

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1712
Wednesday, **September 14, 1988**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Harris	Dickey	Linker, Legal
Coutant, Secretary	Parmele	Frank	Counsel
Doherty	Randle	Gardner	J. Westervelt,
Draughon		Kane	J. Bubenik and
Kempe, Chairman		Lasker	R. Flanagan for
Paddock, 2nd Vice-		Matthews	Tulsa Trails
Chairman		Setters	
Wilson		Stump	
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 13, 1988 at 10:20 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:37 p.m.

MINUTES: (Not applicable - there was no TMAPC meeting on August 31, 1988 as this was a fifth Wednesday.)

REPORTS:

Committee Reports:

Mr. Paddock advised the **Rules & Regulations Committee** has scheduled a meeting for September 21st to continue review of the amendments to the County Zoning Code as relates to wild and exotic animals.

Director's Report:

Mr. Jerry Lasker, INCOG, reminded the Commissioners of the Leadership Retreat on Tuesday, September 20th. He encouraged the members to attend as topics on transportation, economic development, schools, etc. would be discussed.

REPORTS: Director's - Cont'd

Mr. Lasker announced an internal personnel change of the INCOG Staff: Mr. Irving Frank, formerly Director of Development Services, would be moving to Planning Services; Mr. Jay Stump, formerly Director of Membership Services, would be moving to Development Services; and Mr. Steve Compton, formerly Director of Planning Services, would be moving to Membership Services. Mr. Lasker stated the change would be effective September 15th. Chairman Kempe commented the TMAPC members might have questions in regard to these changes or desire a fuller explanation of the personnel moves. Therefore, due to the nature of this issue, she requested an Executive Session of the TMAPC be placed on the September 28th agenda. Mr. Linker advised that an Executive Session would require a majority vote of the TMAPC. Chairman Kempe commented the TMAPC could vote to go into the Executive Session at that time.

CONTINUANCE REQUEST(S):

Application No.: Z-6209 Present Zoning: RS-2
Applicant: Levy (Hamm) Proposed Zoning: CS, CG & CH
Location: SE/c of East 11th Street & South 129th East Avenue
Date of Hearing: September 14, 1988
Continuance Requested to: September 21, 1988

TMAPC ACTION: 8 members present

On MOTION of CARNES, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Harris, Randle, "absent") to CONTINUE Consideration of Z-6209 Levy (Hamm) until Wednesday, September 21, 1988, at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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PUD 267-5: Minor Amendment for Sign
SE/c of East 101st Street & South Sheridan Avenue

TMAPC ACTION: 8 members present

On MOTION of WILSON, the TMAPC voted 8-0-0 (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Harris, Randle, "absent") to CONTINUE Consideration of PUD 267-5 Minor Amendment for Sign until Wednesday, October 12, 1988 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No.: Z-6208

Present Zoning: RS-3

Applicant: Painter

Proposed Zoning: CS

Location: North of the NE/c of East Newton Street & North Yale Avenue

Date of Hearing: September 14, 1988

Presentation to TMAPC by: Mr. Don Painter, 1311 North Yale Avenue (838-7755)

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis: The subject tract is .16 acres in size and is located north of the northeast corner of East Newton Street and North Yale Avenue. It is nonwooded, flat, contains a single-family dwelling used as a business office and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by a single-family dwelling zoned RS-3; on the east by a single-family dwelling zoned RS-3; on the south by a single-family dwelling zoned RS-3; and on the west, across North Yale Avenue, by single-family dwellings zoned RS-3.

Zoning and BOA Historical Summary: CS zoning was approved north of the subject tract in 1962. A special exception for a home occupation (welding shop) was approved to the south.

Conclusion: Although commercial zoning has been approved north of the subject tract, it was located within the dimensions of a Type II Node and across from existing office zoning. Staff cannot support this spot zoning request based on the Comprehensive Plan and see it as an encroachment into an existing residential neighborhood. To permit this zoning would encourage commercial strip zoning on Yale Avenue.

