

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1845
Wednesday, July 24, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Harris	Gardner	Linker, Legal
Carnes	Wilson	Russell	Counsel
Doherty, 1st Vice Chairman		Stump	
Draughon,		Wilmoth	
Horner			
Midget, Mayor's Designee			
Neely, 2nd Vice Chairman			
Parmeale, Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, July 23, 1991 at 11:56 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmeale called the meeting to order at 1:36 p.m.

Minutes:

Approval of the minutes of July 10, 1991, Meeting No. 1843:

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmeale, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Wilson "absent") to **APPROVE** the minutes of the meeting of July 10, 1991 Meeting No. 1843.

REPORTS:

Mr. Doherty advised that the **Rules and Regulations Committee** will meet following the TMAPC meeting on July 31, 1991. Continued discussion regarding the regulation and definition of dance halls and recreational vehicles will be on the agenda. Prioritization of projects through the end of the summer and early fall will also be covered.

DIRECTOR'S REPORT:

Mr. Gardner advised that two zoning cases were presented to the county on July 22, 1991. Both cases were approved per TMAPC's recommendations.

SUBDIVISIONS:

Sketch Plat Approval:

Southern Pointe Third East 91st Street and South Hudson RS-3

Chairman Parmele advised that the applicant has requested this item be struck from the agenda. There being no interested parties present and with no objection from the Planning Commission the Chairman struck the Sketch Plat Approval for Southern Pointe Third from the agenda.

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PRELIMINARY PLAT:

Forest Meadows (2783) (PD 26) (CD8)

E. 101st Street and S. Irvington Ave. (RS-2)

This tract was recently rezoned from AG to RS-2. A subsurface meeting has also been conducted as well as other pre-platting meetings. The subdivision contains its own on-site drainage facilities. A cul-de-sac on 102nd Place has been provided as requested by Staff and the Department of Public Works. The possibility of a north/south collector street has been discussed, but no decision had been made as of 6/17/91, the agenda preparation date.

The Staff presented the plat with the applicant represented by Phil Smith and Adrian Smith. (Roy Johnsen in later in the meeting.)

Staff advised that prior to the preparation of the agenda, the Department of Public Works (Traffic) had recommended that a collector street be provided in accordance with the Major Street Plan. No specific design was proposed. The applicant's representatives objected to this recommendation. If this requirement is made by the Planning Commission, the applicant should submit a revised layout for review and approval. There were no other objectionable conditions. Staff and Traffic Engineering noted that the collector streets shown on the Major Street Plan map are conceptual and subject to review during the platting process. The recommendation for a collector is consistent with that plan, and the need to expedite traffic flow from the interior of the section to the arterials.

On MOTION of FRENCH, The Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *Forest Meadows* including the provision for a north/south collector and subject to the following conditions:

1. Show a utility easement around the cul-de-sac on 102nd Place and 103rd in order to accommodate a 45' paving radius for cul-de-sac over 300' in length. (per Fire Department) Show the utility easement along 101st as 20-1/2', with the 3' fence easements included. (This will extend the utility easements to the property line, but reserve 3' for fence.

2. Covenants:
Section I. A: Include provisions that no structures are allowed on the easements.
Section I. B: Third line; should reference "Reserve A" [?]
Section II.2: Line 1; after the word "common areas" add (including Reserves A & B)
Section II.8: Add: "Garages on those lots having access to a side street shall be set back a minimum of 20'. The dwelling shall face the most restrictive building line."
Section II.17: Correct typos.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
4. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.
5. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
6. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
7. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
9. Street names shall be approved by the Department of Public Works.
10. All curve data, including corner radii, shall be shown on final plat as applicable.
11. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
12. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
13. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

14. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
15. All (other) Subdivision Regulations shall be met prior to release of final plat.

