

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2078

Wednesday, August 14, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Carnes, Chairman
Dick
Doherty, 1st Vice Chairman
Gray
Horner
Ledford
Pace, Secretary

Members Absent

Boyle
Edwards
Midget

Staff Present

Almy
Gardner
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the County Clerk on Monday, August 12, 1996 at 12:30 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:35 p.m.

REPORTS:

Committee Reports:

Comprehensive Plan Committee

Mr. Ledford informed the Commissioners that the Comprehensive Plan Committee will meet on August 21, 1996 to discuss Housekeeping Amendments, 1996, which were included in the agenda packet, and the Charles Page Boulevard Area Neighborhood Revitalization Plan.

Rules and Regulations Committee

Mr. Doherty stated that he attended the City Council Committee Meeting, held on August 13, 1996, and the Committee recommended to the City Council that Joe Westervelt be appointed to the TMAPC.

Mr. Doherty reported on the editorial in the Sunday, August 11, 1996 Tulsa World on apartments and single-family residences.

Director's Report:

Mr. Gardner stated there are seven zoning items listed on the August 15, 1996 City Council agenda. Mr. Gardner informed the Commission that the Zoning Code amendments for multifamily/apartments has been tentatively set for September 18, 1996.

SUBDIVISIONS:

Final Approval:

Honey Creek (PUD 523)(1383)

(PD-18)(CD-8)

South of the southeast corner of East 81st Street South & South Memorial Drive

Staff Comments:

Mr. Stump stated that all release letters have been received and all requirements have been met. Staff recommends approval subject to Legal's approval as to form.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-1** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Pace "aye"; no "nays"; Ledford "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** the Final Plat for Honey Creek (PUD 523) subject to Legal's approval as to form.

Change of Access on Recorded Plat:

Bradford Addition (1994)

(PD-17)(CD-5)

10142 East 31st Street South

Staff Comments:

Mr. Stump stated this is a request for a change of access to add an access point on 31st Street. The City Traffic Engineer recommends approval of the request. Staff also recommends approval of the change of access.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** the Change of Access on Recorded Plat for Bradford Addition as recommended by staff.

Lot-Split for Ratification of Prior Approval:

L-18328 Bill & Charlotte Pulliam (1923) 15350 North Lewis, Skiatook

L-18333 City of Tulsa (283) 6973 East 71st Street

L-18334 City of Tulsa (694) 10865 East Admiral Place

Staff Comments:

Mr. Stump informed the Commission these lot-splits for ratification of prior approval are in order and meet Subdivision Regulations. Therefore, staff recommends approval.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** the Lot-Splits for Ratification of Prior Approval, finding them in accordance with Subdivision Regulations.

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6541

AG to RS-2

Applicant: Greg Breedlove

(PD-26)(CD-8)

Location: South side of 116th Street South at Granite Avenue

Presented to TMAPC: Greg Breedlove

Staff Comments:

Mr. Stump informed the Commission that this item was continued earlier to allow time for the applicant to file a PUD. The PUD has been filed and is scheduled to be heard September 11, 1996.

TMAPC Comments:

Mr. Carnes informed the Commission that a request for continuance to September 11, 1996 has been received.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **CONTINUE** the Zoning Public Hearing for Z-6541 to September 11, 1996.

ZONING PUBLIC HEARING:

Application No.: CZ-227

Applicant: Stephen D. Carr

Location: Southeast of East 101st Street & South Garnett

Presented to TMAPC: Stephen D. Carr

AG to RE/CO
(PD-19)(County)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 19 Plan, a part of the Broken Arrow Comprehensive Plan, designates the northwest corner of the subject tract as Low Intensity - Residential with the balance being in the floodplain.