Therefore, Staff recommends **DENIAL** of CS zoning as requested, as well as any less intense classification in the alternative.

Comments & Discussion:

Ms. Wilson inquired if the existing use, which was indicated to be appliance repair was legal, or was this the reason the application has been brought forward. Mr. Gardner stated Code Enforcement may have prompted the applicant to come before the TMAPC. Ms. Wilson confirmed that the corner of Allegheny and Newton was zoned RS-3 and not CS.

Mr. Paddock asked Staff how this case was brought to their attention. Mr. Gardner stated that, as far as he knew, the applicant just filed for the rezoning, but it could have been brought about by a cease and desist order. Mr. Gardner suggested the applicant respond to this inquiry.

Applicant's Comments:

Mr. Don Painter, applicant, submitted and read a letter to the Commission advising that he was in the major home appliance service and repair business. He further advised that the property was purchased at a HUD auction, sold "as is", and was not up to HUD requirements for housing. Mr. Painter submitted a sample of the wall material of the house to indicate the substandard nature of the dwelling. Mr. Painter advised he planned to maintain the residential appearance and use the house as a private office, as he had mobile radio equipped trucks that needed a base, and there would be no customer traffic.

Mr. Painter submitted and reviewed pictures of surrounding tracts, and commented on what he felt were other commercial businesses operating out of neighborhood residences; i.e., a welding shop, a gunsmith, used car sales, saddle sales, a Cadillac repair service, as well as a small strip center with a club/bar having exotic dancers. Mr. Painter suggested his rezoning should be considered since there were so many other business operations in this area.

In reply to Mr. Paddock as to why this application was being submitted at this time, Mr. Painter stated it was brought to the attention of Code Enforcement when a complaint was filed regarding tall grass in his yard. He added that he has been operating at this site for about 2.5 years. Mr. Doherty asked Mr. Painter if his structure would pass Code for office occupancy, and he stated he doubted that it would, but he would bring it to standard if needed.

Chairman Kempe clarified that the applicant intended to use the structure for storage of parts and for parking of his vans used in the business. Mr. Painter explained that he currently has three vans, but at one time he had four.

Interested Parties:

Chairman Kempe read a letter from Andy Warren (1312 North Allegheny) protesting this application.

Mr. L.E. Rader (1316 North Yale) advised he owns the property across the street from the subject tract. Mr. Rader stated he currently uses this home for rental purposes, but has resided in this area for many years. He agreed that limited commercial uses had been showing up in the neighborhood, and remarked on the problems of bright flood lights kept on all at night and gravel covering the front lawn of the applicant's property. Mr. Rader protested any further deterioration of the neighborhood by allowing any more businesses, and requested denial of the rezoning to CS.

In reply to Mr. Paddock, Mr. Rader advised he has not resided at his property since 1976, but he maintains the property as though he did, and his son currently resides there. Mr. Paddock confirmed that Mr. Rader has previously filed complaints with the City regarding this business, and he

Inquired if there were others that he has complained about. Mr. Rader stated that he did not recall registering any other complaints. In response to Mr. Paddock, Mr. Rader commented on the changes that he felt contributed to the deterioration of the immediate area since moving from his property.

Mr. H.G. McGowan (1315 North Yale), who resides next to the subject property, commented that the applicant had previously indicated that he intended to rent the house or possibly reside in it himself. Mr. McGowan advised the applicant has moved the garage to the back of the property and expanded it, completely graveled the front and back yard with road gravel, installed city flood lights on each corner of the house which also lights his house and property at night, and installed a privacy fence on the north side between the applicant's structure and his fence. Mr. McGowan objected to the rezoning as the applicant does not reside at the house and the business operation only added to the deterioration of the neighborhood.

