

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1836
Wednesday, May 8, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, May 7, 1991 at 9:21 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:44 p.m.

Minutes:

Approval of the minutes of April 24, 1991, Meeting No. 1834:

On **MOTION** of **CARNES**, the TMAPC voted **10-0-0** (Carnes,, Doherty, Draughon, Harris, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant "absent") to **APPROVE** the minutes of the meeting of April 24, 1991 Meeting No. 1834.

REPORTS:

Chairman's Report:

It was reported that the City Council met May 7, 1991 and approved the zoning request for Z-6313 (74th and Riverside), PUD 388-A (71st and Trenton), and tabled the request for IL zoning for Z-6314 (St. Louis and Haskell). Chairman Parmele advised that the City Council changed its rules of order thus allowing TMAPC items to follow the Mayor's items on the agenda.

Chairman Parmele advised that the TMAPC Rules of Procedure calls for the election of officers to be the third Wednesday in May, that being the next meeting. Much discussion occurred regarding whether the election should be conducted since the Mayor has not yet appointed or reappointed those Commissioners whose terms expired in January. Mr. Midget advised that the Mayor's appointments will be considered at the meeting of the City Council on May 21, 1991. It

was the general consensus of the Planning Commission to conduct the election of officers as planned on May 15, 1991.

Committee Reports:

The **Rules and Regulations Committee** met prior to today's meeting. The first topic discussed was a policy regarding requests from the City Council that were not a part of the work program. The Committee voted unanimously to recommend to the full Commission the adoption of a policy stating that requests from the City Council will be referred to the Budget and Work Program Committee to determine if adequate staff time and funds are available. The request will then be assigned to the appropriate committee. That committee will in turn schedule the request as soon as possible. Mr. Doherty commented that it is likely some of the requests will bear on work already in progress and the Budget and Work Program Committee will handle them as they come in.

The second item considered was an agreement between TMAPC and the Pawhuska-Osage County Metropolitan Area Planning Commission for subdivision review by the TMAPC for those areas within the Tulsa fenceline in Osage County. The Committee voted 4-1-0 to recommend to the full Planning Commission the adoption of the resolution.

The Committee further discussed the City Council request for screening requirements for salvage yards. No policy decisions were made at the time. The next meeting of the Rules and Regulations Committee will be June 5, 1991.

Mr. Doherty then moved approval of the adoption of the Pawhuska-Osage County Metropolitan Area Planning Commission Resolution as presented.

TMAPC ACTION; 10 Members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **10-0-0** (Carnes,, Doherty, Draughon, Harris, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Coutant "absent") to **APPROVE** the Resolution agreement between Pawhuska-Osage County Metropolitan Area Planning Commission as presented.

Chairman Parmele directed staff to place the policy regarding requests from the City Council which are not a part of the work program on the May 15 agenda.

Ms. Wilson advised that the **Budget & Work Program** referred their recommendation regarding the budget and work program to the City Council. Mr. Gardner stated there had been no change since Mr. Lasker's report last week.

ZONING PUBLIC HEARING

Application No.: Z-6315

Present Zoning: AG

Applicant: Highfill and Potts

Proposed Zoning: RS-3

Location: East of the NE/c of 91st Street South and South Yale

Date of Hearing: May 8, 1991

Presentation to TMAPC: Mr. J. Donald Walker, 9168 S. Florence Pl.

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use and on the east side of the tract at the north half, there is a development sensitive area.

According to the Zoning Matrix the requested RS-3 District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis: The subject tract is 34.5 acres in size and is located on the north side of East 91st Street South approximately 500 feet west of South Joplin Avenue. It is partially wooded, gently sloping, contains several agriculture accessory building and is zoned AG.

Surrounding Area Analysis: The tract is abutted on the north by both vacant property and a developing single-family subdivision zoned AG and RS-3; on the east by vacant property zoned RS-3; on the south across East 91st Street by both vacant property and one single-family dwelling zoned RS-1; and on the west by single-family dwellings zoned RM-1 and PUD 354.

Zoning and BOA Historical Summary: Residential zoning ranging from RS-1 to RM-1 has been approved in the immediate area of the subject tract.

