

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1372
 Wednesday, August 26, 1981, 1:30 p.m.
 Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller	Gardner	Gardner	Jackere, Legal
Freeman	Higgins	Howell	Department
Holliday, Secretary	Inhofe	Lasker	
Kempe, 2nd Vice-Chairman	C. Young		
Parmeale, 1st Vice-Chairman			
Petty			
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, August 25, 1981, at 11:30 a.m., as well as in the Reception Area of the INCOG Offices.

Vice-Chairman Parmeale Called the meeting to order at 1:35 p.m. and declared a quorum present.

MINUTES:

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmeale, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young "absent") to approve the Minutes of July 29, 1981 (No. 1368).

CONTINUED ZONING PUBLIC HEARING:

Z-5518 Ernest L. Moody SE corner of 51st Street and South Columbia Place
 RS-2 to RM-T

PUD #257 R. L. Swanson (Moody) SE corner of 51st Street and South Columbia
 Place (RS-2)

The Staff advised that additional time would be necessary to review the revised plans submitted for the proposed PUD and recommended these items be continued for one week.

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmeale, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to continue Z-5518 and PUD #257 to September 2, 1981, 1:30 p.m. Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5579 (PUD #190-A) Present Zoning: RS-3
Applicant: Robert Nichols (Boyd & Crews) Proposed Zoning: RM-T
Location: South of 72nd Street and West of Kingston Avenue

Date of Application: May 29, 1981
Date of Hearing: August 26, 1981
Size of Tract: 32 acres

Presentation to TMAPC by: Robert Nichols
Address: 111th West 5th Street Phone: 582-3222

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.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RM-T District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends DENIAL of RM-T zoning, for the following reasons:

The applicant has transferred, over a period of time, approximately 200 units from within the single family and townhouse areas to the fringe areas along 71st Street in the form of more apartment dwellings. He is now asking for RM-T zoning to recover those 200 units. The Staff on several occasions pointed out the potential problem with these transfers. The Staff cannot support the interior of the section for the zoning change desired.

Therefore, the Staff recommends DENIAL of RM-T, or any zoning change on the interior of PUD #190.

Applicant's Comments:

Robert Nichols advised that no building can be done until the City Engineering Department approves the drainage plans. He requested that an RM-T zoning be granted on the lower tract and RD on the upper tract with the understanding that the City Engineer's requirements will have to be met before building is continued.

Hydrologist's Report:

Charles Hardt stated that a site inspection was made in May to see what had been done as far as improvements, detention, etc. The conclusion at that time was that half the detention had not been made as provided in the original design; therefore, additional building permits were not released. He advised that the Engineering Department has no opposition to granting this additional request, providing that the normal review process would continue on the drainage by his Department.

Protestant: Violet Rothrock Address: 7603 South Sheridan Road

Protestant's Comments:

Mrs. Violet Rothrock advised that she is concerned about a gas line which was buried approximately eight (8) years ago and now is three (3) feet out of the ground, due to erosion during construction.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-1 (Eller, Freeman, Holliday, Kempe, Petty, T. Young "aye"; no "nays"; Parmele "abstaining";

Z-5579 (PUD) (continued)

Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-T on the lower tract and RD on the upper tract (per amended application), based on strict enforcement of the drainage criteria set out in the Engineer's Report.

RM-T: A part of the E/2 of Section 10, Township 18 North, Range 13 East, more particularly described as follows, to wit: Beginning at a point, said point being the most Southeasterly point of Lot 2, Block 3 of Minshall Park II, an Addition to the City of Tulsa, County of Tulsa, State of Oklahoma; thence North $51^{\circ}06'19''$ West a distance of 318.93'; thence North $67^{\circ}22'48''$ West a distance of 130.00'; thence North $81^{\circ}52'12''$ West a distance of 247.49'; thence South $78^{\circ}23'19''$ West a distance of 372.63'; thence North $60^{\circ}59'54''$ West a distance of 279.15'; thence South $00^{\circ}02'43''$ East a distance of 967.28'; thence South $67^{\circ}44'19''$ East a distance of 204.27'; thence on a curve to the left with a radius of 210.00' a distance of 281.09'; thence North $35^{\circ}34'03''$ East a distance of 353.87'; thence on a curve to the right with a radius of 420.00' a distance of 260.63'; thence North $71^{\circ}07'17''$ East a distance of 258.57'; thence on a curve to the left with a radius of 235.00' a distance of 165.62' to the POINT OF BEGINNING.

RD: ALL of Lot One (1), Block Three (3) of Minshall Park II, an Addition in City of Tulsa, Tulsa County, State of Oklahoma.