According to the Zoning Matrix the requested RE **is in** accordance with the Plan Map but the requested CO zoning **is not in** accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 25 acres in size, and located south of East 101st Street South and east of South Garnett Road. It is gently sloping, wooded, vacant and zoned AG. All of Tract I is within the regulatory flood plain of Haikey Creek. The southwest portion of Tract II is within this same flood plain. Neither tract has frontage on a public street.

Surrounding Area Analysis: The subject tract is abutted on the north, south and west by vacant property, zoned AG; and to the east by vacant property within the Broken Arrow City Limits.

Zoning and BOA Historical Summary: The most recent rezoning action in the area was in 1986 which approved CS zoning of 5.8 acres located on the southeast corner of East 101st Street South and South Garnett Road.

Conclusion: The October 1995 Tulsa Metropolitan Area Major Street and Highway Plan shows the proposed Broken Arrow Expressway Loop going through Tract I. The Tulsa Metropolitan Area Development Guidelines and Development conditions recommend that only land situated adjacent to a developed freeway or freeways where the right-of-way has been acquired be considered for CO zoning. In addition the tract proposed for CO zoning is entirely within a floodplain, has no street frontage and therefore is not appropriate land for corridor development. The current AG zoning appears to be the best zoning for Tract I. Therefore, staff recommends **DENIAL** of CO zoning for Tract I (22.5 acres) and **APPROVAL** of the RE zoning for Tract II (2.5 acres).

Staff Comments:

Mr. Stump stated that the applicants would like to amend their request to apply for residential on the entire tract instead of a portion of the tract. Therefore, the applicant is requesting a continuance to September 25, 1996. Staff is in agreement with the request and will re-advertise accordingly. Staff will charge the applicant for the new notice and mailing fees.

Applicant's Comments:

Steve Gray, Suite 205, 2865 East Skelly Drive, 74105, expressed that Mr. Stump's statement in regards to rezoning the entire tract is his desire.

Interested Parties Comments:

Jerry Glenn, P. O. Box 91, Broken Arrow, 74013, stated he owns property that adjoins a portion of this area on the west. Mr. Glenn expressed concern of the zoning change due to the property being located in a flood zone. Mr. Glenn asked to be notified of the meeting.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **CONTINUE** the Zoning Public Hearing CZ-227 to September 25, 1996

Application No.: CZ-228

AG to RE

Applicant: David Stevenson

(PD-19)(County)

Location: West of the southwest corner of 111th St. and S. 145th E. Ave.

Presented to TMAPC: David Stevenson

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 19 Plan, a part of the Broken Arrow Comprehensive Plan, designates the north five acres as Medium Intensity - Commercial with the balance of the property to the south as Low Intensity - Residential.

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

Staff Comments:

Site Analysis: The subject property is approximately 32 acres in size and located on the south side of East 111th Street and west of the southwest corner of East 111th Street South and South 145th East Avenue. It is sloping, partially wooded, vacant and zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north, south and east by vacant property, zoned AG; to the west by scattered single-family dwellings, zoned RE.

Zoning and BOA Historical Summary: There have been no zoning actions in this area. The Board of Adjustment considered and approved an application to allow a duplex dwelling and two single-family dwellings on one lot of record in 1982 and 1994 in the adjoining RE zoned district.

Conclusion: The Broken Arrow Comprehensive Plan supports RE zoning in this area and based on the existing development in the area, staff recommends **APPROVAL** of RE zoning for CZ-228.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Doherty stated that staff is correct because the Comprehensive Plan does support the RE zoning. However, he noted that this will be an extremely difficult tract to develop within the Subdivision Regulations. It will be an over-length cul-de-sac both in physical length and number of units unless it comes in with very low-intensity. Mr. Doherty pointed out there will be problems when it gets to the planning stage. Mr. Stump agreed there are floodplain problems; however, the zoning is appropriate.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to recommend **APPROVAL** of the RE zoning for CZ-228 as recommended by staff.