Conclusion: Based on the Comprehensive Plan and existing zoning patterns for the area, Staff finds the requested RS-3 zoning to be compatible and can support the request.

Therefore, Staff recommends **APPROVAL** of RS-3 zoning for Z-6315 as requested.

Applicant's Comments:

Ms. Wilson reminded the Planning Commission that recently the area north of this had requested that the Planning Commission consider connecting streets for this area when further development occurs. Mr. Walker advised the Planning Commission that at this time they were requesting only the zoning, but that a connection out to 91st Street was definitely a part of their plan. There will be two entrances into the tract from 91st Street, which should provide good circulation.

Mr. Midget commended the applicant for taking into consideration the previous concerns that were raised by the residents in the area.

Interested Parties:

Pierre Smith

8815 South Lakewood

Mr. Smith was present representing Woodhill Heights and Woodhill Estates Neighborhood Associations. These neighborhoods are just east of the creek. He commented that they did not object to the RS-3 zoning. He restated some of their concerns for the area. Those concerns were that collector streets as defined in the Major Street & Highway Plan had been abandoned in the Southern Pointe Additions I & II to the north. The second concern was that the development to the south from Southern Pointe II to 91st Street and from the 86th Street extension to Sheridan should require a 60' right-of-way collector street. This was a big issue at the public hearing regarding Southern Pointe II. The Major Street & Highway Plan clearly shows a 60' right-of-way collector street going to the east and to the south. Finally, he advised that the Woodhill Estates and Woodhill Heights Neighborhood Associations have met in the last two weeks and firmly support these positions for a collector street requirement and the RS-3 zoning.

Jane Freeman, District Planning Team 26

5842 East 98th Street

Ms. Freeman advised that she had picked up a copy of the Master Drainage Plan for Fry Ditch II which is the master drainage basin for this area. She discussed some of the drainage priorities for the area. She stated she was concerned with the RS-3 zoning and commented that these soils do not absorb the run-off. No relief was being provided the people in her area and those north of her area until the Bridle Trails facility is built. She recommended a zoning with lower density such as RS-1 and that the pond and trees on the site be maintained.

Mr. Doherty advised that as a zoning condition, TMAPC cannot impose the preservation of the pond.

Mr. Draughon inquired whether Ms. Freeman's concern was that without proper detention in the AG area more run-off would occur to the areas below. She stated that it was. If the zoning is approved and the detention areas are not built, there will be nothing to relieve those people who are south of the tract.

Ms. Wilson stated that what would be required is a detention facility on the property to the north, not on this property. There is nothing in the plan that requires a regional facility on the tract that is under application. Stormwater will have some type of requirements.

Mr. Draughon commented that he would not support any development where it presents a public safety danger when it is already causing flooding below.

TMAPC ACTION; 10 Members present:

On **MOTION** of **CARNES**, the TMAPC voted **9-1-0** (Carnes,, Doherty, Harris, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; Draughon "nay"; no "abstentions"; Coutant "absent") to **RECOMMEND** to the City Council **APPROVAL** of RS-3 zoning for Z-6315 as recommended by staff.

Ms. Wilson noted that the interested parties to this application should be advised of any future applications regarding this area.

Legal Description:

RS-3 Zoning: A tract of land containing 34.4759 acres that is part of the SE/4 SW/4 of Section 15, T-18-N, R-13-E, Tulsa County, Oklahoma, said tract being described as follows, to-wit: Starting at the SW/c of Section 15, thence S 89°58'07" E along the southerly line of Section 15 for 1467.95' to the POB of tract of land, said point being the SE/c of Fox Pointe, a subdivision to the City and County of Tulsa, Oklhoam; thence N 00°02'43" W along the east line of said Fox Pointe for 1319.11' to a point on the north line of the SE/4 SW/4 of Section 15; thence S 89°58'58" E along the north line of the SE/4 SW/4 of Section 15 for 1173.85'; thence S 00°01'21" E along the east line of the SE/4 SW/4 of Section 15 for 1096.65'; thence N 89°58'07" W for 208.75'; thence S 00°01'21" E for 222.75' to a point on the southerly line of Section 15; thence N 89°58'07" W along the southerly line of Section 15 for 964.58' to the POB.