PUD #190-A Nichols (Boyd, Crews) SW corner of 71st Street and Sheridan Road
(RS-3, RM-0 and CS)

TMAPC Action: 7 members present:

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to continue PUD #190-A to September 9, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5543 Arnold Webster South of 4th Street, East of 129th East Avenue

RS-2 to IL

Mr. Gardner advised that the applicant had been granted relief through a Board of Adjustment action and recommended the item be withdrawn from consideration.

The Chair, without objection, withdrew Z-5543.

Application No. CZ-28

Applicant: INCOG

Location: SE corner of Highway #51 and Campbell Creek Road

Present Zoning: AG

Proposed Zoning: RMH,CG

Date of Application: June 10, 1981

Date of Hearing: August 26, 1981

Size of Tract: 11.1 acres

Presentation to TMAPC by: Bill Doyle

Address: 201 West 5th Street

Phone: 583-1115

Relationship to the Comprehensive Plan:

District 23 Plan, the Comprehensive Plan for Sand Springs, designates the subject property Rural Residential. The Development Guidelines define the intersection as a Type Two Activity Center (node).

Staff Recommendation:

The subject property is located at the SE corner of Campbell Creek Road and State Highway #51. The northern portion of the tract is undeveloped and the southern portion contains a mobile home park.

The purpose of the subject application was to correct a mapping error, which occurred in September of 1980. The Staff did not map the existing mobile home park in an RMH classification since we were unaware of such use. A field check of the property revealed that no commercial use existed on the northern portion advertised for CG commercial zoning; therefore, no mapping error was committed on this portion of the property. The property has been properly advertised for commercial zoning, and, therefore, commercial zoning could be approved. The mobile home addition is also properly advertised and could be approved as RMH. The County Board of Adjustment would also have jurisdiction and could approve a variance for the existing mobile home pads and sewage lagoon if it was determined that a mobile home park zoning classification was inappropriate for the area. There are several quality single family homes constructed along Campbell Creek Road across from the subject property.

The designation of this intersection as a Type Two Activity Center (node) by the Development Guidelines would permit the type of zoning requested. The key determination to be made however, is whether the existing residential uses should restrict any commercial use of the intersection. If the answer is yes, the commercial should be denied. If the answer is no, CS zoning should be approved.

The Staff was unable to arrive at a specific written recommendation prior to the meeting without hearing all sides of the question; therefore, we reserve the right to make a verbal recommendation upon completion of the public hearing.

Applicant's Comments:

Bill Doyle, representing the applicant Coy Ward, advised that the initial work on the mobile home park began prior to September, 1980, when the County received jurisdiction. However, no mobile homes were installed in January of 1980, when the aerial photo's were made. Four mobile homes were installed between January and September of 1980. The lagoon system was also installed before September. The park is approximately 1/3 developed at this time. Mr. Ward plans to install 33 units on this site.

Protestants: George Campbell
Kenneth W. East

Address: Box 434, Sand Springs, Oklahoma
2727 East 21st Street.

CZ-28 (continued)

Protestant's Comments:

George Campbell, resident of Lotsee, stated that the town of Lotsee was incorporated on January 25, 1965, and that the City Ordinance provides zoning for a 3-mile perimeter which includes this property. The zoning at that time was residential. He feels this perimeter should be established under the incorporation of the town of Lotsee and recognized as such.

Kenneth W. East, attorney representing 106 people in the area, presented a petition (Exhibit "A-7") consisting of 55 signatures. This petition lists several objections to the zoning. One objection was the density of this park in an otherwise rural area. One problem is an inadequate sewer system that was built to handle approximately 3½ trailers and now has four on it. The roads in the area are mostly small, rural roads, the only major road being Highway #51, which is heavily traveled. Limited fire protection is a concern, since there is only a volunteer fire department. Also, the water system which is supplied by Sand Springs, is inadequate and is recognized as such by the City. Mr. East stated that the applicant moved in two trailers on August 10, another trailer on August 20, and still another on August 25, making a total of 8 new trailers in addition to the four existing mobile homes.

Applicant's Comments:

Mr. Doyle had researched County records and feels the mobile home development is within the Comprehensive Plan of the town of Lotsee. In response to the road conditions, he advised that Highway #51 is one of the major Highways in the State of Oklahoma and should be able to handle any extra traffic, since development from other towns is reaching in this direction. Most of the land owners in the area bought property before there were zoning restrictions, but several have bought property since the mobile home construction began.

Mr. Gardner recommended that the applicant seek relief through the Board of Adjustment, based on the fact that the mobile homes were there and the applicant had an investment in the area prior to the County Commission taking jurisdiction.

<u>Instruments Submitted:</u>	6 Photo's	(Exhibit "A-1")
	11 Photo's	(Exhibit "A-2")
	8 Photo's	(Exhibit "A-3")
	1 Copy of County Resolution	(Exhibit "A-4")
	Letter from City of Sand Springs	(Exhibit "A-5")
	6 Protest Letters	(Exhibit "A-6")
	55 Signature Protest Petition	(Exhibit "A-7")

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to allow this application to be withdrawn, since the application was made by the County thru INCOG to correct an original mapping error.