Staff Recommendation:

Mr. Wilmoth advised that several interested parties were present. He stated that no particular design was submitted for a collector street. Traffic Engineering has recommended that a collector street be provided in accordance with the Major Street and Highway Plan. In response to Mr. Doherty, Mr. Wilmoth commented that a collector street would have 60' of right-of-way and 36' of pavement. All the streets shown on the plat have 50' of right-of-way with 26' of pavement.

Applicant's Comments:

Mr. Roy Johnsen, attorney, was present representing the applicant. He advised that this was a very low density section. The standard street system was designed to accommodate a much higher density than will be found in this section. He presented an overview of the developments in the surrounding area. He commented that only one subdivision in the area contained a collector street with a 60' right-of-way. Two points of access exist in the subdivision.

Interested Parties:

Rosemary Buecker

10222 S. Kingston

Ms. Buecker stated that she was representing Steeple Chase subdivision. A retention pond is being proposed that would back up to Steeple Chase homes. Their major concern is that a large rain could cause the pond to overflow flooding thier homes. They requested that the retention pond be moved farther north past the houses. This could ensure that no flooding would result to those homes bordering the retention pond. She also requested that the fence along the entrance of the subdivision be extended to include the retention pond.

Ronald Horton

10210 S. Kingston

Mr. Horton reiterated Ms. Buecker's comments that the proposed retention pond be moved. If it were moved approximately 320' north of the current location the water would be flow into two existing ditches and then north to 101st Street.

Candyce Arbour

5801 E. 104th St.

Mrs. Arbour lives in the Forest Park III South subdivision which is immediately south of the proposed Forest Meadows. She stated that she was uncomfortable with the addition of a collector street. She was not in favor of connecting the two neighborhoods. Three other new neighborhoods exist that do not have multiple points of access. She commented that their neighborhood already has a collector street. Their subdivision does not have sidewalks and many residents walk along the sides of the streets. She was concerned

that the potential for crime and vandalism would increase with the addition of the collector street.

Jim Arbour

5801 E. 104th St.

Mr. Arbour reiterated the previous comments. He stated they have good access in their neighborhood now and did not feel that there was a need for another collector street.

Tony Stevens

10209 S. Kingston

Dan Woods

10221 S. Kingston

Jane Freeman

5842 E. 98th St.

The above listed persons spoke and stated the concerns previously mentioned.

Applicant's Rebuttal:

Mr. Johnsen stated that if the detention pond were moved, the smaller lots would be placed against Steeple Chase. Mr. Doherty commented this would be contrary to the way it is usually designed and nothing would be gained by moving the detention area.

Mr. Johnsen asked the Planning Commission to consider that only one subdivision has a collector. All the other streets are 26' of paving and 50' of right-of-way.

TMAPC Review Session:

Mr. Doherty commented that the requests that no connection be made between the neighborhoods would not be feasible. Two access points are required for all subdivisions. Therefore another point of access would have to be given to Forest Meadows.

The current street layout would provide access and would sufficiently slow traffic. It was the general consensus that requiring the developer to relocate the detention pond would not be appropriate.

Mr. Carnes moved approval subject to the condition that a 50' right-of-way and 30' pavement be provided for a collector from north to south in the subdivision.

Mr. Stump stated the Public Works Department has asked that if the paving width is 30' the public right-of-way be 54' in order to maintain a standard distance between the curb and the edge of right-of-way for utilities. In response to questions from the Planning Commission, Mr. Wilmoth advised that a waterline is usually placed in the front. This usually involves a city crew who may not check a map. They may just measure 12' from the property line. Mr. Charles Hardt (DPW) has stated concern when the standards are different.

Mr. Neely commented that it would be helpful if a representative from the Department of Public Works would be in attendance to answer questions that may arise regarding such matters.

TMAPC Action; 8 members present:

On MOTION of **CARNES**, the TMAPC voted 7-1-0 (Carnes, Doherty, Horner, Midget, Neely, Parmele, Woodard, "aye"; Draughon "nay"; no abstentions"; Ballard, Harris, Wilson "absent") to **APPROVE** the Preliminary Plat for Forest Meadows subject to the conditions as recommended by TAC and staff and with the condition that a 50' right-of-way, 30' pavement on Hudson Place and those portions of 103rd and 101st Pl. that connect from the entrance and an additional 2' easement on each side for utilities be provided.

