TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1374
Wednesday, September 9, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Higgins	Eller	Gardner	Linker, Legal
Holliday, Secretary	Freeman	Chisum	Department
Kempe, 2nd Vice-Chairman	Gardner	Lasker	
Petty	Parmele		
C. Young, Chairman	T. Young		
R. Young, Mayor Pro-Tem			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, September 8, 1981, at 11:50 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman C. Young called the meeting to order at 2:10 p.m. and declared a Quorum present.

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (C. Young, Holliday, Kempe, Petty, Higgins, R. Young "aye"; no "nays"; no "abstentions"; Eller, Freeman, Gardner, Parmele, T. Young "absent") to approve the Minutes of August 19, 1981 (No. 1371).

DIRECTOR'S REPORT:

Mr. Lasker informed the Commission that, after receiving approximately 50 applications and going through the interview process on 4 applicants, the job of Development Coordination Chief has been offered to Steve Compton from South Bend, Indiana, and he has accepted. Mr. Compton will begin on October 5, 1981.

CONTINUED ZONING PUBLIC HEARING:

Application No. PUD #190-A — Present Zoning: (RS-3, RM-0 and CS)
Applicant: Robert Nichols (Boyd, Crews)
Location: SW corner of 71st Street and Sheridan Road

Date of Application: May 29, 1981
Date of Hearing: September 9, 1981
Size of Tract: 40.5 acres

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

Staff Recommendation:

PUD #190-A is an amendment of PUD #190 to permit 200 additional dwelling units within the original 400-acre Planned Unit Development. The Commission recently approved a combination of RD and RM-T zoning (Z-5579), which permits exactly 200 additional dwelling units to be allocated within the approved development areas.

The Staff reviewed the applicant's proposed allocations and recommends APPROVAL, subject to the following conditions:

1. That a detailed site plan be approved for each area to be developed that is not a detached housing development, prior to issuance of a building permit.

2. That nothing herein shall remove any platting requirements, or other PUD #190 conditions of approval, except number of dwelling units per development area.

3. That the following dwelling unit allocations shall apply:

Development Areas	Total Units
A-1, A-2	544
A-3, C-1	344
B	130
C-2	120
C-3	100
CL-1	97
CL-2	90
Commercial Area	168
Single Family Minshall Park I, II, IV	647
TOTAL	2,240

Bob Nichols, representing Boyd, Crews, was present. He stated that he had no comments and did agree with the Staff Recommendations.

A letter was presented from City Hydrologist Charles Hardt (Exhibit "A-1") concerning the detention requirements. A letter from Robert Nichols concerning reallocation of permitted densities (Exhibit "A-2").

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (C. Young, Holliday, Kempe, Petty, Higgins, R. Young "aye"; no "nays"; no "abstentions"; Eller, Freeman, Gardner, Parmele, T. Young "absent") to recommend

to the Board of City Commissioners that the PUD Amendment be approved, on the following described property:

The N/2 of the SE/4; AND the N/2 of the SW/4; AND the E/2 of the NW/4; AND the South 440' of the East 495' of the SE/4 of the SW/4 of the NW/4; AND the NE/4; of and within Section 10, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma.

Application No. CZ-33 Present Zoning: AG
Applicant: Sandra Tillotson (Beall) Proposed Zoning: CG
Location: West of the NE corner of 111th Street and 145th East Avenue

Date of Application: June 25, 1981
Date of Hearing: September 9, 1981
Size of Tract: 2 acres

Presentation to TMAPC by: Sandra Tillotson
Address: 400 North Main, Broken Arrow 74012 Phone: 258-5541

Relationship to the Comprehensive Plan:

District 19, the Broken Arrow Comprehensive Plan, designates the subject property Low-Intensity. The Broken Arrow Planning Commission, August 13, 1981, recommended denial of the requested zoning change.

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

Staff Recommendation:

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

The subject tract of land is 2 acres in size, located on the north side of 111th Street South, at 138th East Avenue. The tract is vacant, zoned AG, and the applicant is requesting CG general commercial zoning.

The subject request represents spot zoning as it is inconsistent with development and zoning in the area and is inconsistent with the Broken Arrow Comprehensive Plan. Approval of Commercial zoning of any type at the mid-mile will lead to strip commercial development. Single family homes exist in the area zoned RE and AG. The request has absolutely no merit and should be denied.

Based on these findings, the Staff recommends DENIAL of CG or CS zoning.

Applicant's Comments:

Sandra Tillotson, representing Mrs. Beall, who owns 80 acres, explained that the purpose of this rezoning is to open a veterinarian clinic on 2 acres of Mrs. Beall's property. Most of the land surrounding the area is agricultural, which should be an ideal place for a clinic treating small and large animals. The large animals would not be treated on the property and does not expect to have any outside runs for keeping animals. They would be treated on an out-patient basis.