CZ-33 Sandra Tillotson West of the NE corner of 111th Street and 145th East
Avenue AG to CG

Sandra Tillotson was present to ask that this application be continued since her representative, Bob Funston, could not be present. Charlotte Hiner, protestant, was present. One continuance has been granted the applicant per request, (Exhibit "B-1"), which is all that is allowed by policy. Protestant was asked if she had opposition to this case being continued. She agreed to a continuance.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner Higgins, Inhofe, C. Young, "absent") to continue CZ-33 to September 9, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No. Z-5602 Present Zoning: RM-1
Applicant: Richard Carpenter (Arrow Spec. Co.) Proposed Zoning: P
Location: SE corner of Gillette Avenue and Independence Street

Date of Application: July 9, 1981
Date of Hearing: August 26, 1981
Size of Tract: 100' x 150'

Presentation to TMAPC by: Richard Carpenter
Address: 205 Denver Building Phone: 582-5181

Relationship to the Comprehensive Plan:

The District 3 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium-Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the Parking (P) District is in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of Parking zoning for the following reasons:

The subject tract is located at the southeast corner of Independence Street and Gillette Avenue and contains two platted lots zoned RM-1. The properties have been cleared and the applicant is requesting parking (P) zoning.

To the north is IM Industrial zoning and to the east is CH Commercial zoning. To the west and south are residences zoned RM-1 Apartment zoning. The Comprehensive Plan designates the area Medium-Intensity in contemplation of industrial redevelopment. The off-street parking is needed in the area, is consistent with the Comprehensive Plan and the location is at the fringe of the residential area.

Based on these findings, the Staff recommends APPROVAL of the requested zoning.

Applicant's Comments:

Richard Carpenter, attorney representing Arrow Specialty Company, advised that this Company is located north and across Independence from the subject property. He assured that the people living around these lots have given their approval of this zoning change and that there would be less congestion by getting the parked cars off the street.

Protestants: Mrs. E. E. Ball Addresses: 743 North Gillette Avenue
Mrs. K. H. Billingsley 750 North Gillette Avenue
Mr. Ed Chancellor 739 North Gillette Avenue

Protestant's Comments:

Mrs. E. E. Ball, Mrs. K. H. Billingsley and Ed Chancellor all expressed concern that the Company would grow and cause more traffic on these residential streets.

Instruments Submitted: 5 signatures, Petition of Support (Exhibit "C-1")

-5602 (continued)

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned P:

Lots 13 and 14, Block 1, Cherokee Heights Addition to the City of Tulsa, Oklahoma.

Application No. Z-5603 Present Zoning: OM
Applicant: Whiteside & Grant Realtors Proposed Zoning: IL
Location: North side of 51st Street, West of 129th East Avenue

Date of Application: July 10, 1981
Date of Hearing: August 26, 1981
Size of Tract: 1 acre, plus or minus

Presentation to TMAPC by: Robert E. Grant
Address: P. O. Box 3224 Phone: 749-6811

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District, Industrial.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the IL District is in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of IL zoning for the following reasons:

The subject property is zoned OM, is vacant and the applicant is requesting IL, Light Industrial zoning. IL zoning surrounds the tract on all sides. Therefore, based on the Comprehensive Plan and surrounding zoning patterns, the Staff recommends APPROVAL.

Applicant's Comments:

Robert E. Grant, the applicant, had no comments after hearing the Staff recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL:

Lot 2, Block 1, Expressway Park, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Application No. Z-5604 Present Zoning: RS-3
Applicant: The Landscape Corp. Proposed Zoning: IL
Location: North of the NE corner of Queen Street and Utica Avenue

Date of Application: July 15, 1981
Date of Hearing: August 26, 1981
Size of Tract: 100' x 13' & 3"

Presentation to TMAPC by: Gregory G. Dixon
Address: 15 North Harvard Avenue 75115 Phone: 834-2474

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the IL District is in accordance with the Plan Map.

Staff Recommendation:

The subject property is located north of Queen Street on the west side of Victor Avenue. The property is zoned RS-3 Residential and the applicant is requesting IL Light Industry.

Victor Avenue is unimproved and, therefore, access to the subject lot most likely must come from Utica Avenue. The Comprehensive Plan calls for industrial redevelopment. The houses to the east front Wheeling Avenue, therefore, Victor Avenue seems to be the most appropriate place to draw the zoning line between residential and industrial. West of Utica Avenue is heavy industry and the subject properties between Victor and Utica are best suited for light industry.

Based on the Comprehensive Plan, zoning patterns and existing land use, the Staff recommends APPROVAL of IL zoning as requested.