* * * * *

Application No.: **CZ-189, PUD 469** Present Zoning: AG
Applicant: **Pittman, Poe** Proposed Zoning: RS, OL, CS, IL
Location: East & west sides of Garnett Rd. between 96 & 106 St. N.
and the SW/c of Mingo Rd. and 96 St. N.
Date of Hearing: May 8, 1991
Presentation to TMAPC: Tim Terrell

Relationship to the Comprehensive Plan:

The requested zoning patterns are in accordance with the Owasso Comprehensive Plan.

Staff Recommendation:

Site Analysis:

The subject tract is 698.7 acres in size and is located in various parcels on the north side of East 96th Street North, between North Mingo Road and North 122nd East Avenue and at the southwest corner of 96th and Mingo Road. It is partially wooded, gently sloping, contains mostly vacant property and is zoned AG.

Surrounding Area Analysis:

The subject tract is abutted by various uses and zoning designations; including CS, RMT, RM-2, RMH, RS-3, RS-2, RS, RE and AG which are located inside and outside of the City Limits of Owasso.

Zoning and BOA Historical Summary:

Residential and non-residential zoning has been approved in the area.

Conclusion:

Based on the Owasso Comprehensive Plan and existing zoning patterns, Staff can support the requested rezoning.

Therefore, Staff recommends **APPROVAL** of CZ-189 as submitted.

PUD 469 contains almost 700 acres of land which was formally a portion of the Bailey Ranch. Other portions of the Bailey Ranch are within the City of Owasso which recently approved a PUD for development of that segment of the Ranch. PUD 469 is entirely within the unincorporated portions of Tulsa County, but is within the fenceline of the City of Owasso. It is anticipated that this PUD will eventually be annexed to Owasso prior to its development. Accompanying the PUD is rezoning request CZ-189 for 575 acres of RS, 25.5 acres of OL, 83.5 acres of IL and 13.8 acres of CS. The PUD proposes the maximum allowable commercial, office and industrial floor area, as well as the maximum number of dwelling units. The PUD proposal is, however, very general in nature without any detailed design having been done. Staff can appreciate the difficulty and expense of a detail layout of such a large tract, but without such design, staff cannot support the intensity of commercial and industrial development proposed.

Staff finds the uses and intensities of development as amended by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD 469 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 469 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
2. **Development Standards:**

PUD Land Area (Gross)	±698.7 acres
(Net)	±676.5 acres

Residential Areas	
Single Family	428.5 acres
Multi-Family	61.8 acres
Maximum Allowable Dwelling Units	2931

Office Areas	46 acres
Maximum Allowable Floor Area	333,234 SF

Commercial Areas	14.5 acres
Maximum Allowable Floor Area	200,000 SF

Light Industrial Areas	111.1 acres
Maximum Allowable Floor Area	2,000,000 SF

Single Family Detached Dwelling Standards

Permitted Uses	As permitted by right within RS District.*
Bulk and Area Requirements	As required in the RS District.

Single Family Patio Dwelling Standards**

Permitted Uses	As permitted by right within RS District.*
Minimum Lot Size	5,000 SF
Maximum Building Height	35'
Minimum Front Yard	
Public Street	20'
Private Street	30'
Minimum Side Yard	
Abutting a Street	
Public Street	10'/20' if garage is accessed
Private Street	20'/30' if garage is accessed
Minimum Lot Width	50'
Minimum Rear Yard	20'
Minimum Side Yard	5'
Minimum Livability Space	2500 SF

Single Family Attached Dwellings

Permitted Uses	As permitted by right in the RM-T District.*
Bulk and Area Requirements	As required in the RM-T District.

Multi-Family Dwellings

Permitted Uses

As permitted by right in the RM-1 District.*

Bulk and Area Requirements

As required in the RM-1 District.

Office Standards

Permitted Uses

As permitted by right in the OL district.*

Bulk and Area Screening Requirements

As required in the OL District with the exception that up to 4 stories buildings are allowed if setback from residential areas an additional 50' for every story above one story.

Commercial Standards

Permitted Uses

As permitted by right in the CS district.*

Bulk and Area and Screening Requirements

As required in the CS district except no commercial building or parking shall be within 50' of a single family residential area.