Applicant's Rebuttal:

In response to statements regarding the flood lights, Mr. Painter advised these were standard mercury vapor street lights. He commented others in the neighborhood use his front yard for parking and a drive through, and that was why he put gravel on the front yard. In reply to Mr. Paddock, Mr. Painter stated he was not aware of the zoning on the property at the time of purchase from HUD.

TMAPC Review Session:

Mr. Doherty inquired if it would be appropriate to ask Staff to transmit a copy of these minutes to Code Enforcement and the Health Department. Mr. Gardner stated that it would be appropriate, and he would follow up on this. Mr. Doherty stated that it appeared there were numerous code violations in this area and perhaps something should be done. He continued by saying that abuse of home occupations notwithstanding, the outright commercial zoning of a piece of property in the middle of the block has long been against TMAPC policy. Therefore, he moved for denial of the request. Mr. Paddock agreed with Mr. Doherty and indicated that the Commission has seen and heard enough to indicate that there were strong reasons to assume that some of these operations along this block of North Yale were in violation of the Zoning Code, and it should not be permitted to continue. Therefore, he hoped Code Enforcement would follow up with a response to the TMAPC on this matter.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Parmele, Harris, Randle, "absent") to **DENY Z-6802 Painter for CS**, as recommended by Staff.

* * * * *

Application No.: Z-6210 Present Zoning: AG
Applicant: Nichols (Miles Shipping Corp.) Proposed Zoning: IM
Location: South of SW/c of East 56th Street North & North 145th East Avenue
Date of Hearing: September 14, 1988
Presentation to TMAPC by: Mr. Bob Nichols, 111 West 5th Street (582-3222)

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 Zoning Matrix, the requested IM District **may be found** in accordance with the Plan Map. All zoning categories are considered **may be found** in accordance with Special Districts guidelines.

Staff Recommendation:

Site Analysis: The subject tract is approximately 10 acres in size and is located south of the southwest corner of North 145th East Avenue and East 56th Street North. It is wooded, flat, vacant and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by vacant property zoned AG; on the east, across North 145th East Avenue, by vacant property and a single-family dwelling in Rogers County; on the south by vacant property zoned AG and IH; and on the west by vacant property zoned AG.

Zoning and BOA Historical Summary: IH zoning south and northwest of the subject tract was approved by Study Map in 1970.

Conclusion: Based on the Comprehensive Plan and existing zoning pattern in the area, Staff can support the requested IM rezoning.

Therefore, Staff recommends **APPROVAL** of IM zoning for Z-6210.

Applicant's Comments:

Mr. Bob Nichols advised he was representing the contract purchaser of the subject tract. He stated the applicant would accept the Staff recommendation recognizing this area was located in Special District 2 of District 16. He commented the applicant intended to use the property by eventually moving his entire operation, an over-the-road shipping or trucking company, to this location. Mr. Nichols added that the applicant would have perhaps as many as 50 tractor trailers stored on the property at any given time, and screening requirements would be met as needed.

Ms. Wilson pointed out that sewer service was not available to the tract, and inquired as to how far the applicant would have to go in order to hook up to the nearest sewer. Mr. Nichols advised the applicant could utilize a septic tank on the property for his intended use, and when the applicant eventually moved the entire operation, he may at that time need sewer service.

Z-6210 Nichols (Miles Shipping Corp.) - Cont'd

<u>Interested Parties:</u>	<u>Address:</u>		
Ms. Willo J. Henniger	Rt. 5 Box 141	Owasso	74055
Ms. Barbara Morrison	14343 East 56th Street North	"	"
Mr. James Morrison	" " " " "	"	"
Ms. Betty Douglas	14141 East 56th Street North	"	"
Mr. Eddie Douglas	" " " " "	"	"
Ms. Gretchen Eggiman	5704 North 145th East Avenue	"	"
Mr. Edward Stevenson	6550 North 134th East Avenue	"	"
Ms. Carol A. Coffman	14318 East 58th Street North	"	"
Mr. Ron Wilson	14301 East 58th Street North	"	"
Mr. Thomas Dills	5411 North 137th East Avenue	"	"