* * * * *

Signal Hill II (PUD 458)(1583)(PD 18)(CD 8)

East 85th Street & S. Braden Avenue

(RS-3)

Staff Recommendation:

This is the second phase of this development and conforms to the previously reviewed preliminary overall conceptual plan. Staff noted that the statutory 24.75' right-of-way is shown on the plat. Those lots affected will still have buildable areas.

The Staff presented the plat with the applicant represented by Bill Lewis.

There were numerous additional utility easements needed so this would be coordinated with the TAC members for specific widths and locations.

On MOTION of KOCH, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *Signal Hill II*, subject to the following conditions:

1. On face of plat show "Private" on all the streets within the plat. Show a building line 95' from centerline of existing South Yale (PUD requirement). Show centerline of South Yale.
2. On those lots with 15' side yards abutting a side street show a * and the following note on the face of plat: "*Note: Garages having access to a side street must set back 20 feet". (This has been requested by Building Inspection, even though this is covered within the covenants and restrictions on the written part of the plat.)
3. Covenants:
 - (a) Page 1; last paragraph - name of plat "Signal Hill II"
 - (b) Page 5; second paragraph-(5) correct lot/block numbers.
 - (c) Page 8; A.3.: Change lot total to 55 to fit this plat.
 - (d) Page 8; A.5.: Omit; no "Reserve B"
 - (e) Page 16; Section IV. A. .. Correct references to text. (There is no Section "J")
 - (f) Page 17; Section IV. C. make sure referenced letters fit text.

4. All conditions of PUD 458 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code, in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property lines and/or lot lines.
6. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants.
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).
11. A topo map shall be submitted for review by the Technical Advisory Committee (Subdivision Regulations). Submit with drainage plans as directed.
12. Street names shall be approved by the Department of Public Works and shown on plat followed by word "Private".
13. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
14. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
15. The key or location map shall be complete. (Up-date with new subdivisions.)

16. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
17. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Wilmoth advised that the applicant was in agreement with the staff recommendation.

TMAPC Action; 8 members present:

On MOTION of **MIDGET**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no abstentions"; Ballard, Harris, Wilson "absent") to **APPROVE** the Preliminary Plat for Signal Hill II subject to the conditions as recommended by staff.

* * * * *

PUD 369-3 Cedar Ridge Park Third
 Minor Amendment for front and rear yards on lots
 abutting the Mingo Valley Expressway
 East 96th St. S. and S. 92nd E. Ave.

Staff Recommendation:

The applicant is requesting that the required front yards on Lots 6 thru 26, Block 1 of Cedar Ridge Park Third be reduced from 25' to 20'. These are the lots which abut the Mingo Valley Expressway. The reduced required front yards would be consistent with the reduction recently approved in Cedar Ridge Park Second immediately to the east. Staff recommends APPROVAL of the reduced required front yards for the lots listed above.

The second request is to reduce from 30' to 20' the required rear yard on Lots 22 thru 26, Block 1 because these lots have less depth than others which abutting the expressway. Staff does not feel such a reduction is justified for Lot 22 because it is virtually the same depth as the full size lots. The other lots gradually become shorter. Staff examined plans for the Mingo Valley Expressway and found that the expressway will be 12' to 19' below existing adjacent grade behind Lots 23 thru 26. There was also additional right-of-way taken on this side of the expressway so that if the required rear yard is reduced to 25' on Lots 23 and 20' on Lots 24, 25 and 26, homes will not be any closer to the driving surface of the expressway than those the west with 30' rear yards. Therefore, Staff recommends APPROVAL of a reduction of required rear yards to 25' on Lot 23 and 20' and Lots 24, 25 and 26 all i Block 1 and DENIAL of a reduction in required rear yard for Lot 22, Block 1.

