

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1676
Wednesday, December 9, 1987, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Doherty, 2nd Vice- Chairman	Carnes	Frank	Linker, Legal
Draughon	Crawford	Gardner	Counsel
Kempe	Rice	Setters	
Paddock, 1st Vice- Chairman			
Parmelee, Chairman			
VanFossen, Secretary			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, December 8, 1987 at 10:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmelee called the meeting to order at 1:39 p.m.

MINUTES:

Approval of Minutes of November 25, 1987, Meeting #1674:

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmelee, Rice, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, VanFossen, "absent") to **APPROVE** the **Minutes of November 25, 1987, Meeting #1674**, as corrected.

REPORTS:

Chairman's Report:

Chairman Parmelee advised that a Notice of Appeal on the Final Plat Approval for Francis Hills had been received. He explained that this Appeal automatically granted a stay on any further action on Francis Hills. However, according to the Statutes, the Chairman of the TMAPC can lift the stay by signing a certificate indicating that, in his opinion, the stay would cause imminent peril to the property. Chairman Parmelee advised that he examined the property with Mr. Francis, the engineer and a representative of the Department of Stormwater Management and, in his opinion, the property would be placed in jeopardy if left in its present state. Therefore, he had signed the certificate which would be filed with the Court Clerk to release the stay. Mr. Linker advised that he would transmit the record over to the Court Clerk.

Committee Reports:

Rules & Regulations Committee: Consideration of a recommendation of the Committee to amend the TMAPC General Policies to waive the platting requirement for Temporary Open Air Activities; and to amend the provision regarding notification to interested parties so as to include notice of Final Plat approvals.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE** the addition of a TMAPC General Policy to waive the platting requirement for Temporary Open Air Activities, as recommended by the Rules & Regulations Committee and Staff.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE** the amendment to the TMAPC General Policy provision regarding notification to interested parties so as to include notice on Final Plat approvals, as recommended by the Rules & Regulations Committee and Staff.

Director's Report:

- a) Request to call a public hearing for January 13, 1988 to consider amendments to the Tulsa City-County Major Street & Highway Plan Map to reflect the adopted Long-Range Transportation Plan and reconcile the Tulsa City-County Major Street & Highway Plan with the Major Street & Highway Plans of the Tulsa metropolitan area communities.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE** a **Public Hearing for January 13, 1988** to consider amendments to the Major Street and Highway Plan as outlined above, and as recommended by Staff.

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Director's Report - Cont'd

- b) **Resolution No. 1673:655** Amending the District 7 Plan Text, specifically Section 3.4.2, pertaining to the type of development in Area D.
- Resolution No. 1673:656** Amending the District 9 Plan Text pertaining to the Arkansas River Corridor Special District.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE** Resolution No. 1673:655 amending the District 7 Plan, and Resolution No. 1673:656 amending the District 9 Plan, as outlined above, and attached to these minutes.

- Resolution No. 1673:657** Amending the Tulsa City-County Major Street and Highway Plan to add secondary arterial street designations along 176th Street North, 166th Street North and 156th Street North between Harvard and Yale Avenues.

(Stricken without objection)

ZONING PUBLIC HEARING:

Application No.: **Z-6178 & PUD 306-B** Present Zoning: **RS-3**
Applicant: **Jones (Grupe Development)** Proposed Zoning: **CS**
Location: **NE/c & SE/c of East 95th Street & South Delaware**
Size of Tract: **21.76 acres, approximate**
Date of Hearing: **December 9, 1987 (Continuance requested to 1/20/88)**
Presentation to TMAPC by: **Mr. Bill Jones, 3800 First National Tower (581-8200)**

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, VanFossen, "absent") to **CONTINUE Consideration of Z-6178 and PUD 306-B Jones (Grupe Development)** until **Wednesday, January 20, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: CZ-161 Present Zoning: RE
Applicant: Helscel Proposed Zoning: IL
Location: East side of Mingo Valley Exprwy, north of East 69th Street North
Size of Tract: .45 acres, more or less
Date of Hearing: December 9, 1987
Presentation to TMAPC by: Mr. C.W. Helscel, Box 341, Owasso (272-9575)

Relationship to the Comprehensive Plan:

The Owasso Comprehensive Plan designates the subject tract High Intensity - Special District.

According to the Zoning Matrix, the proposed IL District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is .45 acres in size and is located on the east side of the Mingo Valley Expressway, north of East 69th Street North. It is nonwooded, flat, contains parking and storage, and is zoned RE.

