

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1885
Wednesday, May 27, 1992, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Ballard	Wilson	Gardner	Linker, Legal
Broussard		Hester	Counsel
Secretary		Stump	
Buerge		Wilmoth	
2nd Vice			
Chairman			
Carnes			
Doherty, Chairman			
Horner			
Midget, Mayor's			
Designee			
Neely			
Parmele, 1st Vice			
Chairman			
Selph			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, May 26, 1992 at 11:51 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:34 p.m.

Minutes:

Approval of the minutes of May 13, 1992, Meeting No. 1883:

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Ballard, Broussard, Buerge, Doherty, Horner, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Carnes, Midget, Wilson "absent") to **APPROVE** the minutes of the meeting of May 13, 1992 Meeting No. 1883.

REPORTS:

Chairman's Report

Chairman Doherty made the following Committee assignments Bob Parmele, Rules and Regulations Committee Chairman; Jack Neely Comprehensive Plan Committee Chairman (until the District 26 collector street issue is resolved); and Marilyn Wilson, Budget and Work Program Chair.

Budget and Work Program Committee

Mr. Horner reported it was the consensus of the Budget and Work Program Committee to present to the Planning Commission the revised budget for FY 93 for their review.

Chairman Doherty urged all the Planning Commissioners to examine the FY 93 budget and explained there is the possibility of severe reductions and advised that programs and services may need to be cut.

Comprehensive Plan Committee

Mr. Neely announced the Comprehensive Plan Committee will meet June 3, 1992 at the conclusion of the TMAPC meeting in room 1102, City Hall, to review the District 26 Comprehensive Plan as relates to the requirement to extend Harvard Avenue as a residential collector street to 101st Street South.

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ZONING PUBLIC HEARING

Application No.: CZ-199 Present Zoning: RE
Applicant: Ronald D. Cates Proposed Zoning: IL
Water Products of OK, Inc.
Location: South of the southwest corner of 76th Street North & 117th E. Ave.
Date of Hearing: May 27, 1992
Presentation to TMAPC: Ronald D. Cates

Relationship to the Comprehensive Plan:

The Owasso Comprehensive Plan designates the subject property Rural Residential and High Intensity Industrial with a buffer area in between.

According to the Zoning Matrix the requested IL District is not in accordance with the Plan Map for Rural Residential and is in accordance with the Industrially planned area.

Staff Recommendation:

Site Analysis: The subject tract is approximately 2.8 acres in size and is located south of the southwest corner of 76th Street North and 17th E. Avenue. It is nonwooded, flat, contains a water products industry, and is zoned RE.

Surrounding Area Analysis: The tract is abutted on the north by industry and vacant land zoned IL; on the east by single-family dwellings zoned RE; on the south by single-family dwellings and vacant land zoned RE; and on the west by industrial uses zoned IL.

Zoning and BOA Historical Summary: The tracts adjacent to the frontage road of the Mingo Valley Expressway have been rezoned to IL.

Conclusion: The IL zoning for the western portion of the tract appears to be appropriate if the owner has access to the frontage road to the west. If access is to be from 117th East Avenue the use is incompatible with the residential uses on both sides of 117th Avenue. The 40' wide corridor extending from the tract to 117th East Avenue should not be rezoned IL.

Therefore, staff recommends **APPROVAL** of the SW/4 of the SE/4 of the NW/4 of the NW/4 of 32-21-14 for IL *if access to the frontage road is obtained* and **DENIAL** of IL on the remainder.

TMAPC Comments

Chairman Doherty announced receipt of a letter from Mr. Ronald D. Cates, applicant, requesting a continuance to allow for additional time to clear up an access problem. Chairman Doherty advised there is some question as to the timeliness of the request. He suggested, given the number of interested parties present, that comments be received.

Applicant's Comments

Mr. Cates advised that on Friday he had contacted INCOG for purposes of requesting a continuance due to his client negotiating with adjacent property owners to obtain an easement or fee simple title a tract to provide ingress/egress to the subject tract from the frontage road. He feels obtaining this ingress/egress would be a condition on rezoning of any portion of this tract. Mr. Cates advised the applicant would withdraw the application if he is unable to obtain the necessary easements staff is requiring for approval.