For the record, the applicant would have to satisfy the Commission as to proper access in the platting process.

Applicant's Comments:

Gregory G. Dixon, representative for Landscape Corp., the applicant, had no comments after hearing the Staff recommendation.

Protestants: None.

Instruments Submitted: Recommendation to accept requested zoning from District 2 (Exhibit "D-1")

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL:

Lots 7 and 8, Block 1, Elm Motte Addition, Tulsa County, Oklahoma.

Z-5605 John Moody (Spann) 1/4 mile South of the SW corner of 91st Street and
South Memorial Drive. AG to RS, RM-T, & FD

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to continue Z-5605 to October 7, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5606 & PUD #137-B Present Zoning: RM-1, RD
Applicant: Charles E. Norman (Berman & Diamond) Proposed Zoning: RM-1
Location: North side of East 41st Street, East of Garnett Road

Date of Application: July 17, 1981
Date of Hearing: August 26, 1981
Size of Tract: 10.5 acres

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building 74103 Phone: 583-7571

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low-Intensity-- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of RM-1 zoning for the following reasons:

The subject tract is located on the north side of 41st Street at 117th East Avenue. The tract is vacant, zoned RD duplex and the applicant is requesting RM-1, low density apartment zoning.

RM-1 zoning exists to the south and west of the subject property. The tract is bounded on the north by an improved creek channel, on the east by AG (floodplain land). RM-1 zoning is, therefore, appropriate for the area given the existing zoning and land use patterns.

Based on these reasons, the Staff recommends APPROVAL of RM-1 zoning as requested.

PUD #137-B Staff Recommendation:

The subject application is a request to amend PUD #137-A to delete 208 apartment units and to develop 150,000 square feet of office floor area. The requested office development is isolated from any single family areas by the existing creek channel and is across from RM-1 apartment zoning and abuts commercial zoning to the west. IR zoning, which is industrial research and office park, is located 600 feet to the south. The subject area represents a buffer or transition zoning district surrounding the intersection, not a typical guideline node, and therefore, appropriate for office use given the existing physical facts.

The Staff has reviewed the applicant's PUD development standards and find the proposal in keeping with the purposes and intent of the PUD Ordinance. Therefore, we recommend APPROVAL of PUD #137-B, subject to the following conditions:

1. That companion application Z-5606 for RM-1 zoning be approved;
2. That a detailed site plan and landscape plan be approved in conformance to the approved concept and development standards prior to issuance of a building permit;
3. That the applicant's development standards submitted shall apply which include among others:

PUD #137-B Staff Recommendations (continued)

- a. Maximum floor area 150,000 sq. ft.
 - b. Maximum floor area ratio .353
 - c. Minimum building setbacks
 - from centerline of 41st Street 100 feet
 - from west property line 50 feet
 - from north & east property line 50 feet plus 2' of setback for every foot of height over 30 feet.
 - d. Parking ratio per 1,000 sq. ft. 3.5 (1 space per 285.7 sq.ft.)
 - e. Minimum landscaped open space 10% (39,168 square feet)
 - f. One ground sign (not to exceed 12 feet) 32 square feet
4. That a subdivision replat (or Planning Commission waiver of the replat) be approved and that the PUD conditions of approval be included in the restrictive covenants and the City of Tulsa be made beneficiary to said covenants, as provided by Ordinance, and filed of record in the County Clerk's Office prior to construction.

Applicant's Comments:

Charles Norman, attorney for Berman and Diamond, discussed the subject property and the surrounding area. The tract is presently zoned RM-1 and RD and the application is to rezone the entire tract RM-1 and develop an office building through the PUD process. A part of the tract is not to be developed because of the floodplan to the north, and therefore, the owner plans to build a multi-story office building to better utilize the site.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1:

All that part of Lot 2, Reserve "B", and part of vacated South 117th East Avenue, Block 1, 4100 East, an Addition in the City of Tulsa, Tulsa County, Oklahoma, according to the Official Recorded Plat thereof, more particularly described as follows, to wit: Beginning at the Southwesterly corner of said Lot 2; thence North 0°-16'-00" West along the Westerly boundary of said Lot 2, a distance of 610.00' to the Northwesterly corner (South boundary of Lot 1, Block 1, 4100 East Addition, according to the Official Recorded Plat) thereof; thence due East along the North boundary of said Lot 2 (South boundary of Lot 1, Block 1, 4100 East Addition) a distance of 330.58' to the Southeasterly corner of Lot 1, Block 1, 4100 East Addition; thence South 78°-08'-29" East a distance of 337.73' to a point on the Easterly boundary of said Reserve "B", 778.99' from the Northeasterly corner thereof; thence South 0°-17'-15" East along the Easterly boundary of said Reserve "B" a distance of 540.60' to the Southeasterly corner thereof; thence due West along the South boundary of said Reserve "B", across said vacated South 117th East Avenue, and along the South boundary of said Lot 2, a distance of 660.98' to the POINT OF BEGINNING.

