

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2212

Wednesday, July 28, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes	Boyle	Beach	Jackere, Legal
Dick	Horner	Dunlap	Counsel
Harmon	Westervelt	Huntsinger	
Hill		Stump	
Jackson			
Ledford			
Midget			
Pace			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, July 26, 1999 at 10:57 a.m., posted in the Office of the City Clerk at 10:46 a.m., as well as in the office of the County Clerk at 10:44 a.m.

After declaring a quorum present, Vice-Chair Carnes called the meeting to order at 1:30 p.m.

REPORTS:

Director's Report:

Mr. Stump reported that there are two zoning items before the City Council on Thursday, July 29th.

SUBDIVISIONS

FINAL PLAT:

Garnett South (3104)

(PD-5) (CD-6)

Northwest corner East Archer Street and North Garnett Road

STAFF RECOMMENDATION:

Mr. Beach stated that the preliminary plat was approved by the Planning Commission June 18, 1997, and then the Planning Commission reinstated the preliminary plat and approved the final plat on July 22nd. The applicant wishes to file a plat of record, but one year has expired since the final plat was approved. Staff is asking for the Planning Commission to reinstate the final plat in order for the application to go before the City Council tomorrow evening for final acceptance of the final plat.

Staff has reviewed the plat and everything seems to be in good order and recommends approval of the reinstatement of the final plat.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Horner, Westervelt "absent") to **APPROVE** the reinstatement of the Final Plat for Garnett South as recommended by staff.

Hahn Industrial Park (0484)

(PD-16) (CD-6)

North of northwest corner East Archer Street and North 145th East Avenue

STAFF RECOMMENDATION:

Mr. Beach stated that everything is in order and staff recommends approval.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Horner, Westervelt "absent") to **APPROVE** the Final Plat for Hahn Industrial Park as recommended by staff.

CONTINUED ZONING PUBLIC HEARING

Application No.: CZ-253/PUD-612

AG to RS/PUD

Applicant: David M. Dyer

(PD-20) (County)

Location: East of northeast corner East 181st Street and South 145th East Avenue

STAFF RECOMMENDATION FOR CZ-253:

Relationship to the Comprehensive Plan:

The subject property is not within any adopted district plans. The Development Guidelines, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, provide for evaluation of the existing conditions, land uses, existing zoning and site characteristics for the goals and objectives of areas that have not been specifically defined for redevelopment. Provisions of the Development Guidelines would designate this site Low Intensity.

Staff Comments:

Site Analysis: The subject property is approximately 50 acres in size and is located east of the northeast corner of East 181st Street South and South 145th East Avenue. The property is flat, wooded, vacant, and zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north, west and east by vacant property, zoned AG; and to the south across East 181st Street South by scattered single-family dwellings, zoned RE.

Zoning and BOA Historical Summary: No activity has occurred in this area.

Conclusion: Based on the lack of existing development of similar-intensity development in the surrounding area and the relative lack of infrastructure, staff cannot support the requested RS zoning. This appears to be a case of "leapfrog" development. Staff recommends **DENIAL** of RS zoning on the subject property. If the Planning Commission is inclined to rezone the site, AG-R zoning may be appropriate.

AND

STAFF RECOMMENDATION FOR PUD-612:

The applicant has submitted a proposed private street subdivision and Deed of Dedication and Restrictive Covenants (enclosed) to be reviewed as a PUD. The 50-acre tract is located east of 145th East Avenue on the north side of East 181st Street South. The tract is currently zoned AG. Concurrently an application has been filed CZ-253 to rezone the tract from AG to RS. There is AG-zoned property to the north, east and west of the subject tract and RE zoning to the south in the city limits of Bixby. The PUD proposes 26 residential lots (based on sketch plat) with private streets that do not meet the requirements of the subdivision regulations or the draft guidelines for private streets (enclosed).

The proposed PUD is not consistent with the PUD chapter of the Tulsa County Zoning Code. The proposal does not:

1. Maintain appropriate limitations on the character and intensity of use and does not assure compatibility with adjoining and proximate properties.
2. Utilize the unique physical features of the site.
3. Provide and preserve meaningful open space.
4. Achieve a continuity design within the development.