Legal Description for CZ-228:

The West 96.91' of the North 2,302.78' of the East Half, East Half, Northeast Quarter and East 517' of the West Half, East Half, Northeast Quarter, less the West 105' of the North 1,800', Section 33, T-18-N, R-14-E, Tulsa County, Oklahoma, and located west of the southwest corner of East 111th Street South and South 145th East Avenue, Tulsa, Oklahoma. The above described property contains 32 acres more or less

Application No.: PUD 422-A

Applicant: Rhett Mathews (Applicant has withdrawn this request)

Location: 1215 East 33rd Street (Crow Creek)

Presented to TMAPC: Rhett Mathews

TMAPC Comments:

Mr. Carnes informed the Commission that a request to withdraw this item has been received.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **WITHDRAW** PUD 422-A as requested by the applicant.

Application No.: Z-6344-SP-6

(PD-18)(CD-8)

(Corridor Site Plan for office use)

Applicant: Dean Newberry

Location: South of southeast corner 61st St. and S. 107th E. Avenue.

Presented to TMAPC: Dean Newberry

Staff Recommendation:

The applicant is proposing a 4200 sf one-story building with 3612 sf devoted to general office use and the remaining 588 sf to be used as warehouse and storage space. The front exterior of the metal building that is proposed will be finished with Dryvit. No planting beds with shrubs are proposed and the initial site plan submitted requires an additional tree in the street yard. Also, no signs are proposed in the initial submittal.

Staff recommends approval of Corridor Site Plan Z-6344-SP-6 subject to a revised landscape scheme that provides an additional tree in the street yard and identifies the species of trees used as being on the approved tree list.

TMAPC Action; 8 members present:

On **MOTION** of **BALLARD**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** the Corridor Site Plan Z-6344-SP-6 as recommended by staff, subject to a revised landscape scheme that provides an additional tree in the street yard and identifies the species of trees used as being on the approved tree list.

Legal Description for Z-6344-SP-6:

The South 155.0' of Lot 2, Block 1, Fred C. Langenkamp Addition to the City of Tulsa, Tulsa County, Oklahoma and located south of the southeast corner of East 61st Street South and South 107th East Avenue, Tulsa, Oklahoma.

Application No.: PUD-364-C

(PD-26)(CD-8)

Applicant: Henry Penix

(Major Amendment to add a children's nursery use to the permitted uses)

Location: Northeast corner 97th Street South and South Mingo Road

Presented to TMAPC: Henry Penix

(Woodbine Homeowners Association has requested a continuance to August 21, 1996.)

Staff Comments:

Mr. Stump informed the Commission that Woodbine Homeowners Association has requested a continuance to August 21, 1996.

Applicant's Comments:

Henry Penix, P. O. Box 8010, Tulsa, 74101, stated he is in agreement with the continuance; however, he is requesting that the minutes reflect that he has two parties present today in support of the request who will not be able to attend next week's meeting.

Interested Parties Comments:

The following persons signed in as interested parties:

Mark Reents, 9820 South 100th East Place, 74133; Dick McElwee, 9620 South 99th East Place, 74133; Jeff Linton, 9624 South 98th East Place, 74133; W. T. Baddley, 9944 East

Interested Parties Comments:

The following persons signed in as interested parties:

Mark Reents, 9820 South 100th East Place, 74133; Dick McElwee, 9620 South 99th East Place, 74133; Jeff Linton, 9624 South 98th East Place, 74133; W. T. Baddley, 9944 East 9th, 74133; Larry and Sharon McDunlap, 9910 East 97th, 74133; Sergio Andre, 10038 East 98th Place, 74133; Annette Birt, 9805 East 96th Place, 74133; Bill and Denise Haynes, 9824 South 100th East Place, 74133; Jim Sterpt, 9940 East 97th, 74133; Dale and Marilyn Hebron, 9728 East 97th, 74133; Debra Adamek, 10002 East 98th Street, 74133; Ken Blount, 9928 East 97th Street, 74133; Steve Roll, 9839 East 96th Place, 74133; Kim Knapp, 10204 East 98th Street, 74133; Sheffra Stauder, 9712 South 99th East Place, 74133; Gerald K. Pollard, 9725 South 99th East Avenue, 74133; Sarah J. and Rolland Been, 9710 South 101st East Avenue, 74133; Sue Saucerman, 9820 East 96th Place South, 74133; Sharon Phillips, 9828 South 100th Place, 74133; Ronald Phillips, 9828 South 100th East Place, 74133; Kevin Wylie, 9821 East 96th Place, 74133; Pamela and Ed Uzttebroeh, 9818 South 99th East Avenue, 74133; Mark Ramsey, 9956 East 97th Street, 74133; Mrs. Nancy Hatfield, 9812 South 99th East Avenue, 74133; Donna Chapman, 9856 East 96th Place, 74133; Natoma Stephens, 10003 East 98th Place, 74133; Shirley Sellers, 10020 East 98th Street, 74133; Margaret Barth, 10016 East 98th Place, 74133; Tracey Swain, 9701 South 101st East Avenue, 74133; Dr. Frank R. Ashby, 9859 East 96th Place, 74133; Anna G. Niles, 9814 East 96th Place, 74133; Kim Minihan, 10037 East 98th Place, 74133; Sondra Lyman, 9827 East 96th Place, 74133; Marcia Cauun and Leslie Hames, 9723 South 102nd East Avenue, 74133; Richard Bordelos, 10022 East 98th Place, 74133; Laura Andre, 10038 East 98th Place, 74133; Nancy and R. G. Lowry, 10226 East 98th Street, 74133; Kathy and Steve Horn, 10208 East 98th Street, 74133; Crystal Rowan, 9838 East 96th Place, 74133; Terri Wilson, 9849 East 96th Place, 74133; and Patty Costner, 10101 East 98th Street, 74133.

TMAPC Comments:

Mr. Doherty informed Mr. Penix that if he would obtain letters from the interested parties in support of the request and submit them to INCOG before Friday, then the letters would be included in the agenda packets for review and entered in to the records.

TMAPC Action; 8 members present:

On **MOTION** of **DICK**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **CONTINUE** Zoning Public Hearing PUD-364-C to August 21, 1996 as requested by the Woodbine Homeowners Association.

Application No.: PUD-88-B-6

(PD-18)(CD-8)

(Minor Amendment to reduce building setbacks)

Applicant: Sidney McCarther

Location: 4327 East 68th Place

Presented to TMAPC: Sidney McCarther

Staff Recommendation:

The applicant is requesting Minor Amendment approval to allow the construction of a patio cover which will encroach into the building setback. The proposed cover will encroach approximately 7' 11" on the north end, 5' 1" on the south end and will cover an existing patio. Staff review indicates that the subject lot is bounded on three sides by streets and is wider on the south than on the north. The requested encroachment does not include enclosing the patio.

Staff recommends **APPROVAL** of an amendment to allow the encroachment of the patio cover into the front setback, subject to the following:

The maximum encroachment shall be 8'.

The patio shall not be enclosed.

TMAPC Comments:

Mr. Carnes presented a letter from the Richmond Hills Homeowner's Association indicating the approval of the proposed addition provided that 1) it is built in an architectural manner in keeping with the rest of the house, using the same shingle type and general construction technique and 2) the City of Tulsa does not disapprove the proposed construction.

Mr. Carnes questioned Mr. McCarther whether he would build in accordance with the roofing shingle requirements of the Homeowners Association. Mr. McCarther replied in the affirmative.

TMAPC Action; 8 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** Minor Amendment PUD 88B-6 to allow the encroachment of the patio cover into the front setback, subject to the maximum encroachment being 8' and the patio shall not be enclosed as recommended by staff.

Application No.: Z-6554
Applicant: Bill Haynes
Location: 5128 South 95th East Avenue
Presented to TMAPC: Bill Haynes

CS to IL
(PD-18)(CD-7)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates subject property as Special District 1, Industrial Area.