Cedar Ridge Park Third (PUD 369) (2483) (PD18) (CD8)
East 95th Street and South 89th East Avenue

(RS-3)

This is the second phase of this PUD and conforms with all the conditions of PUD 369 as amended, with one exception. The front building line along those lots backing to the Mingo Valley Expressway show 20' on this plat. However, PUD 369-2 amended only those lots backing to the expressway in Cedar Ridge Park Second. Therefore, another amendment will be required for this last phase of development. (May be pending at the same time preliminary plat is scheduled for TMAPC review, 7/24/91). The 30' rear building line abutting the expressway was approved for the entire PUD and this plat complies with that setback.

The Staff presented the plat with the applicant represented by Dwight Claxton, Jerry Ledford and Jerry Ledford Jr.

Staff advised TAC that this plat was in conformance with the overall preliminary plat for the entire area approved in 1983. (A copy of the master plan was provided from the microfilm file.) The plat contains the collector streets as previously approved and platted. These collectors meet the requirements of the Major Street Plan. Traffic Engineering stated, for the record, that they would prefer a break in the east/west collector in this quarter section. However, the collector has already been platted and approved by TMAPC and the TAC so there is no recommended changes in this current plat or the plats already filed of record. When the tract to the west develops, an offset in the collector street (96th Street) immediately west of this plat, will be required. Much higher densities were allowed in the PUD to the west so if a land use that is not compatible with single-family homes is constructed, there is a possibility that this street may not be tied in. This information is only for the record, and does NOT affect the current plat being reviewed.

TAC and Staff advised that improvement of the existing 96th Street platted right-of-way would be required as a condition of approval through a PFPI. (This may be previously approved PFPI with the plat to the south or one to be approved with this plat. Mr. Claxton advised that the remaining portion of platted lots south of 96th were also going to be developed soon.

On MOTION of MILLER, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of Cedar Ridge Park Third, subject to the following conditions:

1. Plat is drawn at a 1"=60' scale, but the Subdivision Regulations specify 1"=100' or 1"=50'. Due to the small size of the lots and details required, Staff recommends approval of the scale as submitted. (The larger scale will microfilm much better also.)
2. On face of plat where 15' side street building lines are shown, show an "*" on the drawing and a note on the face of plat as follows: "*Note: Garages that have access to a side street must be set back 20 feet." (Although this is in covenants, Building Inspection has requested this be shown on face of plat.)
3. Covenants:
Section II; first paragraph: Correct PUD number 369 not 360
Section II; 2.2: Check total number in PUD. (actual lots platted total, both phases totals 163. 185 dwelling units are allowed by the PUD.
Section III; D: Reference made to drainage easement. Show on plat, or if none, omit this paragraph or as directed by the Department of Public Works (Stormwater Mgt.)
4. All conditions of PUD 369 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code, in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property lines and/or lot lines.
6. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat.
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owners(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division).

11. Street names shall be approved by the Department of Public Works and shown on plat.
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the Department of Public Works (Traffic) (Show LNA along the expressway).
13. It is recommended that the developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
14. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
15. The key or location map shall be complete.
16. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
17. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Roy Johnsen, attorney for the applicant, stated they were in agreement with the staff recommendation.

TMAPC Action; 7 members present:

On MOTION of **WOODARD**, the TMAPC voted 7-0-0 (Carnes, Doherty, Draughon, Horner, Midget, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Neely, Wilson "absent") to **APPROVE** the Preliminary Plat for Cedar Ridge Park III and to **APPROVE** Minor Amendment 369-3 to reduce the required rear yards to 25' on Lot 23 and 20' on Lots 24, 25 and 26 all in Block 1 and to **DENY** a reduction in the required rear yard for Lot 22, Block 1 per staff recommendation.

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FINAL APPROVAL AND RELEASE:

Pecan Chase (PUD 431) (2783)
 East 101st and South Maplewood Avenue

RS-3

Staff Recommendation:

All releases have been received. Final approval and release is recommended.