There was discussion among the Planning Commissioners as to the timeliness of the request for continuance and whether interested parties should be heard before deciding on a continuance.

Interested Parties

Jay Baker

1850 South Boulder

Mr. Baker was present representing Carolyn Kirkwood who owns a 2½ acre tract east of the subject property. He expressed Mrs. Kirkwood's agreement with staff recommendation and has no objection to a continuance under the condition stated by the Mr. Cates.

Ronnie Young

7272 North 117th East Avenue, Owasso 74055

Mr. Young resides south of Water Products and advised the applicant has talked with him regarding access to the subject tract and has no objection to a continuance.

There was discussion to determine the length of continuance and it was decided to continue the application to June 10, 1992.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Midget, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Wilson "absent") to **CONTINUE** CZ-199 to June 10, 1992.

Jan Gaylord

11618 E. 69th Street North, Owasso 74055

Ms. Gaylord expressed concern over lack of review of the Comprehensive Plan in this area. She declared industry is encroaching into her neighborhood and pointed out this is the third instance in a year's time. She expressed concern over encroachment of light industrial uses and the threat to safety of residents and cited examples where safety had been compromised. Ms. Gaylord asked that a zoning moratorium be placed on the area.

Mr. Doherty disclosed concern over the Comprehensive Plan for this area is shared by the Budget and Work Program Committee; however, due to a reduction in County funding the Planning Commission must determine which programs will need to be cutback.

There was discussion of a preliminary review of this area and Mr. Doherty explained under what instances a moratorium could be placed on an area.

Mr. Midget urged the Planning Commission to make a preliminary study of the area.

Chairman Doherty suggested Ms. Gaylord contact County Commissioner Lewis Harris about her concerns and he assured her the Planning Commission will do all they can to help alleviate this problem.

Listed below are the names of the individuals in attendance concerned over application CZ-199.

Jan Gaylord	11618 E. 69th St. N., Owasso, OK	74055
Jean Bull	11529 E. 69th St. N., Owasso, OK	74055
Jo Dirck	11716 E. 69th St. N., Owasso, OK	74055
Carolyn Lang	7104 N. 117th E. Ave., Owasso, OK	74055
Carolyn Kirkwood	7323 N. 117th E. Ave., Owasso, OK	74055
Donald L. McPeninch	12526 E. 7th St., Tulsa, OK	74128
James F. Williams	7430 N. 117th E. Ave., Owasso, OK	74055
Paul A. Young	7110 N. 117th E. Ave., Owasso, OK	74055
Ronald Young	7272 N. 117th E. Ave., Owasso, OK	74055
Betty Kirkwood	303 N. Beaumont, Owasso, OK	74055
David Reeder	7202 N. 117th E. Ave., Owasso, OK	74055
Mike Augustine	207 S. Cedar, Owasso, OK	74055
Jon Kirkwood	8303 N. 123rd E. Ave., Owasso, OK	74055
Kathy Mathews	11520 E. 69th St. N., Owasso, OK	74055

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ZONING PUBLIC HEARING

Application No.: PUD 478-A Present Zoning: RS-4
Applicant: Joe Westervelt
Location: North side of 15th Street South at Owasso Avenue
Date of Hearing: May 27, 1992

The applicant is requesting to delete from PUD 478 a tract in the northeast portion of the PUD so that it may be used for off-street parking rather than single-family dwellings as originally proposed. The tract is immediately adjacent to the Broken Arrow Expressway on the north, and its topography make it susceptible to a good deal of noise from the expressway. With the commercial businesses on the east, parking on the site is a reasonable use if properly buffered from the residential uses in the remainder of the PUD. Since the tract was originally planned to contain dwellings, staff feels the maximum number of dwelling units in PUD 478-A should be reduced from 24 to 23.