Ms. Willo J. Henniger, whose residence is on the corner of 145th East Avenue and 56th Street North, stated she thought several trucks were already being stored on the subject tract, and submitted photographs showing the property. Ms. Henniger remarked on the road conditions in this area, which she felt were not appropriate for heavy truck travel. She also submitted photos indicating the poor conditions of the one-lane bridges in the area, and presented pieces of rotten wood which had fallen from the side rail of the bridge at 56th Street North. Ms. Henniger advised that the tonnage limit on bridges in this area has been raised over the years from three tons to five tons, and it was now at an eleven ton limit. She reiterated that the area did not need the semi-trucks as the roads could not accommodate them at this time.

In response to Mr. Doherty, Ms. Henniger stated the trucks would currently have to follow a route down 46th Street to 137th East Avenue, which was a two lane road, or use 76th Street through Owasso. She added that the trucks quite frequently ignore the stop signs at these intersections.

Ms. Barbara Morrison submitted a petition with 100+ signatures opposing the zoning change due to the detracton from the quiet neighborhood and the lowering of property values. She advised she lives across the street from the subject tract, and expressed concerns as to additional dust, noise, safety hazards, etc. from an increase in heavy truck traffic that would impair the rural setting. Ms. Morrison submitted a map showing the acreage surrounding the subject tract owned by Mr. John Oxley which would never be utilized for industrial purposes. She spoke on the flooding in this area that would restrict traffic, and stated that it should remain undeveloped due to the flooding. Ms. Morrison pointed out that all the roads in this area also served the school bus routes, and these county roads and bridges were not maintained well enough to support truck traffic. She requested denial of the rezoning.

Mr. Carnes inquired as to the IH zoned tract just south of the subject property. Ms. Morrison commented that she thought trucks were being stored on this tract. In response to Ms. Wilson's comments that the Department of Stormwater Management indicated the subject tract was not in a floodplain, Ms. Morrison advised that the route the trucks will be driving was in the floodplain, and residents in this area have seen flooding 6' to 8' in depth.

Mr. Jim Morrison commented that it was his understanding there was only one water tap on the applicant's side of the road and another one would not be installed. He added that the property was on solid rock that would not percolate, therefore, a sewage lagoon would be the only recourse.

Chairman Kempe inquired as to the status of sewage lagoons in the City. Mr. Gardner commented that at 66th Street North (one mile north of this area) a mobile park was downzoned by the City and was not developed today because it could not meet City-County Health Department regulations for percolation. He added that if this tract was to be developed it would require platting, which involved meeting standards for a Building Permit. Mr. Gardner remarked that it was possible to get zoning on a piece of property and then not be able to use it.

Ms. Betty Douglas protested the rezoning and commented on the safety hazards to the school age children with the truck traffic. She also expressed concerns as to the durability of the bridges in the area.

Mr. Eddie Douglas also protested the rezoning as he felt there was enough heavy truck traffic already in the area.

Ms. Gretchen Eggiman stated this was a quiet and peaceful area except for the trucks. She reiterated concerns on safety hazards associated with the truck traffic.

Mr. Edward Stevenson stated opposition to any more truck traffic due to the safety hazards already existing with semi-trucks and trailers. He commented on instances where he has been run off the road by these trucks, and added that the drivers exceed the posted speed limits. In reply to Mr. Draughon, Mr. Stevenson advised he moved into this area in 1973 and was one of the very few on a septic tank; the others had lagoons.

Ms. Carol A. Coffman also expressed concerns about the safety hazards with heavy truck travel over the county roads. She stated she moved to this area for the rural environment and did not want this atmosphere to change due to rezonings for trucking businesses.