Z-5606 & PUD #127-B (continued)

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that PUD #137-B be approved per Staff conditions, on the following described property:

All that part of Lot 2, Reserve "B", and part of vacated South 117th East Avenue, Block 1, 4100 East Addition, an Addition in the City of Tulsa, Tulsa County, Oklahoma, according to the Official Recorded Plat thereof, more particularly described as follows, to wit: Beginning at the Southwesterly corner of said Lot 2; thence North $0^{\circ}-16'-00''$ West along the Westerly boundary of said Lot 2, a distance of 610.00' to the Northwesterly corner (South boundary of Lot 1, Block 1, 4100 East Addition, according to the Official Recorded Plat) thereof; thence due East along the North boundary of said Lot 2 (South Boundary of Lot 1, Block , 4100 East Addition), a distance of 330.58' to the Southeasterly corner of Lot 1, Block 1, 4100 East Addition; thence South $78^{\circ}-08'-29''$ East a distance of 337.73' to a point on the Easterly boundary of said Reserve "B", 778.99' from the Northeasterly corner thereof; thence South $0^{\circ}-17'-15''$ East along the Easterly boundary of said Reserve "B", a distance of 540.60' to the Southeasterly corner thereof; thence due West along the South boundary of said Reserve "B", across said vacated South 117th East Avenue, and along the South boundary of said Lot 2, a distance of 660.98' to the POINT OF BEGINNING, CONTAINING 391,688 square feet, or 8.99146 acres.

8.26.81:1372(15)

Application No. CZ-34
Applicant: David W. Phillips (Hollis)
Location: Highway #97 and West 51st Street

Present Zoning: RS
Proposed Zoning: CG

Date of Application: July 16, 1981
Date of Hearing: August 26, 1981
Size of Tract: 3.6 acres

Presentation to TMAPC by: Etheline Hollis
Address: R. R. #9, Box #604, Sand Springs 74107 Phone: 245-7397

Relationship to the Comprehensive Plan:

The District 23, the Sand Springs Comprehensive Plan, designates the subject property Medium-Intensity, Activity Center. The Sand Springs Planning Commission, by phone poll, recommends the application be approved (August 18th meeting did not have a quorum).

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CG District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends DENIAL of CG zoning and APPROVAL of CS zoning for the following reasons:

The subject property is located east of the southeast corner of Highway #97 and 51st Street. The tract contains a bar, is zoned RS and the applicant is requesting CG general commercial zoning.

The subject application is located within 660 feet of Highway #97 and is, therefore, considered within a Type II Node by the Development Guidelines. The property has been commercial for many years and the CS zoning is consistent with the Comprehensive Plan and Development Guidelines for the area. Since this represents the first commercial zoning at the Node, the intersection should be restricted to CS zoning.

Based on these reasons, the Staff recommends APPROVAL of CS zoning, DENIAL CG.

Applicant's Comments:

David W. Phillips, the applicant, did not have any objection to a CS zoning in lieu of CG, as presented by Etheline Hollis, his representative.

Protestants: None.

Instruments Submitted: Letter from City of Sand Springs (Exhibit "E-1")

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CS, based on the Staff recommendation.

Lots 7 and 8, Block 2, Buford Colony Second Addition, Tulsa County, Oklahoma.

Application No. Z-5599 Present Zoning: RS-2
Applicant: David Synar Proposed Zoning: CS
Location: West of 127th East Avenue and South Skelly Drive

Date of Application: July 22, 1981
Date of Hearing: August 26, 1981
Size of Tract: 1.6 acres

Presentation to TMAPC by: Val Synar
Address: Rt. #1, Box #60-A, Talala, Okla. 74080 Phone: 918-371-2233

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low-Intensity -- No Specific Land Use and Potential Corridor.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CS District is not in accordance with the Plan Map. OL zoning may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends DENIAL of CS and APPROVAL of OL zoning for the following reasons:

The requested CS zoning is inconsistent with the Comprehensive Plan and, therefore, inappropriate zoning for the area. Corridor zoning is consistent with the Plan, but has not been advertised. The lack of sanitary sewer in the area is the major development constraint, along with the size of the property. The tract is large enough for OL zoning which can be considered at this hearing and it is consistent with the Comprehensive Plan.

Based on these findings, the Staff recommends DENIAL of CS and APPROVAL of OL zoning.

For the record, CO zoning requires a 300-foot building setback from I-44 service road for commercial development.

Applicant's Comments:

Val Synar, representing David Synar, stated the commercial use would be for a veterinary supply which is needed in Tulsa.