Therefore, staff finds recommends **DENIAL** of PUD-612.

TMAPC COMMENTS:

Mr. Carnes asked staff to give a report on this item. In response, Mr. Stump stated that this application was supposed to be revised. He explained that there was a disagreement between the owner and the attorney regarding the revision. Staff has not received any revisions at this time and the applicant is not present today. Mr. Stump suggested that this item should be continued for one week in order to contact the applicant to see if they want to withdraw their application.

TMAPC Action; 8 members present:

On **MOTION** of **DICK**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Horner, Westervelt "absent") to **CONTINUE** CZ-253/PUD-612 to August 4, 1999 at 1:30 p.m.

Application No.: Z-6706

RM-1 to IM

Applicant: Bob Nichols

(PD-3) (CD-3)

Location: East side of Zunis Avenue between Independence and North Haskell

STAFF RECOMMENDATION:

Relationship to the Comprehensive Plan:

The District 3 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity-No Specific Land Use and Special District 2 Industrial Area. Plan policies (items 3.1 and following), among other things, encourage future industrial development to locate here and specify that industrial activities will provide adequate parking for employees.

According to the Zoning Matrix the requested IM zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 1.2 acres in size. The largest portion of the tract is located on the east side of North Zunis Avenue between East Independence Street and East Haskell Place and the smaller tract is a five-foot' strip located along the west side of North Zunis Avenue from East Independence Street to East Haskell Place. The property on the east is flat, non-wooded, contains four single-family dwellings, and is zoned RM-1, The western strip is vacant and part of the industrial use to the west and is zoned RM-1.

Surrounding Area Analysis: The subject tract is abutted on the north and west by Gate City Steel Company, zoned IL and IM; and to the south and west by single-family dwellings, zoned RM-1.

Zoning and BOA Historical Summary: In 1980 the entire residential block located west of the subject tract was rezoned from RM-1 to IL except for the eastern five-foot strip of the block that separated the industrial zoning from residential zoning and prevented access to the industrial lots from North Zunis Avenue.

Conclusion: Based on the Comprehensive Plan, existing uses and trends staff recommends **APPROVAL** of Z-6706 for IM zoning.

INTERESTED PARTIES COMMENTS:

Maria Barnes, 2252 East 7th Street, Tulsa, Oklahoma 74104, president of Kendall-Whittier Neighborhood Association, stated that she has met with Mr. Nichols and he explained his plans for the subject area. She commented that she is in favor of the parking lot proposed, but at this time there are single-family homes in the neighborhood. She stated that she would like a parking lot approved, but prefers that the zoning not be changed from RM-1 to IM.

Ms. Barnes stated that if the applicant would like to expand in the future, maybe five to ten years, he could come back and see how the neighborhood is doing before zoning to IM.

TMAPC COMMENTS:

Mr. Stump stated that the Planning Commission could consider IL or PK zoning, but the area is planned to be industrial. He commented that the aerial photograph indicates that the applicant has developed in the IL area. He explained that PK zoning would require that the applicant reapply for more rezoning once they decide to expand in this area.

Mr. Stump informed the Planning Commission that there is a request to close Zunis, which is north of Haskell. He stated that the intention is to make Zunis a one contiguous industrial area.

Ms. Pace stated that she has discussed this application with the neighborhood. She explained that the Springdale Economic Development area and the Kendall-Whittier neighborhood overlap. Both of these areas have had updates and studies. She commented that she can see that the area will be industrial in time, but the neighborhood is concerned because there are homes in the immediate area. She suggested that there should be a good separation to protect the homes in the immediate area.

Mr. Midget stated that he would be in favor of approving the IL zoning for this application.

APPLICANT'S COMMENTS:

Bob Nichols, no address given, stated that he does have long-term plans to expand in the subject area. He commented that he expects to expand the existing building in the next three to four years to the east. He stated that he would not be interested in IL

zoning if he cannot expand his existing buildings into IL-zoned property. He explained that presently his business is landlocked and he has been buying properties to the east in order to expand the existing buildings.