C. Young asked Mr. Gardner if the use would be only CG. Mr. Gardner replied that with outside animal runs, you need a CG. If everything is enclosed, as in a shopping center, then CS would be appropriate. That would still put commercial in the interior of the section and would open it up. Since the veterinarian is planning on living on the property in the future, Mrs. Higgins questioned if he could get a home occupation for this. Mr. Gardner answered that it would be possible under a Home Occupation , which permits customers coming to the site provided that he is the sole employee and lives on the site.

Protestant: Charlotte Hiner, Rt. #1, Box 96, Broken Arrow, Oklahoma.

CZ-33 (continued)

Protestant's Comments:

Mrs. Hiner stated that, in a sense, she is representing all the people in the area. She submitted an additional protest petition (Exhibit "B-1") containing 3 signatures, to attach to the petition already submitted containing 6 signatures (Exhibit "B-2"). Mrs. Beall's house is on the eastern part of the 80 acres and the proposed zoning is not close to her house. Mrs. Hiner is opposed to the zoning change because it will open the door to others with commercial ventures.

TMAPC Action: 6 members present.

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

A tract of land situated in the W/2 of the SE/4 of Section 28, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma; beginning at a point on the SW corner of said W/2 of the SE/4, North 435'; thence East 200'; thence South 435'; thence West 200' to the point of beginning, containing 2 acres, more or less.

PUD #264 Roy Johnsen

The Staff requested this item be continued.

On MOTION of R. YOUNG, the Planning Commission voted 6-0-0 (C. Young, Holliday, Kempe, Petty, Higgins, R. Young "aye"; no "nays"; no "abstentions"; Eller, Freeman, Gardner, Parmele, T. Young "absent") to continue the public hearing for PUD #264 until September 16, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No. Z-5607 Present Zoning: AG
Applicant: Charles Norman (Helmerich, Flint, et al) Proposed Zoning: CS, RM-1, and RS-3
Location: North side of East 41st Street, between South 145th East Avenue and South 161st East Avenue

Date of Application: July 17, 1981
Date of Hearing: September 9, 1981
Size of Tract: 300 acres, more or less

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building 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 on the majority of the property and Medium Intensity, N.S.L.U. on the 10-acre and 5-acre nodes.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CS District is in accordance with the 10-acre and 5-acre nodes, the RM-0 buffers and RS-3 on the balance is in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of 10 acres of CS at the northeast corner of 145th East Avenue with a 300-foot wrap-around of RM-0, 5 acres of CS at 41st Street and the Section line, with a 300-foot wrap-around of RM-0 and RS-3 on the balance, for the following reasons:

The subject tract is 320 acres of AG zoned land located between 145th East Avenue and 161st Street (Section line), lying north of 41st Street. The applicant is requesting a combination of CS, RM-1 and RS-3 zoning.

The Comprehensive Plan for the area supports 10 acres of CS at the northeast corner of 145th and 31st, and 5 acres of CS at the northeast corner of 41st and 161st East Avenue (161st Street has not been extended). The Development Guidelines support a 300-foot wrap-around of RM-0 around the nodes and RS-3 on the balance of the subdistrict. There are no zoning patterns or other physical features which support a departure from the Plan Map and Development Guidelines.

For these reasons, the Staff recommends APPROVAL of CS, RM-0 and RS-3 in the amounts specified above.

Applicant's Comments:

Charles Norman, representing Helmerich, Flint, et al., requested that the Staff recommendation be approved. He noted that the zoning pattern at this corner has been established on the southeast corner and it is in accordance with the Development Guidelines.

Protestant: Guy Simms Address: 14618 East 36th Street

Z-5607 (continued)

Protestant's Comments:

Guy Simms was opposed to the Commercial shopping and the RM because he feels it would devalue his property and the area; however, he is not opposed to the single family residential zoning. He questioned Mr. Norman on what is being planned for the area.

Applicant's Comments:

Charles Norman replied that the Staff recommended 10 acres of CS and a 300-foot wrap-around that would be about 3/8th of a mile from the low-density single family area where Mr. Simms lives. The other area that has been recommended would be one mile away at what would be 161st St. There is no specific plan to present at this time. The purpose of this application is to establish the permitted uses and the overall density on this half-section of land.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 5-0-1 (Holliday, Kempe, Petty, Higgins, R. Young "aye"; no "nays"; C. Young "abstaining"; Eller, Freeman, Gardner, Parmele, T. Young "absent") to recommend to the Board of City Commissioners approval of CS, RM-0, and RS-3, based on the Staff Recommendations, on the following described property:

The S/2 of Section 22, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma.

