Works Customer Services Division). The sign was not removed after the five-year period.

The tract is abutted on the north by vacant CO-zoned property; to the west by vacant RS-3 property; to the south by vacant property zoned CO/PUD-595-A; and to the east by South 105<sup>th</sup> East Avenue and the Mingo Valley Expressway. PUD-595-A abuts the subject tract on the south and contains 38 acres approved for office and commercial use. The standards for PUD-595-A allowed one business sign along the Mingo Valley Expressway and an existing illegal outdoor advertising sign had to be removed before the business sign could be permitted. Application for a Corridor Site Plan (Z-6673-SP-1) for storage uses has been made on a 4.56 acres tract approximately 500' north of the subject tract. The standards proposed for Z-6673-SP-1 do not include outdoor advertising.

Staff finds the use proposed is not in harmony with the existing and expected development of the surrounding area. The location of this outdoor advertising sign could easily obstruct the view of business signs permitted in PUD-595-A south of the outdoor advertising sign and future business signs north of the proposed sign.

Staff, therefore, recommends **DENIAL** of Detail Corridor Site Plan Z-6277-SP-2.

**Staff Comments:**

Mr. Stump stated that the subject area is zoned corridor to the north and south, and recently TMAPC approved PUD-595-A, which is immediately south of the subject tract. He indicated that various commercial activities will be in PUD-595-A and to the north, a mini-storage type application is being considered.

Mr. Stump stated that staff's concerns and the reason for recommending denial is that staff has seen along this corridor, where there are major commercial developments adjacent to the expressway, a real conflict between the business signs and the outdoor advertising signs that were placed in the same sight-line. Mr. Stump stated that the outdoor advertising signs are very large and block the view of the business signs. If given the choice between an outdoor advertising sign and a business sign, staff's choice is always for the business owner and his sign to prevail. This application could have a significant problem with blocking vision of business signs on the development to the south, which the TMAPC recently approved.

**Applicant's Comments:**

**John W. Moody**, 7146 South Canton Avenue, Tulsa, Oklahoma 74136-6303, stated he represents Stokely Outdoor Advertising and the property owner. Mr. Moody submitted a copy of the March 28, 1990 TMAPC minutes and stated that the minutes indicate the approval of the original application for the outdoor advertising sign with limitation on the time. He commented that he was surprised with staff's recommendation.

Mr. Moody cited the past history of the TMAPC meeting regarding the subject outdoor advertising sign. He read the TMAPC minutes from March 28, 1990, which explain the five-year limitation. He indicated that during the original application he requested a ten-year limit and then a review by the Planning Commission in order to see if the future development occurred as expected (medium intensity/higher intensity uses). He stated that staff recommended that the TMAPC review the original application after five years in order to see what type of development occurred in the subject area. He explained that he did not document the time limit nor did his client. He reminded the Planning Commission that they forgot to bring the review of the outdoor advertising sign back after five years. After receiving a letter from the sign inspector, Mr. Moody stated that he sent Mr. Stump a letter asking him if it would be appropriate to bring the outdoor advertising sign application before the TMAPC for a review. He stated that staff informed him that he would have to file a new site plan application.

Mr. Moody stated that even though staff recommended a new application be filed, he is presenting the request as a review of the development in the area and should the subject sign be allowed to remain. He cited the surrounding types of development since the original application. He indicated that the adjacent property owner has no objections to the outdoor advertising sign remaining on the subject tract.

Mr. Moody stated that the staff's recommendation for denial is due to the development becoming a medium intensity/higher intensity zoning. He indicated that in 1990 the staff's recommendation for denial was due to the fact that the subject area was low intensity zoning. Mr. Moody expressed his confusion about the recommendation.

Mr. Moody read from the City of Tulsa Zoning Code, Use Unit 21 (for outdoor advertising signs), subparagraph "F". He stated that the outdoor advertising sign is legal because it meets the City of Tulsa Zoning Code requirements. He explained that in 1990 the only question regarding the outdoor advertising sign was whether the subject area would develop medium intensity or remain low intensity and that is why the TMAPC imposed a five-year limitation on the sign.

