

TMAPC
REQUEST FOR COUNTY COMMISSION ACTION
March 14, 2017

For information Contact: Susan Miller, TMAPC, Two West Second, Suite 800, Tulsa, OK 74103 Telephone: 579-9470

For County Commission Agenda: As appropriate

Subject: CZ-450

Applicant: JR Donelson
12820 South Memorial Drive, Office 100
Bixby, Oklahoma 74008
(918) 394-3030
jrdon@tulsacoxmail.com

Property Owner: Tri-Roller Properties

SUMMARY

Location: Northwest corner of W. 161st St. S. and S. Highway 75

Present Use: Vacant

Proposed Use: Market for manufacturing, storage or sales

Concept summary: The request is to rezone approximately 10 acres from AG to IL to permit marketing for manufacturing, storage or sales on the site.

Tract Size: 10 ± acres

TMAPC RECOMMENDATION

On Meeting Date of March 1, 2017 TMAPC voted 8-0-0 to recommend that the County Commission **Approve** rezoning of 10 ± acres from AG to IL per staff recommendation.

For County Commission Office Use:

Date Received: _____ Approved: _____
Agenda Date: _____ Resolution: _____



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-450

Hearing Date: March 1, 2017
(Continued from February 1, 2017)

Case Report Prepared by:

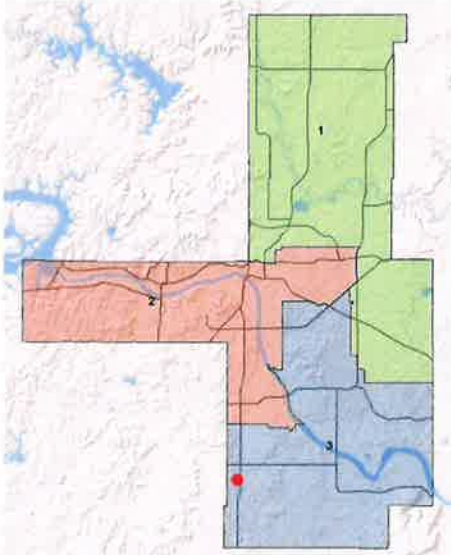
Jay Hoyt

Owner and Applicant Information:

Applicant: JR Donelson

Property Owner: ROLLER, MICHAEL

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Market for manufacturing, storage or sales.

Concept summary: Rezone to IL to permit marketing for manufacturing, storage or sales uses on the site.

Tract Size: 10 \pm acres

Location: Northwest corner of W. 161st St. S. and S. Highway 75

Zoning:

Existing Zoning: AG

Proposed Zoning: IL

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 7222

CZM: 65

Atlas: 0

County Commission District: 3

Commissioner Name: Ron Peters

16.1

SECTION I: CZ-450

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from AG to IL in order to permit the marketing of the site for potential manufacturing, storage or sales uses. Screening would be required between industrial uses and adjacent residential zoned properties.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)

DETAILED STAFF RECOMMENDATION:

CZ-450 is non injurious to the existing proximate properties and;

IL zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-450 to rezone property from AG to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the US 75 Corridor District of The City of Glenpool Comprehensive Plan. The City Planner for Glenpool has stated that light industrial has been indicated for the site as part of the comprehensive plan.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: W. 161st St. S. is a Secondary Arterial

Trail System Master Plan Considerations: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently forested vacant land.

Environmental Considerations: None

Streets:

16.2

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|-------------------------------|--------------------|-----------------|-----------------------|
| West 161 st Street | Secondary Arterial | 100 feet | 2 |

Utilities:

The subject tract has water available. Sewer is anticipate to be handled by an aerobic or septic system.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|-----------------|------------------------|--------------------------------------|------------------------------------|---------------------|
| North | IL | N/A | N/A | Industrial |
| South | RS-3/CG | N/A | N/A | Vacant |
| East | CG | N/A | N/A | RV Sales/Hwy 75 |
| West | RE/PUD-755 | N/A | N/A | Vacant |