Surrounding Area Analysis: The tract is abutted on the north by vacant property, zoned IL; on the east by both vacant property and single-family dwellings, zoned RE; on the south by a manufacturing facility, zoned IL; and on the west by the Mingo Valley Expressway, zoned AG.

Zoning and BOA Historical Summary: Similar IL zoning has been approved both north and south of the subject tract.

Conclusion: Based on the Comprehensive Plan of the City of Owasso and the existing zoning patterns in the area, Staff can support the requested IL rezoning.

Therefore, based on the Comprehensive Plan and Industrial zoning patterns in the area Staff recommends **APPROVAL** of the requested IL rezoning.

NOTE: The Zoning Code requires a 75 foot building setback from the residential property to the east.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE CZ-161 Helscel for IL zoning**, as recommended by Staff.

Legal Description:

The NW/4 of the NW/4 of the SW/4, Section 32, T-21-N, R-14-E, less 2.46 acres for highway right-of-way, and less the east 155' of the north 482.55', and less the east 193' of the south 178.0', and less the west 140' of the east 333' of the south 145', and less the south 20' for roadway, less the south 300' of said Tract A, Tulsa County, Oklahoma.

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Application No.: CZ-162 Present Zoning: AG
Applicant: Norman (Smith) Proposed Zoning: IL, IR & CS
Location: SW/c of West 41st Street & South 49th West Avenue.
Size of Tract: 40 acres, approximate
Date of Hearing: December 9, 1987
Presentation to TMAPC by: Mr. Charles Norman, 909 Kennedy Building (583-7571)

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium and Low Intensity - No Specific Land Use and Potential Corridor.

According to the Zoning Matrix, the proposed IR and IL Districts are not in accordance with the Plan Map for the Low Intensity area, and may be found in accordance with the Medium Intensity area. The proposed CS District is in accordance only in the northeast corner of the subject tract (Medium Intensity Area) and is not in accordance with the Low Intensity Area.

Staff Recommendation:

Site Analysis: The subject tract is approximately 40 acres in size and is located at the southwest corner of West 41st Street and South 49th West Avenue. It is partially wooded, gently sloping, vacant, and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north and east by commercial buildings on the corner and scattered single-family dwellings, zoned CS and RS; on the south by vacant property with construction in process recently rezoned to IL, IM and IR; and on the west by vacant property, zoned AG.

Zoning and BOA Historical Summary: Industrial zoning, inconsistent with the Comprehensive Plan, was granted south of the subject tract in 1987. IR zoning was approved along South 49th West Avenue to buffer the single-family residences on the east side of the street.

Conclusion: Although the proposed CS zoning is larger than the other corners, it is consistent with the Development Guidelines for a Type I Node (467' x 467'). The proposed industrial pattern extends the IR buffer along the frontages of West 41st Street South and South 49th West Avenue. The request is consistent with the zoning patterns, and trend toward development of this area for light industrial purposes.

Therefore, based on the existing zoning patterns in the area the Staff recommends **APPROVAL** of CS, IL and IR zoning in the configuration proposed by the applicant.

NOTE: The Comprehensive Plan Map should be amended to reflect the recent changes in land use. The size of the five acre node may present a compatibility problem for the area residents fronting 41st Street and 49th West Avenue near the immediate intersection, therefore, a reduction in the size of the node to align with existing CS zoning and an increase in the IR zoning may be more appropriate.

Comments & Discussion:

Chairman Parmele advised receipt of a letter from Mr. and Mrs. Fred A. Lannon protesting the proposed zoning change due to their concerns regarding water drainage from the development, and encroachment into a residential neighborhood which would cause a decrease in the value of their home.

Mr. Charles Norman (909 Kennedy Building), representing the applicant, stated the District 9 Plan Indicated this entire quarter section as being eligible for Corridor zoning. However, Staff did not recommend this due to the absence of expressway right-of-way. Mr. Norman reviewed recent development in this portion of Tulsa as to other IR, IM and IL zoned areas. He also reviewed the options available regarding sewage and drainage. In reply to Mr. Draughon regarding drainage problems, Mr. Norman stated he was not aware of any problems that would affect the north side of 41st Street, and he added the Health Department has given a lot of attention to this area since the TMAPC hearings last March.

Ms. Wilson inquired if any thought had been given to screening or buffering the residentially zoned areas to the north and east of the proposed CS zoned lot. Mr. Norman clarified that there were no homes to the north, and in the other areas there were no homes that, in his opinion, would survive the redevelopment of this corner as these were older properties whose condition had deteriorated over the years. Mr. Gardner added that the Staff had investigated the area, and the residential areas to the north and east were surrounded by nonconforming uses and industrial/commercial uses, thereby being adversely affected. Therefore, he agreed with Mr. Norman that it would be in the best interest of these property owners to seek commercial at this node rather than try to remain and/or sell strictly residential.