Chairman Kempe inquired as to why this area was considered a Special District in the Comprehensive Plan. Mr. Gardner stated it was specially designated for industrial development. Ms. Wilson obtained clarification of the boundaries for Special District 2 which covered a very large area. Chairman Kempe pointed out that, since this was so designated in the Comprehensive Plan for District 16, the residents in this area should be aware of their options for possibly amending the Plan. Mr. Draughon confirmed that the IH zoned area on 56th Street North was adjacent to residentially zoned areas. Mr. Gardner commented that this zoning was probably done in the late 1950' or 1960's. Mr. Doherty remarked on the differences in topography, and inquired as to why the areas to the north were included in this Special District. Mr. Gardner replied that there were two areas already zoned industrial and he felt this might have been the basis for including it in the Special District.

Mr. Ron Wilson stated he felt the rezoning, if approved, would affect the property values of the residential areas, and he pointed out there were other areas in the county already zoned for commercial use. He commented that the quality of life for those in the area would be further impacted, as they currently live with trucks all day and now it appears they may have to live with them all night as well. Mr. Wilson reiterated concerns as to the tonnage limit increase on the bridges, which were inadequate for the amount of truck travel currently existing. He commented on the traffic enforcement, which was about zero, as the trucks almost never stop at the stop signs. Mr. Wilson remarked on instances where he and his wife had been run off the road. He expressed concerns as to sewage and asked where the industrial waste from the trucks being washed would go. Mr. Wilson requested the rezoning be denied as the area did not need any more trucks or industrial uses.

Chairman Kempe suggested Mr. Wilson and other interested parties attend or participate in the meetings of the planning team for District 16 to address some of their concerns. In response to Mr. Paddock, Mr. Wilson stated he felt he would be adversely impacted by this type of a project even though his residence was farther removed than others, due to the noise, dust, etc. associated with the truck traffic which would travel throughout this entire area.

Mr. Thomas Dills reiterated the problems with the heavy truck traffic. He requested denial of the rezoning as he, too, would like to keep the rural atmosphere undisturbed.

Applicant's Rebuttal:

Mr. Nichols clarified that the trucks presently in the area were on the IH zoned tract immediately south of the subject property. He stated that he did not feel the comments made by the interested parties required any rebuttal as they were factual statements of existing conditions in the neighborhood. However, he felt other facts that should be applied were the physical facts, the distance of the railroad line and the 137th East Avenue extension going to the Port road. Mr. Nichols pointed out that the area to the east located in Rogers County was also designated for industrial use. He stated there appeared to be nothing to indicate this zoning request would be inconsistent with either the physical facts or with the public commitment for industrial development as evidenced by the Comprehensive Plan. Mr. Nichols commented that the lack of physical facilities for roads, bridges, water and sewer lines was a common circumstance in the early development stages for an area.

In response to Mr. Doherty, Mr. Nichols remarked that, although he has viewed the subject property, he was not sure this property had access to the railroad. Mr. Doherty inquired if water was available to the tract. Mr. Nichols stated he did not know if public water was available, but some employees living to the south did have a source of water supply. He reiterated the comments made by Staff that getting zoning was not a guarantee of anything else, as they would still have to meet the

requirements of platting, the Health Department, etc. In reply to Mr. Draughon, Mr. Nichols acknowledged that the applicant was aware there would be a problem getting water and sewerage to this tract.

Mr. Carnes stated that in most industrial districts coming before the TMAPC over the past years, there have been plans for the streets to handle heavy traffic, to handle water, sewer, utilities, etc., and he could not see zoning prior to having some of these plans in place, especially in light of the fact that these particular county roads were hardly able to handle the school buses. Mr. Nichols commented that this was a broader issue than just a zoning case, as the TMAPC has been presented with many cases with these same problems where the Comprehensive Plan designates an area for a particular type development, yet the public facilities were not in place. He added that there currently were no heavy industrial uses in this area that demanded those type facilities be in place. However, the Comprehensive Plan indicates there were commitments to 145th East Avenue to be a primary arterial, and other public commitments for utility service to develop this area.