Interested Party: Susan Harris Address: 8286 East 34th Street

Interested Party's Comments:

Susan Harris, Chairman of District 17, stated that the District Planning Team does not object to the request for CS or OL. The main question is what kind of fencing or buffer would be required by the requested zoning. (The requirements would be a 6-foot board fence.)

Instruments Submitted: 8 Photo's (Exhibit "F-1")

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 2-5-0 (Kempe, T. Young, "aye"; Eller, Freeman, Holliday, Parmele, Petty, "nay"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners a CS zoning on an approximate 200-foot strip parallel to the expressway, with the balance OL.

8.26.81:1372(17)

Z-5599 (continued)

MOTION did not pass.

Additional Discussion:

Petty stated he would rather see the entire tract zoned CS so that other property owners can utilize their property to the best advantage. Parmele did not want to see the property split.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 6-1-0 (Eller, Freeman, Holliday, Parmele, Petty, T. Young "aye"; Kempe "nay"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS:

The West 95' of the E/2 of Lot 10 and the W/2 of Lot 10 in Plainview Heights Addition, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, LESS a tract of land described as follows: Beginning at the Northwest corner of said Lot 10; thence South on the West line of said Lot 10, a distance of 38.12' to a point; thence North 48°-34'-30" East a distance of 57.94' to a point on the North line of said Lot 10; thence West along said North line a distance of 43.99' to the point of beginning. In total represents to be approximately 160' by 408' deep together with improvements thereon.

Application No. Z-5609 Present Zoning: RM-1
Applicant: John L. Atchley Proposed Zoning: CH
Location: SE corner of Tecumseh Avenue and Kingston Place

Date of Application: August 20, 1981
Date of Hearing: August 26, 1981
Size of Tract 100' x 100'

Presentation to TMAPC by: John L. Atchley
Address: 6040 East Tecumseh Avenue Phone: 838-1514

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium-Intensity--Commercial.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CH District is not in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of CH zoning for the following reasons:

The subject property is located at the SE corner of Tecumseh (Dawson Road) and Kingston Place. The tract is zoned RM-1, contains a business, and the applicant is requesting CH commercial zoning.

The subject property is the only property on either side of Tecumseh that is not zoned CH. Normally, the Staff would not support CH zoning where the Plan did not specifically call for high intensity; however, given these physical facts, CH zoning is quite appropriate.

Therefore, based on the surrounding CH zoning, the Staff recommends APPROVAL of CH zoning as requested.

Applicant's Comments:

John L. Atchley, the applicant, did not wish to comment after hearing the Staff recommendation.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CH:

The North 85' of Lots 2, 3, 4, & 5, Block 16, Original Town of Dawson, Tulsa County, Oklahoma.

Application No. Z-5610 Present Zoning: RS-3
Applicant: Carolyn Johnson (McQueen) Proposed Zoning: IL
Location: East of the NE corner of 61st Street and Mingo Road

Date of Application: July 21, 1981
Date of Hearing: August 26, 1981
Size of Tract: 1 acre, plus or minus

Presentation to TMAPC by: Carolyn Johnson
Address: 10662 East 31st Street Phone: 663-4545

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 1--Industrial.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the IL District is in accordance with the Plan Map.

Staff Recommendation:

The subject lots are located on the south side of 59th Street at 99th East Avenue. The lots are vacant, zoned RS-3, and the applicant is requesting IL, Light Industrial.

Although the Comprehensive Plan designates the general area Special District 1, Industrial, the phasing of such zoning and development is most important. The subject lots are an integral part of the isolated single family subdivision lying west of 99th East Avenue and extending one lot east of 100th East Avenue. The subject lots front vacant IL zoned land and side to existing single family homes.

The lots will probably not develop in their present RS-3 zoning classification. It is extremely difficult to weigh that finding against the desires of the remaining residences to preserve their area and reach an appropriate decision. Much of the IL zoned property in the area remains undeveloped and, therefore, the Staff believes the zoning of the subject lots inappropriate at this time and accordingly, recommends DENIAL.

Applicant's Comments:

Carolyn Johnson, representing Gene McQueen, advised that she had no knowledge of any lot-split. She feels that in time the entire square mile will be zoned IL and that now is the time to start. The applicant intends to put up a metal building that will house an office warehouse.

Protestants: Bill Weems Addresses: 5933 South 99th East Avenue
Charles Kelley 5928 South 99th East Avenue
Gerald Hicks 5945 South 99th East Avenue

Protestant's Comments:

Charles Kelley, resident in the area, did not feel the land should be used for industry, since there are homes in the area with children walking to school and the park.

Additional Discussion:

T. Young advised that the Planning Commission is on record as intending to protect that area by leaving that strip of residential on the zoning to the north.