An added condition of the PUD should be to require a screening fence on the *south and west sides of the tract to be excluded from the PUD* to be of compatible style with other screening fencing in the PUD. With the above mentioned changes and all other previous conditions of PUD 478 applying to PUD 478-A, staff recommends **APPROVAL** of PUD 478-A.

and

ZONING PUBLIC HEARING

Application No.: Z-6360 Present Zoning: RS-4
Applicant: Joseph M. Westervelt Proposed Zoning: PK
Location: North of the northeast corner of 14th Place South and Owasso Avenue
Date of Hearing: May 27, 1992

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special Consideration Area -- Cherry Street Area F for Low Intensity Office Use.

According to the Zoning Matrix the requested PK District may be found in accordance with the Plan Map. All zoning districts are considered may be found in accordance with Special Districts guidelines.

Staff Recommendation:

Site Analysis: The subject tract is approximately 1/3 acre in size and is located north of the northeast corner of 14th Place South and Owasso Avenue. It is partially wooded, gently sloping, vacant and is zoned RS-4 and PUD 478.

Surrounding Area Analysis: The tract is abutted on the north by the Broken Arrow Expressway zoned RS-4 and PUD 478; on the east by commercial businesses zoned CH; and on the south and west vacant property zoned RS-4 and PUD 478.

Zoning and BOA Historical Summary: The area has been approved for offices, then single-family dwellings and now is proposed for parking.

Conclusion: Because of the tract being immediately adjacent to the Broken Arrow Expressway, and CH to the east, its use as parking appears appropriate if properly buffered to the south and west by the conditions of PUD 478-A.

Therefore, Staff recommends **APPROVAL** of Z-6360 for PK zoning conditioned upon approval of PUD 478-A.

Staff Comments

Mr. Gardner explained there was one single family house that would have been built adjacent to the expressway, but everything west of that is all open space. The applicant is requesting this particular tract be zoned for parking on Peoria Avenue for a future commercial restaurant use on Peoria Avenue.

Applicant's Comments

The applicant expressed agreement with staff recommendation and requested early transmittal.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Midget, Wilson "absent") to recommend **APPROVAL** of the Major Amendment to PUD 478-A and Z-6360 for PK zoning and early transmittal.

Legal Description PUD 478-A

Part of Blocks 9, 10, 14, 15, 16, Broadmoor Addition to the City and County of Tulsa, Oklahoma, according to the recorded plat thereof, more particularly described as follows: Beginning at the SW corner of Lot 5, Block 14, thence N 01°08'56" W along the west line of Lots 3, 4 and 5, Block 14 a distance of 161.39' to the NW/c of said Lot 3; thence S 88°55'32" W along the south line of said Lot 9 a distance of 125.00' to the SW/c of said Lot 9; thence N 01°08'56" W along the west line of Lots 9 and 10 of Block 14 a distance of 73.36'; thence N 70°15'42" E a distance of 268.77'; thence N 61°15'28" E a distance of 312.50'; thence N 56°14'15" E a distance of 128.17'; thence N 77°29'18" E a distance of 315.62'; thence S 03°29'16" E a distance of 105.76'; thence N 88°59'31" E a distance of 0.35'; thence S 03°17'06" E a distance of 146.05'; thence S 28°53'18" W a distance of 17.38' to a point on the south line of Lot 5, of said Block 9; thence S 88°59'51" W along the south line of said Lot 5 a distance of 130.80' to the SW/c of said Lot 5; thence S 01°47'25" E along