Mr. Moody stated that the other reason for the staff's recommendation is the possibility that the outdoor advertising sign may block a future business sign. He commented that this reasoning is not a valid purpose of the Zoning Code. He stated that the subject sign has been located on the subject property since 1990 and it is not interfering with anyone's business sign. He indicated that Mr. Stokely has not received any complaints regarding visibility problems or the location of the sign.

Mr. Moody concluded that the subject sign is appropriate and time has proven that the subject area is developing into a medium intensity area.

**Applicant's Comments:**

**Bill Stokely**, Stokely Outdoor Advertising Sign Company, no address given, stated that he was not aware that the subject sign was a problem. He expressed his confusion with the staff's recommendation of denial because of the medium intensity/commercial development. He indicated that the sign has been located on the subject property for approximately ten years.

Mr. Stokely stated that he discussed the possibility of his client losing the subject billboard for advertising. He submitted and read a letter from his client regarding the application.

Mr. Stokely commented that the owner of the subject property relies on the revenue from the outdoor sign to pay his taxes. He stated that the subject property is undeveloped and the subject sign will not block future business signs. The sign is 50 feet tall and one can see skyline beneath the sign and will not block business signs.

Mr. Stokely concluded that the reason for the subject sign is to promote commerce, industry and help the community. Mr. Stokely requested the Planning Commission to consider giving their approval for the subject application.

**TMAPC COMMENTS:**

Mr. Westervelt stated that he can understand some of Mr. Moody's concerns, but this is a sign that should have been removed five years ago. He further stated that the new development in the area could possibly cause conflict regarding billboards. He asked Mr. Moody to address this issue.

Mr. Moody stated that he did not mean to be overly critical of staff, but he thought that this would be a review, as was stated and decided at the TMAPC in 1990. He commented that he thought the review would be to determine whether or not the properties in the subject area have developed medium intensity or low intensity/residential.

Mr. Moody stated that he knows what is developing in the area and the property owners are not here to object. He stated that he knows that the surrounding area that has developed has done so in medium intensity uses. The staff has pointed out that the surrounding area is developing in medium intensity uses and they are now saying that the outdoor advertising signs, although stated in the Code to be in harmony with medium intensity uses, are not in harmony with the surrounding development. This changes the whole issue and creates some real concerns. He concluded that he believes that outdoor advertising signs located in a freeway sign corridor are in harmony with medium intensity uses and the City of Tulsa has stated the same in the Zoning Code. He indicated that there is no conflict today from any of the abutting property owners.

Mr. Midget stated that the sign is located in a freeway corridor and it is well placed. He explained that the subject sign does not seem to be out of character with its intended purpose or the surrounding development. He commented that the TMAPC encourages billboard signs to be placed along the freeway corridors. Mr. Midget concluded by recommending approval for this application.

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, to recommend **APPROVAL** of the Corridor Site Plan for Z-6272-SP-2.

**Mr. Harmon stated that he will be abstaining from this application. He explained that his employer has a contract with Stokely Advertising to build the bank a sign.**

Ms. Pace stated that the sign ordinance is intended to prevent a glut of billboards, even in a freeway corridor. Mr. Stump stated that the subject sign was permitted originally because it met the spacing requirements that are in the Zoning Code and it still meets the spacing requirements.

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-1** (Carnes, Dick, Hill, Ledford, Midget, Pace Westervelt "aye"; no "nays"; Harmon "abstaining"; Boyle, Horner, Jackson "absent") to recommend **APPROVAL** of the Corridor Site Plan for Z-6272-SP-2.

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**Z-6684 - Joe P. Maxey**

South of southwest corner East 87<sup>th</sup> Place South and South Yale Avenue.

**RS-3 to OL**  
(PD-18) (CD-8)

**Staff Recommendation:**

Relationship to the Comprehensive Plan:

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – No Specific Land Use.

According to the Zoning Matrix the requested OL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

**Site Analysis:** The subject property is approximately 200' x 245' in size and is located south of the southwest corner of East 87<sup>th</sup> Place South and South Yale Avenue. The property is flat, partially wooded, contains two single-family dwellings, and is zoned RS-3.

**Surrounding Area Analysis:** The subject tract is abutted on the north and west by single-family dwellings, zoned RS-3; to the east by an office complex, zoned OL, RS-3 and PUD-269-A; and to the south by vacant property, zoned OL.

**Zoning and BOA Historical Summary:** The most recent zoning action in this area rezoned a 12-acre tract located on the east side of South Yale at East 88<sup>th</sup> Place from AG to RS-3.