Mr. Paddock confirmed there was a contingency contract pending on this tract. He then inquired if the applicant has had discussions with any pertinent city authorities about cutting through to 145th East Avenue or the taking of public sewer to these properties. Mr. Nichols stated he was not able to confirm this, but reiterated that two of the applicant's employees living south of the tract apparently have had some discussions and feel that water service could be brought into the property. Mr. Nichols pointed out that the applicant's intended use would not necessitate public water supplies, as the primary use would be storage of the trailers with only one or two a day moving.

Mr. Coutant stated it appeared the proposed use might fall under Use Unit 23 (trucking establishment), which was permitted under IL, IM or IH, and he then asked why the applicant was requesting IM. Mr. Nichols replied that he did not see anything that might indicate IM as being inappropriate.

TMAPC Review Session:

Mr. Doherty confirmed that 145th East Avenue was a primary arterial, and then inquired if a plat would be required for the temporary storage of this type trailer. Mr. Gardner stated that a plat was triggered on Building Permits or Use Permits, and using it for storage would require a permit. In response to Mr. Doherty, Mr. Gardner stated the Comprehensive Plan for this area may go back as far as 1960, and Staff would research the Plan on this particular Special District. Mr. Gardner confirmed for Mr. Doherty that this tract was in the city limits.

Mr. Draughon asked Legal Counsel if the TMAPC had the authority to deny an application on the basis of protection of public safety, i.e. unsafe bridges to handle the heavy truck traffic. Mr. Linker stated that, from a legal point of view, yes, but it has not been the policy of the TMAPC or the City Commission to do this, as they have always gone on the basis of planned facilities as well as existing facilities.

Z-6210 Nichols (Miles Shipping Corp.) - Cont'd

Mr. Carnes agreed with Mr. Draughon as to the public safety issue as the roads were not developed properly for industrial use. He added the physical facilities were not in place; therefore, he moved for denial of the application.

In response to Mr. Coutant as to plans of the abutting county, Mr. Gardner stated that applicant had indicated the Rogers County Plan designated this area for industrial use. He added that areas around 36th and 46th Streets North had plans for industrial development, but he could not speak as to how far north (56th Street and beyond) these plans extended. Mr. Coutant stated that it may be appropriate to consider some sort of scaling back of intensity for the perimeter areas of a Special District, i.e., IL zoning zoning on properties abutting residential. Mr. Gardner replied that he suspected that when the IH zoning was approved that Staff would not have recommended this as proper zoning across from the residential subdivision; however, it was a current physical fact. Mr. Gardner continued by stating that the TMAPC could consider going back and reviewing the Comprehensive Plan to possibly remove that particular area from the Plan if not suited for industrial, as that IH zoning would permit a large salvage yard today.

After discussion among Staff and the Commission members as to consideration of IL zoning, Mr. Paddock moved to amend the original motion as he felt IL zoning might be more appropriate. Chairman Kempe suggested a better approach would be to vote on the original motion for denial of IM zoning and then proceed with a second motion.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **6-2-0** (Carnes, Coutant, Doherty, Draughon, Wilson, Woodard, "aye"; Kempe, Paddock, "nay"; no "abstentions"; Parmele, Harris, Randle, "absent") to **DENY Z-6210 Nichols (Miles Shipping Corp.) for IM zoning.**

With the requested IM zoning denied, Mr. Coutant confirmed with Legal Counsel that a motion for a lesser zoning category could be suggested. Therefore, he moved for approval of IL zoning for Z-6210. Mr. Coutant commented that he felt the TMAPC should use caution in that, as pointed out by Mr. Linker, it was not the policy of the Commission to scrutinize the availability of public services to every parcel presented before approval. Ms. Wilson stated that the TMAPC does listen and takes into consideration the comments made by the interested parties and protestants in the planning process and interaction with the City/County Commissions. However, it was the City or County Commission's responsibility to take a close look to review what they intend to commit to, and this case should be discussed at the City Commission. Mr. Paddock commented that, unfortunately, this appeared to be a "cart before the horse" situation, in that the city engineers rely on wheel counts in considering areas for road improvement, and rural areas usually have lower counts. He stated that, as a function of the TMAPC, this type of situation should be scrutinized