Industrial Standards

Permitted Uses

As permitted by right in an IL district.*

Bulk and Area and Screening Requirements

As required in the IL district.

*The TMAPC may allow by minor amendment uses which are permitted by special exception in the zoning district.

**Exact location of patio homes development areas will be determined at Detail Site Plan approval.

Due to the general nature of the proposed standards for the PUD, the TMAPC may impose increased setback, lot size, screening or building size and height restrictions at the time of Detail Site Plan approval in order to provide adequate buffering of and transition to adjacent uses.

3. No Zoning Clearance Permit shall be issued for a development area within the PUD until a Detail Site Plan for the development area, which includes all buildings and requiring parking, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

4. A Detail Landscape Plan for each development area shall be submitted to the TMAPC for review and approval. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for that development area prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.
5. No sign permits shall be issued for erection of a sign within a development area of the PUD until a Detail Sign Plan for that development area has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment areas shall be screened from public view.
7. All parking lot lighting shall be directed downward and away from adjacent residential areas. Light standards shall be limited to a maximum height of 12' within 150' of a residential area
8. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all common areas, including any stormwater detention areas within single family residential areas of the PUD.
9. No Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the County beneficiary to said Covenants.

Applicant's Comments:

Mr. Steve Compton was present representing the Owasso Planning Commission. He commented that the land is now controlled by the Larkin/Bailey Trust. Annexing the property into the City of Owasso places some restrictions on the land that the Trust was not comfortable with while it remained undeveloped. Now a total development in excess of 1300 acres is under the control of the Trust. Each phase will be annexed into the City of Owasso and each plan will be looked at in more detail. The initial phase is the proposal for a combination of golf course and residential development with a small corner at 86th St. N. and Mingo Road for commercial. The remainder of that land is now being brought to TMAPC to identify future plans for the area. The Owasso Planning Commission reviewed the case as referral case at their April 10

meeting. They found the underlying zoning was in compliance with the plan and had no problems with the zoning being requested. It would require that there be a much more detailed master plan presentation either on the remainder of the land or any phases that were brought into Owasso. However, the Owasso Planning Commission felt the general concept was consistent with the concept presented all along.

Mr. Harris commented that it appeared to him that the City of Owasso will be asking the Board of County Commissioners to do everything that the City of Owasso wants and then they will annex this nice new development into their city, step by step, as it is developed by the investors. He stated he was not comfortable with that idea.

Mr. Compton replied that it has never been the intent of the City of Owasso to not annex the tract. The owners of the property have held them back.

Applicant's Comments:

Mr. Tim Terrell, Pittman-Poe & Associates, was present representing the applicant. Pittman-Poe is the land planners for the project and also represent the owners of Larkin/Bailey Trust. He stated that they were in agreement with the staff recommendation.

Interested Parties:

Bob King

10223 N. 124th E. Ave.

Mr. King expressed concern that Owasso could not provide adequate police and fire protection to this area.

He lives in an RE district. He advised that 70 homes exist on lots of 2.5 acres or more and there are no homes on anything less than 2.5 acres. The largest proposed home site for the 163 acres is less than 1/4 acre. He requested that the Planning Commission consider zoning this area RE rather than RS-3.

Jim Van Akin

9900 North 122nd East Avenue

Mr. Van Akin advised that several of the proposed access roads lead into pasture land with no plan for development. Therefore there are two access roads for the area. The City of Owasso has informed them that these plans are tentative and nothing is concrete. The plan shows an apartment complex in northeast section of the PUD. Another 650 homes will be built in the area. He was opposed to putting in a highly condensed, compact residential area next to their RE area. A lot of houses are going to be tightly packed against their acreages. He was concerned that many children will be living in smaller homes with little or no backyards within which to play and will eventually wander into his acreage where he keeps livestock. He could not guarantee that the animals will always be friendly. Finally, his last concern regarded the commercial zoning. He stated that several shopping centers exist that are only partially occupied and more commercial areas were not needed. Again he stated they were not in favor of the apartment complex in

the middle of a residential area. This increases the amount of people and traffic in the area.

He reiterated Mr. King's concerns regarding there not being enough police and fire help.

He was in favor of rezoning the areas as the need arises and not all at once.