TMAPC Action; 8 members present:

On MOTION of **DOHERTY**, the TMAPC voted 7-0-0 (Carnes, Doherty, Draughon, Horner, Midget, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Neely, Wilson "absent") to **APPROVE** the Final Plat for Pecan Chase RELEASE same as having met all conditions of approval.

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REQUEST FOR MODIFICATION OF SET-BACK FROM OIL WELL:

Gilcrease Hills, Village II Blk. 26
West Queen Street and North Tacoma Avenue

RM-1

Staff Recommendation:

Mr. Wilmoth advised that he spoke with Mr. Roy Johnsen, attorney for the applicant, and a continuance until August 7, 1991 was being requested.

TMAPC Action; 8 members present:

On MOTION of **DOHERTY**, the TMAPC voted 8-0-0 (Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Wilson "absent") to **CONTINUE** the Request for Modification of Set-Back from Oil Well until August 7, 1991, Francis F. Campbell City Council Room, Plaza Level, Civic Center, 1:30 p.m.

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LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17431 (2793)	Williams	4600 Block South Yale
L-17433 (293)	Woods	South Side Admiral Pl, East of 114th East Avenue
L-17435 (1893)	Woolman	2172 East 27th Street

TMAPC Action; 7 members present:

On MOTION of **WOODARD**, the TMAPC voted 7-0-0 (Carnes, Doherty, Draughon, Horner, Midget, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Neely, Wilson "absent") to **RATIFY** the above listed lot splits having received prior approval.

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REQUEST TO RESCIND PRIOR APPROVAL:

L-17417 2600 South Boston

Staff Recommendation:

Chairman Parmele advised that the applicant has requested a thirty day continuance to allow time to meet with the neighborhood.

TMAPC Action; 8 members present:

On MOTION of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Draughon, Horner, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Wilson "absent") to **CONTINUE** the Request to Rescind Prior Approval for L-17417 until August 14, 1991 at 1:30 p.m., Francis F. Campbell City Council Room, Plaza Level, Civic Center.

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ZONING PUBLIC HEARING

Application No.: **CZ-192** Present Zoning: RE
Applicant: **Thomas** Proposed Zoning: IL
Location: NE/c E. 68th St. N. and Mingo Valley Expressway
Date of Hearing: July 24, 1991
Presentation to TMAPC: Mr. Bob Thomas, 7841 N. 131st E. Ave, 74055

Relationship to the Comprehensive Plan:

The Owasso Comprehensive Plan designates the subject tract High Intensity --Special District 4, and recommends Industrial PUD's.

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

Staff Recommendation:

Site Analysis: The subject tract is approximately 1.5 acres in size and is located at 6835 North 115th East Avenue. It is partially wooded, flat, contains two vacant buildings, trailer storage and a single-family dwelling and is zoned RE.

Surrounding Area Analysis: The tract is abutted on the north by various industrial uses zoned IL; on the east by vacant property and single-family dwellings zoned RE; on the south by vacant property zoned IL; and on the west by the Mingo Valley Expressway zoned AG.

Zoning and BOA Historical Summary: Light industrial zoning has been approved in the area of the subject tract.

Conclusion:

Staff finds the request to be consistent with the existing zoning patterns and development in the area. Staff views the request as a continuation of orderly transition to light industrial. If the property is to be used to a greater intensity than light industrial, then a PUD should be required.

Therefore, Staff recommends **APPROVAL** of IL zoning for CZ-192 as requested.

Comments & Discussion:

Mr. Stump advised that in the original proposal and publication of notice Lots 2, 3, 4 and 5 were being considered. The applicant had been in the process of negotiating the purchase of Lots 4 and 5, but has not purchased them. Therefore, he has asked that only Lots 2 and 3 be considered.