Mr. Nichols stated that he understood five years ago that the long-term plan is to zone the subject area for industry. He explained that he has been proceeding down this path and he has checked several times concerning the zoning before he started purchasing property. He indicated that his existing facility is currently located in the IM zoning.

Mr. Stump stated that the eastern portion of the subject building is in a light industrial district and the rest is in a medium industrial district.

Ms. Pace stated that the Comprehensive Plan does indicate industrial, but screening and landscaping should be required while the homes are still being occupied. She suggested IL zoning to prevent the more intense industry that would be allowed in an IM.

Mr. Nichols stated that he has purchased several lots south of Haskell and converted them to parking lots. He indicated that he installed ten-foot or eight-foot wooden fences for screening. He stated that he would do the same to the east in order to protect the six or seven houses that would abut Lot 16. He explained that he does plan to expand in the next three or four years and if he cannot expand in IL zoning he would not be interested in the IL zoning.

Mr. Midget asked staff what would preclude the applicant from expanding his existing operation into the new area zoned IL. Mr. Stump stated that if the applicant's current operation is legal in the IL district then he could expand into a new IL district to the east.

Mr. Stump asked Mr. Nichols what type of manufacturing he owned. In response, Mr. Nichols stated that his company makes steel poles for power lines and lights. Mr. Stump stated that if the applicant's manufacturing is termed as medium intensity, then he would have to apply for a special exception from the Board of Adjustment if the area is zoned IL. Mr. Stump explained that if the area was zoned IM, the applicant could expand as a matter of right without applying for relief from the Board of Adjustment. Mr. Stump stated that if the City approved a building permit to allow the applicant to expand his operation into the current IM district on the west side of Haskell, then it has probably been determined to be light manufacturing. Mr. Nichols asked staff what would make an IL zoning more desirable for the neighborhood than IM zoning. Mr. Stump explained that IL zoning has fewer obnoxious uses allowed by right or by exception.

Mr. Nichols expressed concerns that the IL zoning may not meet his needs to expand.

After a lengthy discussion it was determined that the application should be continued one week in order to determine if the applicant's manufacturing business is allowed in the IL district.

TMAPC COMMENTS:

Mr. Harmon encouraged Mr. Nichols to meet with the Kendall-Whittier Neighborhood Association to discuss their concerns.

TMAPC Action; 8 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Horner, Westervelt "absent") to **CONTINUE** Z-6706 to August 4, 1999 at 1:30 p.m. and amend the application to include the existing IL expansion to the west.

Application No.: PUD-582

Applicant: Lynn Palmer

(PD-18) (CD-9)

Location: North of northwest corner East 67th Street and South Birmingham (Detail Site Plan)

STAFF RECOMMENDATION:

The applicant is requesting Detail Site Plan approval for an entryway, guardhouse, entry signage, screening walls and common area parking, landscaping and lighting for a 5.61-acre (net) residential subdivision.

The addition contains 23 residential lots with a private street system and gated entry. A condition of TMAPC approval of PUD-582 in 1998 required detail plan review of common areas, private streets, screening walls, parking areas, entry structures (signage, guardhouse, gates) and landscaping areas.

Staff has examined detailed plans submitted with the application and finds conformance to the approved PUD standards for perimeter screening, lighting and signage. In addition, the entryway conforms to City of Tulsa Fire Department standards for emergency vehicles and City Traffic standards for entryway configuration of setback and turnaround areas. Finally, the proposed perimeter and interior landscaping conforms to requirements of the Landscape Chapter of the Tulsa Zoning Code.

Staff, therefore, finding conformance to the approved standards for PUD-582, recommends **APPROVAL** of the Detail Site Plan as submitted.

TMAPC Action; 8 members present:

On **MOTION** of **LEDFORD**, the TMAPC voted **8-0-0** (Carnes, Dick, Harmon, Hill, Jackson, Ledford, Midget, Pace "aye"; no "nays"; none "abstaining"; Boyle, Horner, Westervelt "absent") to **APPROVE** the Detail Site Plan for PUD-582 as recommended by staff.

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

Date approved: 8-18-99


Chairman

ATTEST: Brandi J. Jach
Secretary