SECTION III: Relevant Zoning History

ZONING RESOLUTION: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

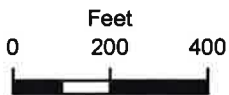
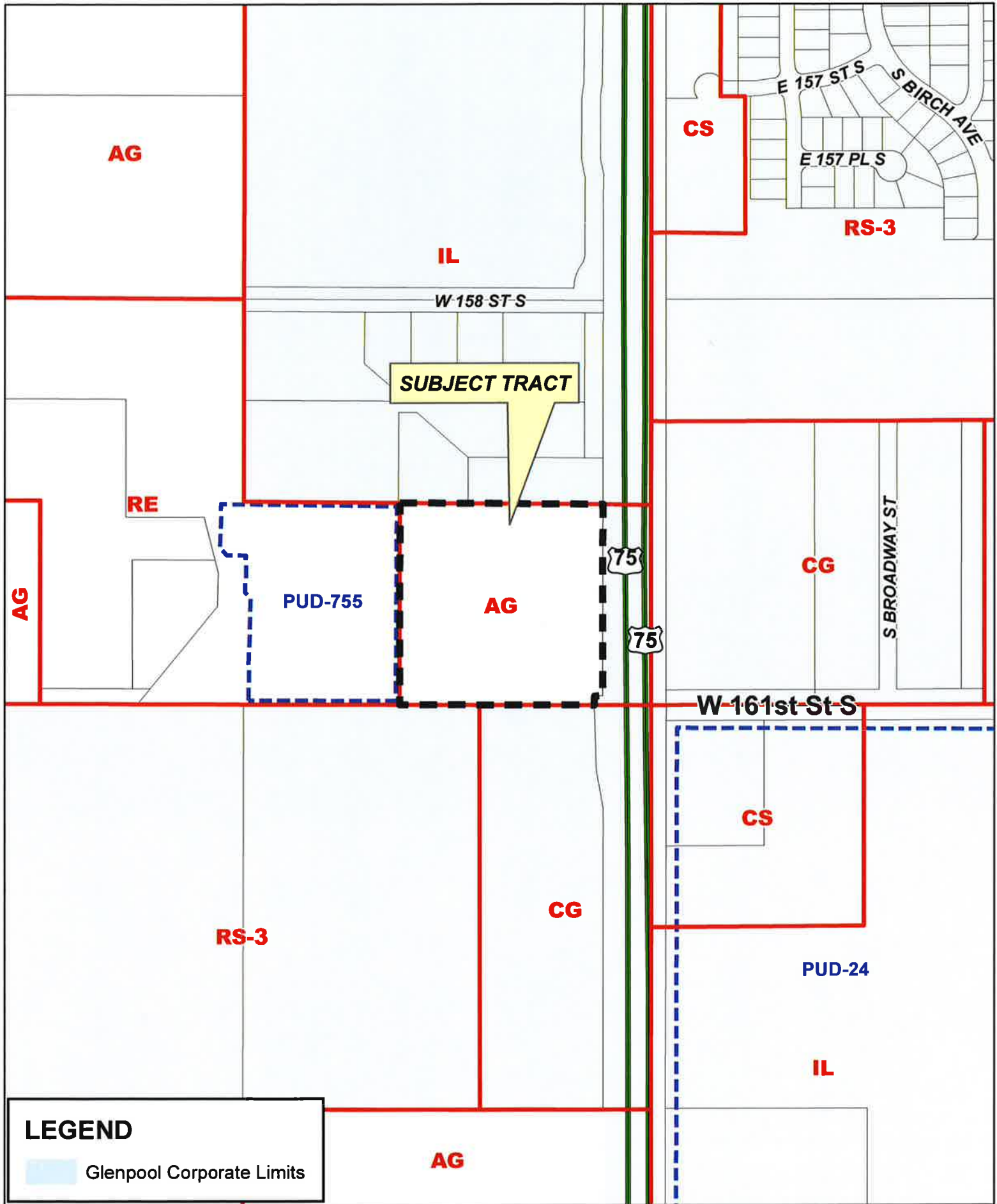
PUD-755 June 2008: All concurred in **approval** of a proposed *Planned Unit Development* on a 7.86± acre tract of land for single-family development, on property located west of northwest corner of West 161st Street South and Highway 75 South and abutting west of subject property.

CZ-389 November 2007: All concurred in **approval** of a request for *rezoning* a 33± acre tract of land from AG to RE for future single family subdivision on property located west of northwest corner of West 161st Street South and Highway 75 South and abutting west of subject property.