Application No. Z-5608 Present Zoning: AG
Applicant: Charles Norman (Helmerich, Flint, et al) Proposed Zoning: CS, RM-1 and RS-3
Location: NE corner of East 31st Street and South 145th East Avenue

Date of Application: July 17, 1981
Date of Hearing: September 9, 1981
Size of Tract: 160 acres

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building 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 on the majority of the property and 10 acres of Medium Intensity, N.S.L.U. on the NE corner of 31st Street and 145th E. Avenue.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CS District is in accordance with the Plan Map. Within the 10-acre node RS-3 is in accordance within the Low Intensity designation and RM-1 and RM-0 may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends APPROVAL of 10 acres CS, 11.36 acres of RM-0 (300-foot wrap-around) and the balance RS-3 for the following reasons:

The subject application is 160 acres of land zoned AG at the NE corner of 145th East Avenue and 31st Street South. The tract is vacant and the applicant is requesting a combination of CS, RM-1 and RS-3.

The Comprehensive Plan permits consideration of 10 acres of CS at the NE corner of 31st Street and 145th East Avenue. The Development Guidelines, in the strictest sense, permit 300 feet of RM-0 wrapping around the Medium Intensity Node and RS-3 zoning on the balance of the subdistrict. The Development Guidelines also permit consideration of higher intensities of land uses providing the surrounding zoning patterns dictate such a departure. The Staff would agree that the existing RM-1 zoning on the west side of 145th East Avenue may justify a departure from the strict reading of the Development Guidelines in this instance. However, we do not believe the existence of RM-1 zoning, at the quantities in place on the NW corner, necessitate duplicating the same amount on the east side of 145th.

If the Commission is inclined to support additional multifamily zoning, the Staff would suggest a 300-foot deep strip paralleling 145th East Avenue and extending as far north as the RM-1, as a reasonable compromise.

Applicant's Comments:

Mr. Norman, representing Helmerich, Flint, et al., wanted to draw attention to the zoning pattern set up in Z-5607 (41st Street, between South 145th East Avenue and South 161st East Avenue), to point out the difference that exists one mile to the north of the subject request. He concurs with the Staff Recommendation with exception of the wrap-around of RM-0. What was recommended was a 300-foot strip of RM-0 around the 660-foot node at the corner, even though a distinctly different zoning pattern has been established on two other corners. On the southeast corner, there is more

than 10 acres of CS and there is an RM-1 pattern south of the CS on the SE corner that extends almost to the half-section line. Mr. Norman feels that the existing patterns should be recognized and that similar RM-1 allocations be given on the subject tract. He is requesting that an RM-1 pattern be established on the east side, except that the distance be a 300-foot dimension from the CS or 990 feet from the section line and north. The creek could logically be used as a northern boundary for the RM-1.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 5-0-1 (Holliday, Kempe, Petty, Higgins, R. Young "aye"; no "nays"; C. Young "abstaining"; Eller, Freeman, Gardner, Parmele, T. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned with 10 acres CS in the southeast corner, a 300-foot strip of RM-1 wrapping around the CS and extending north to the creek and following the creek northwesterly to 145th East Avenue, with the balance rezoned RS-3:

CS: The SW/4 of the SW/4 of the SW/4 of Section 15, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof; AND

RM-1: A tract described as beginning at a point that is 660' East of the SW corner of Section 15, for the point of beginning; thence continuing Easterly along the South line of Said Section 15, 300'; thence Northerly to a point on the Southerly bank of creek; thence Northwesterly along creek to a point on the West line of the SW/4; thence Southerly to a point that is 660' North of the SW corner of the SW/4; thence Easterly 660'; thence Southerly 660' to the point of beginning. ALL in Section 15, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof.

Application No. Z-5616 Present Zoning: AG
Applicant: Clifton Brooks Proposed Zoning: IM
Location: North and West of North 31st Street and Erie Avenue

Date of Application: July 31, 1981
Date of Hearing: September 9, 1981
Size of Tract: 4 acres, plus or minus

Presentation to TMAPC by: Clifton Brooks
Address: 6344 East Apache Street 74115 Phone: 836-1955

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 and Development Sensitive.

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

Staff Recommendation:

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

This section of land has been restricted to IL, light industrial zoning to date. Development is sparse and access into the area is a major development constraint. Because IL zoning is consistent with the Comprehensive Plan, is consistent with the existing zoning patterns in the area, and because of the lack of good access and potential drainage problems, the Staff recommends DENIAL of IM and APPROVAL of IL zoning.

For the record, the Board of Adjustment has the power to approve specific IM uses as a special exception in the IL District.