Cindy Guess

10220 N. 124th E. Ave.

Mrs. Guess presented a petition protesting PUD 469/CZ-189. The petition stated that while the protestants were opposed to the zoning and PUD, they realized development in some form was inevitable and would not be opposed to a buffer area of lots similar to theirs (2 1/2 to 5 acres) on the 163.2 acres bordering their neighborhood. It is their feeling that no regard has been taken to the compatibility of the two neighborhoods. It does not make for a smooth transition.

Mrs. Guess stated that this was the first time they had been notified of the proposed changes. The City of Owasso did not notify the neighborhood of the proposal.

This type of high density development will cause many of the present homeowners to sell their property in order to maintain the way of living they are used to. A total turnover of this nature would further tramatize the area.

Finally, she advised that they would request the Planning Commission to reconsider the recommendation to allow a zoning similar to theirs.

Ms. Wilson confirmed that no notice from the City of Owasso had been given the residents. Mrs. Guess agreed and stated the first notice of the change had been the notice from TMAPC regarding today's hearing.

J. Dale Sheffield

10325 N. Garnett Rd.

Mr. Sheffield has lived in the area since 1962. He advised that he was required to sign a certificate of dedication as were all the owners of the 5-acre tracts, which imposes limits on their heirs. These limits state the land will not be subdivided and no structures greater than 1 1/2 stories will be built because all the residents are dedicated to an open country atmosphere.

He realized that he cannot stop the encroachment into residential districts, but he did not like the idea of multi-family housing backing up to his property. This would have a detrimental affect on his property and other properties in the area.

Mr. Sheffield stated that the water run-off flows toward the area proposed for apartments. He felt that all the increased development will cause a drainage and flooding problem.

Lee Sanders**10419 N. Garnett Rd.**

Mr. Sanders commented that Mr. Terrell said the applicant had considered a buffer zone between the residential estates and the 13 houses which will abut the properties. Mr. Harris corrected Mr. Sanders in stating that what Mr. Terrell had said is that they are willing to consider a buffer. Mr. Doherty advised those present that this is general concept plan. Several modifications will be made to this plan before any development takes place and the interested parties will be given the opportunity to oppose any development they feel is not beneficial to their area. This is the beginning of a long process. He encouraged everyone to maintain their involvement and to continue to make recommendations. Sooner or later some development will occur and it will be to their advantage to participate in the process.

William King**11006 East 96th Place North**

Mr. King was concerned that many of the people involved in this change had not been notified and were not informed of what was really taking place. Most of those he spoke with thought this hearing was simply an approval for residential areas around the proposed golf course. He stated opposition to the area next to the golf course which is proposed to be zoned for light industry. This tract is bounded on one side by a railroad tract, Mingo Road and 96th Street. Currently the land is pasture with a lake and trees. He sees no need for this area to be zoned light industrial. The neighbors in this area were opposed to the change. He recommended that this area, if it must be developed, be zoned residentially. He asked that the Planning Commission to mandate that the huge tract of land be subdivided and brought before the Commission on a case by case basis prior to the actual development of the land.

Applicant's Rebuttal:

Mr. Terrell commented that he understood the concerns presented today and it was the intent of the applicant to be very sensitive to these concerns. He advised that the proposals for dwelling units are the maximum units that could be placed on the tract. Physically that number may not fit on the area. He agreed that no detail site plans have been done, stormwater studies, or the like have been done. He assured that the stormwater problems would be studied and no flow would be increased off the site. This is a concept plan and is not "engraved in stone". It is obvious that there will be changes and this is just the first stage. The PUD is a phase by phase process which in effect is the case by case basis Mr. King suggested. Several of these changes will not take place for several years. If the market changes, obviously the plans will change.

Ms. Wilson inquired whether multi-family housing was included under RS zoning in the County Zoning Code. She was advised that multi-family housing is RM. Mr. Doherty stated there was some confusion since no RM zoning was listed on the agenda. He stated that by exception in the county those non-residential zonings can be extended to include the RM and spreading the density in the PUD.

TMAPC Review Session:

Mr. Harris commented that all of the people (excluding Mr. William King) were protesting from the same area. They are trying to protect a way of life that has taken them many years to develop. On the other hand, development must occur. There are several possibilities in order to proceed. Zoning and then a Planned Unit Development is the strongest, most detailed method available. The applicant is willing to go through this process.