Mr. Steve Compton was present representing the City of Owasso Planning Commission. Mr. Compton clarified the land usage in the area. He stated that for 2 1/2 miles the frontages have been very consistent with a mixture of light industrial, general commercial and general shopping type uses. He pointed out that throughout the distance there is a backing relationship between the commercial and residential uses. All that remains are the two pieces of property that are yet to be rezoned in any matter other than residential. The applicant has requested IL zoning. The Owasso Planning Commission staff had recommended approval of the zoning. A referral meeting was held and many protestants testified. The Owasso Planning Commission then made a recommendation for denial. He commented that the protestants at the Owasso hearing questioned why the applicant was asking for an industrial zoning when the present and proposed use would be allowed in a commercial district.

Applicant's Comments:

Mr. Bob Thomas 7841 N. 134th St. E., Owasso
Mr. Thomas advised that he operates a U-Haul business on the property. He also sells firewood during the winter and has firewood stacked on the back of his property.

Interested Parties:

Fred Morgan 16120 E. 100th St. N.
Mr. Morgan stated he is attempting to rent the property from Mr. Thomas. He would like to operate a car dealership on the property. He further stated that the use of the property would not really change.

Janice Gaylord

11618 E. 69th St. N.

Ms. Gaylord presented letters of opposition from the following persons:

Mr. Robert Barnes
Mr. and Mrs. L. C. Eckenrode
Ms. Kathy Matthews

Their concerns were that this usage will increase noise, traffic and further devalue their property.

Ms. Gaylord commented that she was here on behalf of David Reader, Mr. and Mrs. Robert Barnes, Lonnie Bewel, Joyce Snyder, Walter Don Kerr, Molly Fisher, Andria Reader, Charlene Kerr, Lori Valminech, Dana Nance, Steve Valminech, Nelson Matthews, Cleo Laxton, Nora and Manual Pennero, Wayne Gaylord, Ronald Nance, Kathy Matthews, Velma Leach, Richard Leach, Joe and Johnny Durk.

She stated that any approval of industrial uses would be detrimental to their purpose. She realized that the current legal uses of the surrounding properties cannot be stopped, but requested that the spreading of such uses be stopped. She advised that they would vigorously pursue a revision of the Comprehensive Plan in keeping with the residential growth in the area.

Ms. Gaylord recognized that Mr. Thomas was not trying to put an industrial use on the property, but nothing would stop the next person from doing such if it is zoned industrial light.

Dan Salts

11505 East 68th St. N.

Mr. Salts advised that his property abuts the subject at hand. He commented that Mr. Thomas runs a very clean business. He asked the Planning Commission to consider the concerns of neighbors. His concern was that there are a lot of children in the area and this should be considered.

TMAPC Review Session:

Mr. Doherty asked Steve Compton to clarify the many comments regarding requests of the Owasso Planning Commission to update their Comprehensive Plan. Mr. Compton stated that the request had been made at the last Owasso Planning Commission meeting and was being considered. At this time no updates were in process.

TMAPC Action; 8 members present:

On MOTION of HORNER, the TMAPC voted 7-0-0 (Ballard, Carnes, Doherty, Draughon, Horner, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Ballard, Harris, Neely, Wilson "absent") to RECOMMEND APPROVAL to the Board of County Commissioners of IL Zoning for Lots 2 and 3 in CZ-192 as recommended by staff.

Legal Description:

IL Zoning: The south half of Lot 2 less the west 128.3' for highway and all of Lot 3, less the west 128.3' for highway, Jonesville Addition to the County of Tulsa, Oklahoma.

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CONTINUED PUBLIC HEARING

PUBLIC HEARING TO AMEND THE CITY OF TULSA ZONING CODE AS IT RELATES TO THE DEFINITION AND REGULATION OF DANCE HALLS

Chairman Parmele commented the Rules and Regulations Committee has met regarding this matter. There was no recommendation at this time.

Interested Parties:

Eugene Colleoni

1534 S. Delaware

Mr. Colleoni commented that the City of Boston had found an effective method for regulating noise which could be used as an example. He stated that the regulation of sound should be addressed.