The two lots adjoining the subject tract on the south were rezoned to OL in 1982.

**Conclusion:** The Comprehensive Plan indicates that OL zoning may be found in accordance with the Plan Map for the subject tract. The property is abutting OL zoning on the south and fronts an office complex across South Yale. Based on the existing zoning and development in this area, staff recommends **APPROVAL** of OL zoning for Z-6684.

**There were no interested parties wishing to speak.**

**Mr. Maxey indicated his agreement with staff's recommendation.**

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Ledford, Midget, Pace Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Horner, Jackson "absent") to recommend **APPROVAL** of the OL zoning for Z-6684 as recommended by staff.

**Legal Description for Z-6684:**

The North 100' of the South 200' of the North 300' and the South 100' of the North 300' of the E/2, E/2, SE/4, SE/4, Section 16, T-18-N, R-13-E, Tulsa County, State of Oklahoma.

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**OTHER BUSINESS:**

**PUD-287 - Mary Womble**  
6922 South Utica Avenue  
(Detail Site Plan)

(PD-18) (CD-9)

**Staff Recommendation:**

Mr. Dunlap stated that staff requested additional information for this case and at this time the information has not been received. Staff recommends a two-week continuance.

**There were no interested parties wishing to speak.**

The applicant was not present.

**TMAPC Action; 8 members present:**

On **MOTION** of **LEDFORD**, the TMAPC voted **8-0-0** (Carnes, Harmon, Hill, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Horner, Jackson "absent") to **CONTINUE** the Detail Site Plan for PUD-287 to March 24, 1999 at 1:30 p.m. as recommended by staff.

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**Amendments to Restrictive Covenants/Deed of Dedication**

Lot 1, Block 2, Woodland Park Center

**Staff Recommendation:**

Mr. Stump stated that these are amendments to restrictive covenants that implement Major Amendments PUD-567-B and C and requirements of Lot-split 18804. He indicated that staff has reviewed the amendments to restrictive covenants and finds them to be in conformance with those amendments. Staff recommends **APPROVAL** of the amendments to the restrictive covenants.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Horner, Jackson "absent") to **APPROVE** the amendments to Restrictive Covenants/Deed of Dedication for Lot 1, Block 2, Woodland Park Center as recommended by staff.

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**Briefing on the proposed Tulsa Metropolitan Area Trails Master Plan**

Mr. Rich Brierre stated that he is pleased to present the recently completed draft Tulsa Metropolitan Area Trail Master Plan. The ultimate intention is that this be recognized and approved as a part of the Comprehensive Plan. There is no action anticipated during today's meeting, but it will be referred to the Comprehensive Plan Committee on March 17, 1999 and a public hearing has been scheduled for March 24, 1999 during the TMAPC meeting. He indicated that at the March 24<sup>th</sup> meeting the Planning Commission will be asked to consider approving a resolution approving the Trails Master Plan as an amendment to the Comprehensive Plan. Once this is a part of the Comprehensive Plan the improvements identified as part of the Master Plan will be eligible for public funding, general obligation bond issues and sales tax programs through the City of Tulsa.

Mr. Brierre stated that the funding for the Trails Master Plan was provided through Intermodal Surface Transportation Efficiency Act (ISTEA) funds, which are Federal funds that are passed through the Oklahoma Department of Transportation. This could not have been done without the support of a number of local governments that provided the matching funds necessary for this project. The local governments are as follows: Bixby, Broken Arrow, Jenks, Owasso, Sand Springs, Sapulpa, City of Tulsa and Tulsa County. A steering committee that has been broadly based and active, which includes representatives from the various user groups, has guided the process. He stated that he has been pleased and privileged to work with an energetic and capable consulting team in this effort. The consultants are as follows: LandPlan Consultants, Inc. of Tulsa; Greenways Incorporated of Cary, North Carolina, a nationally-recognized trail planning firm; and FHC, Inc. of Tulsa, a local engineering firm.

Mr. Brierre stated that INCOG is the lead entity and the sponsor of this effort. The project began in June of 1998, which has been completed on time and within budget. The planning process involved extensive public meetings, in excess of 20 public meetings and workshops throughout the Metropolitan Area. The geographic coverage of the plan is approximately a 1200-square-mile area and includes all of Tulsa County, parts of Creek, Osage, Rogers and Wagoner Counties, Skiatook Lake on the northwest, Coweta on the southeast, Sapulpa on the southwest and past the Port of Catoosa on the northeast.