CZ-388 December 2007: Application was filed for land at the northeast corner of West 158th Street South and South 33rd West Avenue to request to *rezone* from AG to IL for a trucking company. It was continued multiple times until the application was **withdrawn** on December 5, 2007.

CZ-259/PUD-620 February 2000: All concurred in **approval** of a request for *rezoning* a 240± acre tract of land from AG to RE/RS/CS/IL for mixed use development on property located on the southeast corner of West 151st Street South and South 33rd West Avenue and north and west of the subject property.

CZ-42 March 1982: All concurred in **approval** of a request for *rezoning* an 18± acre tract of land from AG to IM for industrial use, on property located and abutting north of subject property. This property has since been annexed into the City of Glenpool.



CZ-450

17-12 22

16.4





0 200 400
Feet



Subject
Tract

CZ-450

17-12 22

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



16.5



75

W 161st St S

0 50 100
Feet



Subject
Tract

CZ-450

17-12 22

Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016



16.6

February 28, 2017

VIA REGULAR MAIL and Hand Delivered

C. Dwayne Wilkerson
Assistant Director of Land Development
2 West Second Street
Suite 800
Tulsa, OK 74103

Re: RE: Case No. CZ-450: Northwest Corner of W 161st South and Highway 75,
Tulsa County, Oklahoma

Dear Dwayne:

We represent Flying R Ranch, LLC, the owner of Real Property adjacent to the parcel which is subject to the above referenced matter. Specifically, he owns the property adjacent to the West. This property is zoned for residential single family use and is subject to PUD-755. We have been in contact with the applicant and are scheduled to have an in depth discussion today regarding our concerns with the development of the subject property. Our client has met with Richard Malone, the planner for the City of Glenpool, regarding his concerns with the rezoning of the property to IL without any development standards.

In Mr. Malone's recommendation to INCOG he commented about concerns regarding landscaping and screening. In addition to landscaping and screening, there are several additional factors that might be incompatible with the adjacent residential property if the subject property is not subject to development standards for use, setbacks, access, building height, lighting, parking, and other miscellaneous matters. We have provided a working draft of suggested development standards to the applicant that will allow the subject property to be developed in a manner that is not incompatible with the adjacent residential property. The working draft is attached hereto for your consideration.

Kevin C. Coutant

P: 918.591.5221
F: 918.925.5221

kcoutant@dsda.com
Tulsa, OK

P: 918.582.1211
F: 918.591.5360

Williams Center Tower II
Two West Second Street, Suite 700
Tulsa, OK 74103-3117

P: 405.319.3500
F: 405.319.3509

105 N. Hudson Avenue, Suite 1000
Oklahoma City, OK 73102-4802

February 28, 2017

Page 2

This matter should be continued until April 19, 2017 to allow the applicant to apply for a PUD on the subject property.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. Christensen', written over a horizontal line.

Matthew L. Christensen of
DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

cc: Ryan Jones

4156021v1

LIMITED DEVELOPMENT STANDARDS

PERMITTED USES:

All uses allowed within Use Units 16 (Mini-Storage), 22 (Research & Development), 23 (Warehousing & Wholesaling, 25 (Light Manufacturing & Industry) of the Tulsa County Zoning Code; no special exception uses shall be allowed for Use Units 2 (Area Wide Special Exceptions), 5 (Community Services & Similar Uses), 13 (Convenience Goods and Services), 15 (Hotel, Motel & Recreational Facilities), 18 (Drive-in Restaurants), 19(a) (Selected Entertainment Establishments), 20 (Commercial Recreation, Intensive) or 26 (Moderate Manufacturing & Industry).

MINIMUM STRUCTURE SETBACKS:

| | |
|----------------------------------------------|----------|
| From westerly boundary of Subject Property: | 100 feet |
| From northerly boundary of Subject Property: | 20 feet |
| From southerly boundary of Subject Property: | 50feet |
| From easterly boundary of Subject Property: | 10 feet |

Building Height

Building Height shall not exceed 45 feet.

Landscape and Screening:

There shall be established a 20 foot landscaped buffer zone from the westerly boundary of the Subject Property and along 161st street within the limits of no access. In addition to new landscaping elements, the development of the Subject Property shall incorporate existing trees and landscaping elements to the extent possible within the buffer zone to aid in screening the development and maintaining the rural nature of the area.