Z-5610 (continued)

Instruments Submitted: 26 signature Protest Petition (Exhibit "G-1")
Letter of Protest from Dr.
Wesley Jarman, Union Public
Schools (Exhibit "G-2")
Letter of Protest from Mrs.
Evelyn Brentlinger, resident (Exhibit "G-3")
12 Photo's (Exhibit "G-4")

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-1-0 (Eller, Freeman, Holliday, Kempe, Petty, T. Young, "aye"; Parmele, "nay"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the application for rezoning be DENIED, on the following described property:

Lot 1, Block 1, and Lots 1 and 14, Block 2, Guy Cook Addition,
Tulsa County, Oklahoma.

Application No. Z-5611 Present Zoning: AG
Applicant: Ed Schermerhorn (Sheridan Hills South Co.) Proposed Zoning: RS-3
Location: 9800 Block of South 72nd East Avenue

Date of Application: July 20, 1981
Date of Hearing: August 26, 1981
Size of Tract: 18 acres, plus or minus

Presentation to TMAPC by: Sheridan Hills South Company
Address: 2202 East 49th Street 74105 Phone: 749-1636

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, Development Sensitive -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RS-3 District is in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of RS-3 zoning for the following reasons:

The subject property is located north of 99th Street (South) and east of 69th East Avenue. The tract is vacant, zoned AG Agriculture and the applicant is requesting RS-3 single-family residential zoning.

RS-3 zoning abuts the subject property on the south and is consistent with the Comprehensive Plan and Development Guidelines. Property drainage is a factor which must be resolved in the platting process.

Based on these reasons, the Staff recommends APPROVAL of RS-3.

Applicant's Comments:

Ed Schermerhorn, the applicant, represented by Sheridan Hills South Company, did not wish to comment after hearing the Staff recommendation.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-3:

The South 271.48' of the N/2 of the NE/4 of the SW/4; AND the SE/4 of the NE/4 of the SW/4 of Section 23, Township 18 North, Range 13 East in the City and County of Tulsa, Oklahoma, containing 18 acres, more or less.

Application No. Z-5612
Applicant: Tom Tannehill (Edmondson)
Location: 8315 E. Easton

Present Zoning: RS-2
Proposed Zoning: IL

Date of Application: July 22, 1981
Date of Hearing: August 26, 1981
Size of Tract: 1 acre ±

Presentation to TMAPC by: Tom Tannehill
Address: 1918 E. 51st Street, Suite 2 West Phone: 749-4694

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium-Intensity, No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the IL District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends approval of IL zoning for the following reasons:

The subject property is located north of Easton Street and west of the Gilcrease Expressway. The tract is zoned RS-2, Single Family Residential and the applicant is requesting IL, Light Industry.

The subject property is abutted on the north and south by IL, Light Industrial zoning. The Gilcrease Expressway abuts the property to the east and a Union hall abuts the property to the west. Therefore, based on the surrounding zoning and land use patterns, the Staff recommends APPROVAL.

Applicant's Comments:

Tom Tannehill requested a waiver of the platting requirement. He advised that the subject property is platted and is served adequately with utilities and access.

Bob Gardner stated that the waiver of the platting requirement was discussed and approved by the Technical Advisory Committee on August 13, 1981; however, the waiver was not listed on the agenda and could not be considered at this time.

Mr. Tannehill also requested early transmittal of the application to the City Commission.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL, including early transmittal of the item to the City Commission and continuance of the waiver of the platting requirement to September 2, 1981:

Lot 17, Block 1, Mingo Heights, an addition to the City and County of Tulsa, Oklahoma.

Application No. CZ-35 Present Zoning: AG
Applicant: C. J. Sharp Proposed Zoning: IL
Location: Midway between Elwood Avenue and Peoria Avenue on East 161st Street
South

Date of Application: July 22, 1981
Date of Hearing: August 26, 1981
Size of Tract: 20 acres

Presentation to TMAPC by: C. J. Sharp
Address: 1647 East 3rd Street

Phone: 587-2461

Relationship to the Comprehensive Plan:

District 21 Plan, the Comprehensive Plan for Glenpool, designates the subject property Rural Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the IL District is not in accordance with the Plan Map. The Glenpool City Council voted 4-0 on August 17, 1981 to recommend approval of the requested zoning change.

Staff Recommendation:

The subject tract is located on the north side of 161st Street, 1/4 mile east of Elwood Avenue. The tract contains a large metal building and the applicant is requesting IL light industrial zoning.

The subject property is designated as rural residential by the Glenpool Comprehensive Plan. However, the tract contains a large industrial metal building and the Glenpool City Council is supportive of industrial development at this location.

The Staff is concerned that no guidelines exist for other similar zoning requests and we have no planning basis for supporting the zoning request. The Staff recommends that the Glenpool Comprehensive Plan be amended to designate the general area for industrial development which would provide a basis for support of the application.