Mr. Brierre recognized Chuck Flank who has been involved in trail master planning in more than half of the states in this country. He stated that Mr. Flank has international experience and is widely recognized. Mr. Brierre turned the presentation over to Mr. Flank.

**Chuck Flank** stated that there was excellent attendance at the public meetings and workshops. This is a plan that was developed by the citizens in the area. He commented that he was fortunate to have an energetic steering committee.

Mr. Flank stated that two studies have been produced in the last twelve months. He explained that one of the studies was by the President's Commission on Health and Fitness. This study stated that one of the things communities could do to improve the overall fitness for their population is to build more trails. The other study conducted by the National Institute of Health Sciences recommends that if Americans could walk thirty minutes a day, a majority of cancer problems and heart disease could be reduced. He commented that by providing more trail systems for people to walk, this would improve the overall health of American society.

Mr. Flank stated that throughout this process he has tried to emphasize the importance of economic development. He explained that the number one attraction, economically, in San Antonio is the Riverwalk system. Other economic benefits are the Café Walk, which doesn't generate the same as the Riverwalk in San Antonio, but tourism is an issue that cities need to pay attention to. A trail system can be a part of a tourism network. Having trails is a benefit in terms of attracting business and industry to the

community. He commented that this has been seen consistently throughout the United States.

Mr. Flank indicated that a trails system would also benefit water quality by providing a better habitat for plants and animals. This will preserve the natural heritage and features that are unique to the metro area.

Mr. Flank stated that the other benefits from the trail system will be an increase in property values near the trails and the opportunity to expand the educational curriculum. He commented that he feels that this is a very well-rounded and balanced proposal.

Mr. Flank introduced Keith Franklin.

**Keith Franklin** stated that the citizens' input was utilized while preparing this proposal. He explained that the draft trail route plan was submitted to the citizens for their review and input on which trails the citizens would like built first. After the meeting the maps were refined and resulted in the proposal before the TMAPC today.

Mr. Franklin indicated that there are 283 miles of off-road trails facilities proposed and 217 miles of new on-road linkages proposed to the trails system. He stated that a priority list of trails and design guidelines were developed, as well as the cost for near-term trails, mid-term trails and long-term trails. He indicated that recommendations for the signage, mile markers, nature trails and directions were developed.

Mr. Flank stated that he would like to make one point regarding the signage issue. He explained that the signage issue was one of the comments that the citizens felt very strongly about. The citizens felt that the existing trails do not have sufficient signage and are hard to find.

Mr. Flank informed the Planning Commission that the linkages are less expensive per mile and divided into two phases, which are the near-term (99 miles), and mid-term (approximately the same distance as near term). He explained that the cost for these two phases is estimated to be over four million dollars.

Mr. Flank stated that the report makes several recommendations regarding raising funds necessary for the trails system.

Mr. Flank thanked the steering committee for their work on the proposal and acknowledged the input from the citizens. He thanked INCOG for their assistance in developing this plan.

Mr. Brierre stated that this proposal is being referred to the Comprehensive Plan Committee on March 17, 1999 and then a public hearing scheduled for March 24, 1999.

**TMAPC COMMENTS:**

Mr. Westervelt informed the interested party that the public hearing will be March 24, 1999 and there will be a Comprehensive Plan meeting on March 17, 1999. He explained that the public hearing on March 24<sup>th</sup> is the appropriate time to submit information for the record. Mr. Westervelt thanked the interested party for his patience.

Ms. Pace asked if the trail plan will be required to be adopted by the City Council. In response, Mr. Brierre stated that as a part of the Comprehensive Plan, the trails plan would be adopted by the City Council and it also being referred to other planning commissions that have jurisdiction for action on their comprehensive plans as well.

Mr. Westervelt thanked Mr. Flank and Mr. Franklin for their work on the proposal. He stated that he is happy to have had the chance to participate in this proposal.

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There being no further business, the Chairman declared the meeting adjourned at 2:55 p.m.

Date approved: 3-24-99

  
Chairman

ATTEST:   
Secretary