John Willis

Mr. Willis advised that he had done some research regarding sound levels. He commented that most of the dance halls causing a problem had a dance floor in excess of 600 sf. In some cases they are in excess of 2000 sf. The source of the noise problem seems to be in large dance halls. He measured sound levels to see what setbacks would be beneficial. It was his opinion that a distance setback of 500' will not help much.

An additional point of concern was that presently night clubs are allowed in commercially zoned areas. He asked that consideration be given to granting the right to place dance halls in industrial areas. It is becoming difficult to find a location for dance halls.

Mr. Willis commented that a sound ordinance would be a better way to regulate this problem.

TMAPC Review Session:

Mr. Carnes commented that he felt the problem was noise and not the size or location of the dance halls. He recommended that it be recommended to the City Council that a noise ordinance be enacted to control the noise. If the noise was controlled there may not be a need for zoning changes.

Mr. Doherty suggested that the public hearing be continued to allow the Rules and Regulations committee to meet again.

Mr. Gardner commented that two issues were at hand. The first being noise and the second being the other problems that arise from a late night dance hall.

TMAPC Action; 6 members present:

On MOTION of **DOHERTY**, the TMAPC voted **6-0-0** (Ballard, Carnes, Doherty, Horner, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Draughon, Harris, Midget, Neely, Wilson "absent") to **CONTINUE** the public hearing regarding the regulation of dance halls until August 7, 1991 at 1:30 p.m., Plaza Level, Civic Center.

* * * * *

OTHER BUSINESS:

PUD 388-A: Development Area A -- Detail Site Plan, west of the northwest corner of E. 71st Street South and South Trenton Avenue

Staff has reviewed the Detail Site Plan for Taco Bell restaurant in Development Area A and finds it to be in conformance with the PUD conditions. The floor area of the building is 2598 SF, with the lot containing 7676 SF of landscaped open space (21% of the tract). The tract contains 52 parking spaces. A location for a ground sign is shown on the site plan, but should not be approved at this time because the ground sign on the Braum's site to the east has not been finalized. If the Braum's sign is moved to the west to meet setback requirements from a residential area, it could be less than the required 100' from the Taco Bell ground sign.

Therefore, staff recommends **APPROVAL** of the Detail Site Plan for Development Area A, excluding the location of any ground sign.

TMAPC Action; 7 members present:

On MOTION of **DOHERTY**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Midget, Neely, Wilson "absent") to **APPROVE** the Detail Site Plan for PUD 388-A as recommended by staff.

* * * * *

Z-5620-SP-1 Minor amendment to a corridor site plan to reduce required building setbacks --- Sunchase Apartments North east corner of East 93rd Street South and South Memorial Drive

The applicant is requesting a minor amendment to Corridor Site Plan Z-5620-SP-1 to reduce the building setback from the centerline of 93rd Street from 55' to 54' and from the east property line from 70' to 69'.

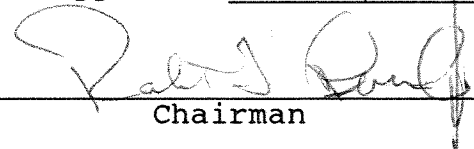
These changes are to accommodate five existing apartment buildings which were built closer than the setback allows. Staff finds this amendment to be in keeping with the original intent of the approved corridor site plan and therefore recommends **APPROVAL**.

TMAPC Action; 7 members present:

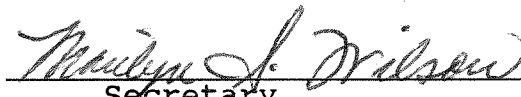
On MOTION of **CARNES**, the TMAPC voted **7-0-0** (Ballard, Carnes, Doherty, Draughon, Horner, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Harris, Midget, Neely, Wilson "absent") to **APPROVE** the Corridor Site Plan Z-5620-SP-1 to reduce the building setback from the centerline of 93rd Street from 55' to 54' and from the east property line from 70' to 69' as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 4:24 p.m.

Date Approved: 8-7-91


Chairman

ATTEST:


Secretary