Applicant's Comments:

Mr. Sharp commented that the building presently on the land is not for industrial use, but for agricultural use, storage and for trucks used in an oil lease. He has no intention of using the building for industrial activities. This zoning was requested due to the destruction of the building by a storm and the need for a building permit. Charles Sharp is under the impression that this property is now in the City Limits of Glenpool.

Alan Jackere, Assistant City Attorney, advised that the should not have any problem in securing a building permit from the City of Glenpool to rebuild the barn for agricultural uses. The County Inspector seemed to be under the impression the building was for industrial use.

Protestant: John D. Connery Address: Rt. #2, Box #161, Bixby, Oklahoma, 74008.

Protestant's Comments:

John Connery had comments to make if the application is to be referred back to Glenpool. It is his opinion that the building is not used for agriculture because of the heavy oil field equipment surrounding it.

Instruments Submitted: Letter from City of Glenpool (Exhibit "H-1")

CZ-35 (continued)

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to continue CZ-35 to September 2, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5613
Applicant: Charles Voseles (Nelson)
Location: Approximately 13700 East Apache Street

Present Zoning: AG
Proposed Zoning: IH

Date of Application: July 22, 1981
Date of Hearing: August 26, 1981
Size of Tract: 7 acres, more or less

Presentation to TMAPC by: James C. Davidson
Address: 3336 East 32nd Street
Suite 212, Granada Building

Phone: 742-0403

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2--Industrial.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the IH District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends DENIAL of IH zoning and APPROVAL of IM zoning, for the following reasons:

The subject property is zoned AG Agriculture and the applicant is requesting IH, unrestricted industrial zoning.

IM zoning exists to the north and abuts the subject property on the east. IH unrestricted zoning exists to the east and northeast and was zoned many years ago. IM zoning is consistent with the Comprehensive Plan and recent zoning decisions in the area and accordingly, the Staff recommends APPROVAL of IM zoning and DENIAL of IH.

Applicant's Comments:

James C. Davidson, Attorney for Nelson, informed the Board that the applicant will agree with the recommendation for IM instead of IH.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to recommend to the Board of City Commissioners that the application for IH zoning be DENIED and that the Staff recommendation for IM zoning be APPROVED, on the following described property:

The West 440 feet of the N/2, NW/4, NE/4 of Section 28, Township 20 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, approximately 7 acres, more or less.

Application No. Z-5615

Present Zoning: CS & AG

Applicant: Bob Latch (Richard)

Proposed Zoning: OM

Location: South and East of 91st Street and Lewis Avenue

Date of Application: July 27, 1981

Date of Hearing: August 26, 1981

Size of Tract: 20 acres, more or less

Presentation to TMAPC by: Bob Latch

Address: 2518-A East 71st Street 74136

Phone: 496-2015

Applicant's Comments:

Applicant Bob Latch, requested this case be continued. There were no protestants or interested parties present.

Instruments Submitted: Letter requesting continuance (Exhibit "I-1")

TMAPC Action: 7 members present.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to continue Z-5615 to September 2, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #264 Roy Johnsen (Frank) 145th East Avenue, 45th to 51st Streets
(CS, RM-0, RM-1 and RS-3)

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to continue PUD #264 to September 9, 1981, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa, Oklahoma.

SUBDIVISIONS:

Cabin Place (1694) East of the NE corner of 31st Street and South 129th East Avenue (RM-1)

The Chair, without objection, tabled the Final Approval and Release of Cabin Place (1694).

Lawton Industrial Park (3592) 5400 Block of South Lawton Avenue (IL)

The Chair, without objection, tabled the Final Approval and Release of Lawton Industrial Park (3592).

PUD #213 Charles Norman South of 31st Street and 90th East Avenue

The Chair, without objection, tabled consideration of the Detailed Site Plan and Detailed Landscape Plan for PUD #213.

PUD #147 Charles Norman SW corner of 31st Street and Mingo Valley Expressway

Request for approval of Minor Amendment to permit each of Lots 1 through 5, Grand Square Addition, to be split or resubdivided into two lots.

Staff Recommendation:

The applicant is requesting, as a minor amendment, to lot split five existing duplexes for the purpose of selling each individual unit. The splitting of the lots will not cause any increase in density or any other land use change and for this reason, the Staff recommends APPROVAL.

For the record, if the utilities are on a common service, some arrangement for maintenance of these facilities must be made with the respective utilities.

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Higgins, Inhofe, C. Young, "absent") to approve a Minor Amendment to permit Lots 1 through 5, Grand Square Addition, to be split or resubdivided into two lots in PUD #147.

There being no further business, the Chair adjourned the meeting at 4:30 p.m.

Date Approved 9-16-81
Rob Rand
Vice-Chairman

ATTEST:

Marian E. Holliday
Secretary