Mr. Draughon reiterated the concerns of the protestants as to drainage, and Mr. Gardner commented that, at the time of platting, drainage would be addressed.

TMAPC ACTION: 8 members present

On **MOTION** of **KEMPE**, the TMAPC voted **7-0-1** (Doherty, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Carnes, Crawford, Rice, "absent") to **APPROVE CZ-162 Norman (Smith) for IL, IR and CS zoning**, as recommended by Staff.

Mr. Norman requested early transmittal of these minutes to the County, and Mr. Doherty moved for early transmittal with a directive to Staff to notify the protestants.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE** the Early Transmittal of the TMAPC Minutes for CZ-162 Norman (Smith), as requested by the applicant, with notice to the protestants.

Legal Description:

The NE/4 of the NE/4 of Section 29, T-19-N, R-12-E, Tulsa County, Oklahoma, with zoning approved as follows:

CS: The north 467' of the east 467';

IR: The east 400', LESS the north 467' thereof, AND the north 400' LESS the east 467' thereof;

IL: All of the NE/4 of the NE/4, LESS the north 400' and the east 400' thereof, LESS the north 467' of the east 467' thereof.

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Application No.: Z-6182

Present Zoning: RS-3

Applicant: Tracy

Proposed Zoning: IL

Location: NW/c of East 51st Street & the Mingo Valley Expressway

Size of Tract: .45+ acres

Date of Hearing: December 9, 1987

Continuance Requested to: December 23, 1987

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, VanFossen, "absent") to **CONTINUE Consideration of Z-6182 Tracy** until Wednesday, **December 23, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: PUD 435

Present Zoning: OM, OL & RS-3

Applicant: Johnsen (Warren Foundation)

Proposed Zoning: Unchanged

Location: NE/c & SE/c of East 66th Street and South Yale Avenue

Size of Tract: 70+ acres

Date of Hearing: December 9, 1987

Continuance requested to: December 16, 1987

TMAPC ACTION: 7 members present

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, VanFossen, "absent") to **CONTINUE Consideration of PUD 435 Johnsen (Warren Foundation)** until Wednesday, **December 16, 1987** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 202: West of the SW/c of East 61st Street and South Memorial Drive

Staff Recommendation: Detail Sign Plan Review

The subject tract is part of a developed multi-story and multi-building office park. The applicant is requesting Detail Sign approval for a monument type identification sign that exists 50 feet from the centerline of East 61st Street South. Notice of the application was given to abutting property owners.

Review of the applicant's plan indicates an existing triangular shaped monument identification sign approximately 240 square feet in size and located 50 feet from the centerline of East 61st Street South. Although the sign is off of city right-of-way it is within a 10 foot water line easement and on top of a 48" water line.

Staff can support the requested Detail Sign Plan review for this monument sign only subject to the applicant's submitted plot plan and elevation. Staff would also condition this application upon the approval of water and sewer department and subject to the applicant executing an "Agreement for Maintaining Structures on an Easement" form and said form being filed of record.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, "absent") to **APPROVE** the Detail Sign Plan for PUD 202, as recommended by Staff.

SUBDIVISIONS:

FINAL PLAT APPROVAL & RELEASE:

Camelot Park (PUD 420-A) (2783) East 101st Street & South Granite Avenue (RS-3)

On **MOTION** of **KEMPE**, the TMAPC voted **7-0-0** (Doherty, Draughon, Kempe, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Rice, VanFossen, "absent") to **APPROVE** the Final Plat of **Camelot Park** and release same as having met all conditions of approval.

OTHER DISCUSSION:

In regard to the Rules & Regulation Committee (R & R) meeting held this date on the Historic Preservation (HP) Ordinance, Mr. Paddock commented that it appeared obvious the R & R would need to devote more time and consideration before making a recommendation to the TMAPC. Therefore, he suggested a working session be scheduled after the December 16th TMAPC meeting. This would also allow the benefit of the outcome of the NCC meeting held December 10th. The Committee members and Staff agreed to set a work session for December 16th at the INCOG offices, tentatively for 3:00 p.m., or at the conclusion of the regular TMAPC meeting.

Chairman Parmele advised receipt of a letter from Mr. Richard Enderwood regarding PUD 206-8, which had not yet been heard. The letter would be entered into that file for future reference.

There being no further business, the Chairman declared the meeting adjourned at 2:16 p.m.

Date Approved 12-23-87

RBPaddock

Chairman

ATTEST:

James R. Paddock
Secretary