Applicant's Comments:

George Underwood, representing the applicant, stated that his only concern is to be able to use the property for Mr. Brooks' business, which is the accumulating of greases, storing them and then marketing them. A fertilizer plant was in a building that exists on the property. The only other processing would be the possibility of the greases freezing and having to be thawed out, which would involve a heating process in tanks or boilers.

Mr. Gardner advised that the business of hauling and storage would fit in IL. If the boiler would require IM zoning, a special exception could be granted under an IL zoning.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of R. YOUNG, the Planning Commission voted 6-0-0 (R. Young, Higgins, Kempe, C. Young, Holliday, Petty, "aye"; no "nays"; no "abstentions"; Eller, Freeman, Gardner, Parmele, T. Young, "absent") to recommend to the Board of City Commissioners that the request for IM be DENIED and the Staff recommendation for IL be approved on the following described property:

Z-5616 (continued)

The South 264.54' of the E/2 of the S/2 of the SE/4 of the NW/4 Sec. 22, Township 20 North, Range 13 East, Tulsa County, Oklahoma being more particularly described as follows: Beginning at the Southeast Corner of said E/2 of the S/2 of the SE/4 of the NW/4; thence South 89°-58'-06" West a distance of 658.65' to the Southwest Corner thereof; thence North 0°-10'-00" West a distance of 264.54'; thence North 89°-57'-56" East a distance of 658.65'; thence South 0°-10'-09" East a distance of 264.54' to the point of beginning, containing 4 acres, more or less.

Application No. Z-5614 Present Zoning: RS-3
Applicant: INCOG Proposed Zoning: IL
Location: North of the NW corner of 61st Street and 107th East Avenue

Date of Application: July 24, 1981
Date of Hearing: September 9, 1981
Size of Tract: 417 acres, plus or minus

Presentation to TMAPC by: George Geesing
Address: 3504 North Sheridan Road, Suite 6 Phone: 836-8212

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.

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 DENIAL of IL zoning for the following reasons:

The subject properties are located north of 61st Street, east of 107th East Avenue. The tracts contain single family residences zoned RS-3 and the applicant is requesting IL, light industry.

The Comprehensive Plan designates the subject area Special District 1 for industrial redevelopment. The area is surrounded by industrial zoning and development to the north and east, is bordered by the future Mingo Valley Expressway on the west and is north of recently approved industrial zoning extending north from 61st Street to within 350 feet of the subject properties. However, the primary concern that the Staff has is the timing and the fact that the subject tracts do not abut IL zoning as was the case of the applications to the south. Approval of the subject application will isolate residential properties between industrial zoned properties.

If the neighborhood is inclined to try and preserve the residential interior, the Staff would support a requirement that properties must be adjacent to IL zoning, beginning at 61st Street and working north, before they qualify for rezoning to IL. If there is no strong desire to follow such a standard, the Staff would not object to rezoning at this time.

Applicant's Comments:

George Geesing advised that most of the homes in the area are of poor quality, some have been abandoned or burned. He feels the property in the area would be more valuable if it were zoned IL. The properties around the area are already zoned IL.

R. Young was concerned about the neighbors who were not interested in having their property marketable, but wanted to continue living in the area.

Geesing stated that the property, if left as is, would not be a desirable area and it would be worth more if rezoned. He had talked with some of the people in the area and they had approved of the rezoning.

Z-5614 (continued)

C. Young advised it would have been better if everyone had come in on a joint application, or if a support petition was presented. The Commission is charged with protecting these residential neighborhoods. This one may be deteriorated enough that it is time to be zoned IL, but the Commission needs to see some support.

Interested Party: Billy Mills Address: Rt. #3, Cleveland, Oklahoma.

Interested Party's Comments:
Billy Mills, a property owner in the area, agrees with Mr. Geesing that it should be zoned IL because the neighborhood is deteriorated. Her house was recently torn down by the City because the septic system was condemned.

Mr. Geesing also commented that the only place to hook onto a sewer line is at the back of the tracts that are 660 feet long.

TMAPC Action: 6 members present.
On MOTION of HOLLIDAY, the Planning Commission voted 5-0-1 (C. Young, Holliday, Kempe, Petty, Higgins "aye"; no "nays"; R. Young "abstaining"; Eller, Freeman, Gardner, Parmele, T. Young "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL, based on the Staff comments in the last paragraph of the Recommendation.

Lots 6 and 7, Block 1, Golden Valley Addition, Tulsa County, Oklahoma.

SUBDIVISIONS:

Bloss Addition, Eaglebrook Addition and Cabin Place Addition

The Chair, without objection, tabled these three items.

There being no further business, the Chair adjourned the meeting at 3:00 p.m.

Date Approved September 30, 1981

Chairman

ATTEST:

Marian E. Holliday
Secretary

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