He made two suggestions: 1) to continue the public hearing to allow the applicant to try to alter their plans to become compatible with the concerns made today and if the TMAPC does proceed with trying to approve underlying zoning, the 163 acre tract east of Garnett Road be excluded and heard as a new subject; and 2) the applicant agree to amend the RS to possibly an RE zoning on the 163 acres and proceed with the underlying zoning.

Mr. Doherty shared Mr. Harris's concerns regarding too much density on the RS tract. He felt the multi-family in the location proposed (east of Garnett Road) was not good planning. He commented there was nothing wrong with the underlying zoning with the PUD overlay, which will protect the area residents. He was in favor of approving the concept. He suggested that staff and the applicant work together to determine what would be a better transition.

Mr. Harris commented that he agreed that the process did have built-in protection but he preferred the approach that the change be made now. If the entire Planning Commission sends the underlying zoning to the County Commission as presented today, he would not support it.

Chairman Parmele asked whether that tract of land could be restricted to a large lot development subject to detail site plan approval. Mr. Gardner commented that if there were a 200' strip of RE zoning that matched the RE zoning on the east and then lining up in front of the two houses this would provide a buffering transition. It could also be specified that no multi-family would be allowed in the section.

Mr. Terrell commented that rezoning the entire area to RE would not really help anyone. He did not feel the applicant would be opposed to the 200' buffering.

Mr. Draughon asked Mr. Terrell how he felt about continuing the application to allow the applicant time to meet with staff and determine a different plan. He responded that he did not really feel it would make any difference.

Ms. Wilson asked that the minutes reflect the purpose of the buffer is to provide a transition between the large lot residential development adjacent to the PUD and the proposed smaller lot residential development.

TMAPC ACTION; 6 Members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Harris, Horner, Neely, Parmele, Wilson, "aye"; no "nays" no "abstentions"; Carnes, Coutant, Draughon, Midget, Woodard "absent") to generally **APPROVE** the underlying zoning but withhold transmittal until staff and the applicant can meet to develop an amended PUD proposal which provides better protection for the adjacent large lot residential areas east of Garnett Road and to **CONTINUE** CZ-189 and PUD 469 until May 22, 1991 at 1:30 p.m. in the Francis F. Campbell City Council Room, Plaza Level, City Hall.

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Application No.: **Z-6316**

Present Zoning: RS-3

Applicant: **Conner**

Proposed Zoning: IM

Location: NW/c of East Apache and North Sheridan Road

Date of Hearing: May 8, 1991

Presentation to TMAPC: Jim Conner, 2250 East 49th Street

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis: The subject tract is 2.92 acres in size and is located both north and west of the northwest corner of East Apache Street and North Sheridan Road. It is partially wooded, flat, mostly vacant with automobile storage on the southwest portion of the tract and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by an industrial equipment company zoned IL; on the east across Sheridan Road by airport use zoned IL; on the south by a vacant gas station and single-family dwellings zoned CS, IM and RS-3 and on the west by single-family dwellings zoned RS-3.

Zoning and BOA Historical Summary: Recently industrial zoning has been approved abutting the subject tract and in the area, but has been limited to IL. The existing IM zoning on and abutting the subject tract to the south was approved in 1966 and before.

Conclusion: Based on the Comprehensive Plan and existing residential uses abutting the subject tract, Staff cannot support the requested IM zoning, but does support the less

intense IL zoning in the alternative. Staff would note the area located north of Apache Street and west of North Sheridan Road to a depth of 660 feet is in transition to light industrial zoning and uses. Upon field investigation, Staff found the existing residential use to be viable and strong and should be protected.

Therefore, Staff recommends **DENIAL** of IM zoning as requested and **APPROVAL** of IL zoning in the alternative for the portion presently zoned RS-3.

TMAPC ACTION; 6 Members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Harris, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Draughon, Midget, Woodard "absent") to **RECOMMEND** to the City Council **DENIAL** of IM zoning and **APPROVAL** of IL zoning for Z-6316 as recommended by staff.