Z-6210 Nichols (Miles Shipping Corp.) - Cont'd

very thoroughly in the next few months, since what was on the plans and maps was completely different than the actual physical facts. Mr. Paddock stated support of the IL zoning as he did not feel the physical facts could be the basis for their decision because, as pointed out by Ms. Wilson, that will be the City Commission's decision.

TMAPC ACTION: 8 members present

On **MOTION** of **COUTANT**, the TMAPC voted **6-2-0** (Coutant, Doherty, Kempe, Paddock, Wilson, Woodard, "aye"; Carnes, Draughon, "nay"; no "abstentions"; Parmele, Harris, Randle, "absent") to **APPROVE IL zoning for Z-6210 Nichols (Miles Shipping Corp.)**.

Additional Comments & Discussion:

Mr. Doherty suggested the Comprehensive Plan Committee take up the issue of 145th East Avenue as a Primary Arterial, as well as give closer scrutiny to the development sensitive areas in this area. Chairman Kempe instructed Staff to pull together some data on District 16, specifically this Special District 2. Ms. Wilson suggested the INCOG Staff also provide some information on the Transportation Plan as relates to this industrial area. Therefore, after confirming an appropriate time schedule with Staff, Mr. Carnes requested a Comprehensive Plan Committee be targeted for October 12th.

Mr. Nichols requested early transmittal of these minutes to the City Commission. However, following TMAPC Rules of Procedure, this would not be permitted as the applicant, Staff and Commission were not all in agreement as to this case. Also there were several protestants in attendance.

Legal Description:

IL Zoning: The SE/4 of the NE/4 of the NE/4 of Section 9, T-20-N, R-14-E, Tulsa County, Oklahoma.

OTHER BUSINESS:

BRIEFING:

Presentation, briefing and discussion of the Tulsa Trails System by the following members of the Tulsa Trails Coalition:

Ms. Carol Dickey	INCOG Staff
Mr. Joe Westervelt	Chairman of the Tulsa Trails Committee
Mr. Jackie Bubenik	River Parks Authority
Mr. Ron Flanagan	Flanagan and Associates

Mr. Westervelt advised that the TMAPC was one of several boards and agencies the Tulsa Trails Coalition wished to include in the early review stages in order to eventually implement, in a more formal way through the City's planning process, the Tulsa Trails System. He commented that the Coalition would like the endorsement of the TMAPC in order to move through this process allowing the Tulsa Trails an opportunity to ultimately become a part of the Park & Recreation Plan updates, TMATS, and other city planning documents.

After discussion and a question/answer session, Staff clarified that the Coalition was asking that the TMAPC recognize their product in order to become a part of the Comprehensive Plan. Chairman Kempe requested Staff to proceed with review of the Tulsa Trails System plan to see how it would conform to the elements of the Comprehensive Plan in order to offer formal recognition of the Tulsa Trails System. With the consensus of the TMAPC members being supportive of the concept of the Tulsa Trails System, Chairman Kempe requested this topic be set on a Comprehensive Plan Committee agenda in the near future.

NEW BUSINESS:

Mr. Gardner introduced new TMAPC Staff member, Mr. Jay Stump, Director of the Land Development Services Division at INCOG. Mr. Gardner advised Mr. Stump was previously the Director of Membership Services at INCOG, and he reviewed Jay's background and experience in the planning and development field.

There being no further business, the Chairman declared the meeting adjourned at 4:44 p.m.

Date Approved

September 28, 1988

Cherry Kempe
Chairman

ATTEST:

Kevin C. Coutant
Secretary