According to the Comprehensive Plan the requested IL zoning **may be found in** accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately one acre in size and located south of the southwest corner of East 51st Street South and South 95th East Avenue. It is flat, non-wooded, vacant, and zoned CS.

Surrounding Area Analysis: The tract is abutted on the north by an automobile sales and repair business, zoned CS; to the east by office use, zoned CS; to the west by a warehouse, zoned IL/PUD-242; and to the south by a warehouse and office use, zoned IL.

Zoning and BOA Historical Summary: Previous zoning actions in this area have established IL zoning.

Conclusion: The subject property falls within an area that is recognized for industrial development. Based on the current zoning patterns and development in the area, staff recommends **APPROVAL** of IL zoning for Z-6554.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to recommend **APPROVAL** of IL zoning for Z-6554 as recommended by staff.

Legal Description for Z-6554:

Lot 3, Block 1, 51st and Mingo Addition, and located at 5128 South 95th East Avenue, Tulsa, Oklahoma.

Application No.: PUD 432-D-1

(PD-4)(CD-4)

(Minor Amendment to permit additional signage)

Applicant: Charles Norman

Location: East side of Utica between 12th and 13th Street

Presented to TMAPC: Charles Norman

Staff Recommendation:

The applicant is requesting approval for a Minor Amendment to permit additional display area for wall signs in the medical center. The purpose of the request is to reduce confusion and to promote easier building identification by visitors.

Staff has reviewed the request and finds that the request as proposed would add:

A 55 sf wall sign and 16 sf logo to the west facing wall of the north building. The wall sign would identify the Hillcrest Medical Group and the Utica Park Clinic. The logo would be the Hillcrest logo.

A 50 sf wall sign and logo and a 16 sf logo to the west facing wall of the south building. The wall sign and logo would identify the Oklahoma Heart Clinic. The additional logo would be the Hillcrest logo.

Staff opinion is that the additional signage as requested is in keeping with the scale and character of the PUD and will provide helpful information to health center patients. Staff recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** the Minor Amendment PUD 432-D-1 to permit additional signage as recommended by staff.

Application No.: Z-5537-SP-1a

(PD-18)(CD-8)

Applicant: Dan Clark

(Minor Amend to Corridor Site Plan to relocate parking areas)

Location: Southwest of East 76th Street and South Garnett

Presented to TMAPC: Dan Clark

Staff Recommendation:

The applicant is requesting amended site plan approval to allow additional sports facilities parking on-site at the school.

Staff has reviewed the request and finds that the proposed parking will be in the western portion of the site, west of the tennis courts and north of the baseball facility. The plan as proposed does not show any change to the existing sports facilities or to the existing vehicle circulation pattern.

Staff opinion is that the request as proposed conforms to and complements the spirit, intent and configuration of the original site approval and recommends **APPROVAL**.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** the Minor Amendment to Corridor Site Plan Z-5537-SP-1a to relocate parking areas as recommended by staff.

OTHER BUSINESS:

Resolution No. 2078:780 adopting Urban Forester's Certified List of Tree Species which are appropriate for use in meeting the requirements of the Landscape Chapter of the City Zoning Code.

Staff Comments:


Mr. Stump stated this is the formal resolution on the list of tree species which the Commission approved last week.

TMAPC Action; 8 members present:


On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Ballard, Carnes, Dick, Doherty, Gray, Horner, Ledford, Pace "aye"; no "nays"; none "abstaining"; Boyle, Edwards, Midget "absent ") to **APPROVE** Resolution No. 2078:780 adopting Urban Forester's Certified List of Tree Species which are appropriate for use in meeting the requirements of the Landscape Chapter of the City Zoning Code.

There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.

Date Approved: 8-28-96



Chairman ^X

ATTEST: 
Secretary