Legal Description:

IL Zoning: All of Lot 11, Block 4, Mohawk Acres Addition to the City and County of Tulsa, Oklahoma.

* * * * *

OTHER BUSINESS:

Z-5620-SP-6: Minor amendment to Corridor Site Plan. -- Located at the northeast corner of South Memorial Drive and East 93rd Street South (*Sunchase Apartments*)

Staff Recommendation:

The original site plan review for Development Area I contains 13.13 acres gross and consists of the Sunchase Apartment complex. The project was approved for a maximum of 416 dwelling and 664 parking spaces.

The applicant is now requesting to amend the previous site plan by adding an outdoor swimming pool, increased signage, remodeling the existing clubhouse and adding additional parking spaces by restripping of a parking area.

After review of the applicant's submitted plans, it can be seen that the proposed improvements are cosmetic in nature and do not include any additional dwelling units. The proposed signage is less than that permitted by conventional zoning.

Therefore, Staff recommends **APPROVAL** of Z-5620-SP-6 subject to the applicant's submitted plans

TMAPC ACTION; 6 Members present:

On **MOTION** of **WILSON**, the TMAPC voted **6-0-0** (Carnes,, Doherty, Harris, Horner, Midget, Neely, Parmele, Wilson, Woodard, "aye"; Draughon "nay"; no "abstentions"; Carnes, Coutant, Draughon, Midget, Woodard "absent") to **APPROVE** the Minor amendment to the Corridor Site Plan for Z-5620-SP-6 as recommended by staff.

* * * * *

PUD 369-2: Minor Amendment to reduce the 25 feet front yard requirement to 20 feet on lots abutting South Mingo Road and the Mingo Valley Expressway. Located on the west side of South Mingo Road at East 96th Street South. {proposed Cedar Ridge Park Second}

Staff Recommendation:

Minor amendment PUD 369-2 does not meet the TMAPC policy requiring a minimum of 10 day notice to property owners within 300 feet of the subject tract. The application was made and notices mailed on April 29, 1991 for the May 8, 1991 meeting. This would give interested parties a maximum of 9 days notice, if the date of the public hearing is counted.

PUD 369 is a 37.2 acre development located at the southwest corner of South Mingo Road and the proposed Mingo Valley Expressway. Minor amendment PUD 369-1, approved by the TMAPC on October 17, 1990, permitted a maximum of 170 detached single-family dwelling units with typical RS-3 yard requirements except for the minimum yard adjacent to the expressway right-of-way which is 35 feet. The applicant is now requesting a minor amendment to reduce the required front yard from 25 feet to 20 feet for those lots abutting South Mingo Road and the Mingo Valley Expressway, which were required to have 30' rear yard setbacks by PUD 369-1.

After review of the applicant's submitted plat, Staff can support the minor amendment based on the total depth of the lots in question and the increased rear yard requirement. All structures will line up with each other and the request will permit the builders an increased building envelope.

Therefore, Staff recommends **APPROVAL** of minor amendment PUD 369-2 to reduce the front yard from 25 feet to 20 feet for those lots abutting South Mingo Road and the Mingo Valley Expressway.

Interested Parties:

Jane Freeman

5842 East 98th Street

Ms. Freeman was concerned with the affect this would have on the health and safety of the people in the area. This area is heavily travelled and living near any road is a health hazard. She was concerned that moving homes closer to roads and road exhaust could be detrimental to the health of those involved. Mr. Doherty

advised Ms. Freeman that this proposal was to decrease the required front yard on a lot allowing them to be further away from the expressway. (These homes back-up to the expressway). She asked that evergreen trees be required to help protect the environment from the car exhaust. Mr. Doherty stated it was too late in require something of that nature.

TMAPC ACTION; 6 Members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Harris, Horner, Neely, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Draughon, Midget, Woodard "absent") to **APPROVE** the Minor Amendment to PUD 469 to reduce the 25' front yard requirement to 20' on lots abutting South Mingo Road and the Mingo Valley Expressway Lots 1 through 26, Block 1 of Cedar Ridge Park Second.

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There being no further business, the Chairman declared the meeting adjourned at 1:50 p.m.

Date Approved: 5-22-91


Chairman

ATTEST:


Secretary