Site Plan Review:

No building permit shall be issued until a Site Plan has been submitted to and approved by the Tulsa Metropolitan Area Planning Commission and Board of County Commissioners in accordance with the requirements of the Tulsa County Zoning Code.

Access:

Access to and from the Subject Property will be provided by an entrance within the east 350 feet of the subject property. The precise location of the ingress and egress points will be specified as part of the Site Plan.

Parking Lot and Loading Dock Areas:

Any loading dock area serving the proposed use shall be located on the east side of the property and screened from the west by the structure it is serving. The parking area for trucks and other commercial vehicles shall be on the easterly 1/3 of the Subject Property.

Signage:

Signage will be limited to one monument sign within 15 feet of the access point, not exceeding 10 feet in height and having a display area not to exceed 200 square feet per side.

Lighting

No lights shall be located within 100 feet of the westerly boundary of the Subject Property. All lighting shall be shielded to avoid light pollution of any surrounding residential properties.

Speaker System

The Subject Property shall not be allowed to transmit sounds outside of the building over a public address system or similar system.

Platting Requirement:

Any development of the property must be included within a subdivision plat to be submitted to and approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) and the Tulsa Board of County Commissioners, and duly filed of record in the Tulsa County Clerk's office. In the event that the Property is annexed into the City of Glenpool, it must be platted according to the ordinances

FILE COPY

Sawyer, Kim

From: Hoyt, Jay
Sent: Tuesday, February 28, 2017 1:22 PM
To: Sawyer, Kim
Subject: CZ-450 - Correspondence from Representative of Adjacent Development
Attachments: Letter from Matt Christensen.pdf

Kim,

We've received the attached letter from Matt Christensen of Doener, Saunders, Daniel & Anderson regarding concerns the developer of the residential properties immediately to the west of the proposed IL zoning has. I wanted to make sure the Planning Commission was aware of ongoing discussions between the applicant, JR Donelson and the owner of the neighboring development.

Thank you,

Jay Hoyt
Land Development Planner
INCOG
2 West 2nd Street
Suite 800
Tulsa, OK 74103

918.579.9476 phone
918.579.9576 fax
jhoyt@incog.org

February 28, 2017

VIA REGULAR MAIL and Hand Delivered

C. Dwayne Wilkerson
Assistant Director of Land Development
2 West Second Street
Suite 800
Tulsa, OK 74103

Re: RE: Case No. CZ-450: Northwest Corner of W 161st South and Highway 75,
Tulsa County, Oklahoma

Dear Dwayne:

We represent Flying R Ranch, LLC, the owner of Real Property adjacent to the parcel which is subject to the above referenced matter. Specifically, he owns the property adjacent to the West. This property is zoned for residential single family use and is subject to PUD-755. We have been in contact with the applicant and are scheduled to have an in depth discussion today regarding our concerns with the development of the subject property. Our client has met with Richard Malone, the planner for the City of Glenpool, regarding his concerns with the rezoning of the property to IL without any development standards.

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Kevin C. Coutant

P: 918.591.5221
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kcoutant@dsda.com
Tulsa, OK

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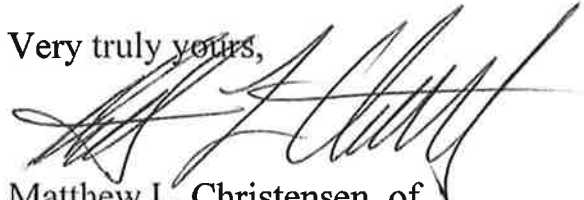
105 N. Hudson Avenue, Suite 1000
Oklahoma City, OK 73102-4802

February 28, 2017

Page 2

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Very truly yours,

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Matthew L. Christensen of
DOERNER, SAUNDERS, DANIEL
& ANDERSON, L.L.P.

cc: Ryan Jones

4156021v1

LIMITED DEVELOPMENT STANDARDS

PERMITTED USES:

All uses allowed within Use Units 16 (Mini-Storage), 22 (Research & Development), 23 (Warehousing & Wholesaling, 25 (Light Manufacturing & Industry) of the Tulsa County Zoning Code; no special exception uses shall be allowed for Use Units 2 (Area Wide Special Exceptions), 5 (Community Services & Similar Uses), 13 (Convenience Goods and Services), 15 (Hotel, Motel & Recreational Facilities), 18 (Drive-in Restaurants), 19(a) (Selected Entertainment Establishments), 20 (Commercial Recreation, Intensive) or 26 (Moderate Manufacturing & Industry).