the east line of Lots 7, 8, 9 and 10 of said Block 16 a distance of 270.19' to the SE/c of Lot 7; thence S 88°55'32" W along the south line of said Lot 7 a distance of 180.00' to a point on the centerline of a dedicated public way known as Owasso Avenue; thence S 01°49'34" E along said centerline a distance of 61.00' to a point on the south line of said Blocks 15 and 16; thence S 88°55'32" W along the said south line of said Block 14 and 15 a distance of 518.46' to the SW/c of said Lot 5, Block 14 to POB, less Lots 1-5, Block 9, Broadmoor Addition, less and except beginning at the intersection of the north R/W line of East 15th Street South and the centerline of S. Owasso Avenue, thence N 0°47'04" W along the centerline of S. Owasso Ave. a distance of 61.05' to a point; thence N 0°44'35" W continuing along said centerline a distance of 474.88' to a point on the present right-of-way of the Broken Arrow Expressway; thence N 77°29'18" E along said expressway right-of-way, a distance of 26.92' to the Point of Beginning; thence N 77°29'18" E continuing along said right-of-way a distance of 158.37'; thence S 0°44'22" E a distance of 118.78'; thence S 88°58'30" W a distance of 155.05'; thence N 0°44'35" W a distance of 87.23' to the point of beginning, said tract containing 15,971 square feet or 0.366 acres, more or less.

Legal Description Z-6360

Beginning at the intersection of the north R/W line of East 15th Street South and the centerline of South Owasso Avenue, thence N 0°47'04" West along the centerline of S. Owasso Avenue a distance of 61.05' to a point; thence N 0°44'35" W continuing along said centerline a distance of 474.88' to a point on the present right-of-way of the Broken Arrow Expressway; thence N 77°29'18" E along said expressway right-of-way, a distance of 26.92' to the point of beginning; thence N 77°29'18" E continuing along said right-of-way a distance of 158.37'; thence S 0°44'22" E a distance of 118.78'; thence S 88°58'30" W a distance of 155.05'; thence N 0°44'35" W a distance of 87.23' to the Point of Beginning, said tract containing 15,971 square feet or 0.366 acres, more or less.

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SUBDIVISIONS

FINAL APPROVAL AND RELEASE

The Estates of Forest Park (3483) (PD-26) (CD-8) (RS-2)
East 114th Place and South Hudson Avenue

Staff Comments

Mr. Stump advised that all releases have been received and staff was recommending approval.

There were no interested parties present.

TMAPC Action; 9 members present:

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Midget, Wilson "absent") to APPROVE the Final Plat of The Estates of Forest Park and RELEASE same as having met all conditions of approval as recommended by staff.

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Holland Lakes II (PUD 457-1 (1083) (PD-18) (CD-8) (RS-3)
East 81st Street and South Fulton Avenue

Staff Comments

Mr. Stump advised that all releases have been received and staff was recommending approval.

There were no interested parties present.

TMAPC Action; 9 members present:

On MOTION of PARMELE, the TMAPC voted 9-0-0 (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Midget, Wilson "absent") to APPROVE the Final Plat of Holland Lakes II and RELEASE same as having met all conditions of approval as recommended by staff.

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OTHER BUSINESS

Z-6357-SP-1 Omega Development Corporation
NE/c of East 71st Street South and South Mingo Road

The applicant has submitted a Corridor Site Plan and Text for that portion of PUD 489 zoned CO. It is his intent to provide a generalized description and site plan for the proposed shopping

center and allow detailed review by the TMAPC of the final design of buildings, landscaping, and signs under the PUD Detail Plan review process. Staff can support this process which was successful on the abutting tract to the east and at other locations.

Therefore, Staff recommends **APPROVAL** of the Corridor Site Plan and Text subject to meeting all PUD 489 conditions for Detail Site, Sign, and Landscape Plan review and approval.

Staff Comments

Mr. Gardner pointed out the access road that was required for the project to the east is a dedicated collector street and there is access on the northeast portion of the subject property in two locations. He noted that in the future there will probably be a light added on that collector street for better turning movements into the intense development that will be on either side.


There were no interested parties present.



TMAPC Action; 9 members present:

On **MOTION** of **PARMELE**, the TMAPC voted **9-0-0** (Ballard, Broussard, Buerge, Carnes, Doherty, Horner, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Midget, Wilson "absent") to **APPROVE** the Corridor Site Plan and Text for Z-6357-SP-1 subject to staff recommendation.

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There being no further business, the Chairman declared the meeting adjourned at 2:05 p.m.

Date Approved: 6/10/92

Chairman

ATTEST:

Secretary

Vice Chairman