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Platting Requirement:

Any development of the property must be included within a subdivision plat to be submitted to and approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) and the Tulsa Board of County Commissioners, and duly filed of record in the Tulsa County Clerk's office. In the event that the Property is annexed into the City of Glenpool, it must be platted according to the ordinances

DOERNER|SAUNDERS
DANIEL&ANDERSON
LLP LAWYERS

January 27, 2017

VIA REGULAR MAIL

C. Dwayne Wilkerson
Assistant Director of Land Development
2 West Second Street
Suite 800
Tulsa, OK 74103

FILE COPY

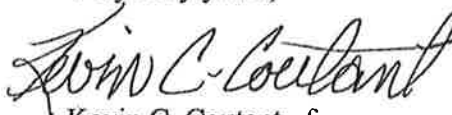
Re: RE: Case No. CZ-450 Northwest Corner of W 161st South and Highway 75, Tulsa
County, Oklahoma

Dear Dwayne:

We represent Ryan Jones, the owner of Real Property adjacent to the parcel which is subject to the above referenced matter. Specifically, he owns the property adjacent to the West. Mr. Jones advises that he has not been contacted by the applicant, J.R. Donaldson, with regards to this matter nor is he familiar with the applicants intended use of the same. Due to the fact that this application involves proposed industrial zoning adjacent to our client's residentially zoned property, we believe that substantial discussions with regard to the intended use, together with appropriate development standards for the same, should be considered.

Please accept this letter as our request for a continuance of the above referenced matter for at least four weeks in order to allow these discussions. If you have any questions regarding this matter, please let me know.

Very truly yours,



Kevin C. Coutant of

DOERNER, SAUNDERS, DANIEL & ANDERSON, L.L.P.

KCC:LM

cc: Ryan Jones

bc: Matthew Christensen

4120956v1

Kevin C. Coutant

P: 918.591.5221
F: 918.925.5221

kcoutant@dsda.com
Tulsa, OK

P: 918.582.1211
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P: 405.319.3500
F: 405.319.3509

105 N. Hudson Avenue, Suite 1000
Oklahoma City, OK 73102-4802

www.dsda.com

Coutant, Kevin C.

From: Christensen, Matthew L.
Sent: Wednesday, March 01, 2017 10:18 AM
To: Coutant, Kevin C.
Subject: FW: CZ-450 Glenpool Recommendation

From: Richard Malone [<mailto:rmalone@cityofglenpool.com>]
Sent: Thursday, February 16, 2017 10:59 AM
To: Christensen, Matthew L.
Subject: FW: CZ-450 Glenpool Recommendation

Matthew:

I have attached my recommendation for your review on this rezoning. Please let me know if you have further questions.

Rick Malone
City Planner
(918) 209-4617 Office
rmalone@cityofglenpool.com



From: Richard Malone
Sent: Thursday, January 19, 2017 2:45 PM
To: 'Wilkerson, Dwayne' <DWilkerson@incog.org>
Subject: CZ-450 Glenpool Recommendation

Dwayne:

Thanks for the chance to have input on this rezoning. The Glenpool 2030 Comprehensive Plan calls for light industrial zoning on the property to the west abutting US 75 so I don't have an issue with the request, however I would caution you about screening and landscaping requirements on the property zoned RE to the west of the subject tract that is being used for large lot single family. My mapping shows PUD 755 abutting this tract, while I don't know what this allows, I'm sure is not compatible with industrial uses without a screening/landscape buffer.

Can you copy me on PUD775?

Thanks

Rick Malone
City Planner
(918) 209-4617 Office
rmalone@cityofglenpool.com

CZ-450

OFFICIAL RECORD EXHIBIT
ENTERED IN THE 31.1.17
MINUTES OF THE TULSA METROPOLITAN
AREA PLANNING COMMISSION.

To: BJ Dumond <bjdumond@simplesimonspizza.com>
Subject: FW: TMPC Case # CZ-448

ROGER KOLMAN, M. Adm

CITY MANAGER

City of Glenpool

12205 S. Yukon Ave

Glenpool, Ok. 74033

(918) 209-4645 Office

(918) 209-4641 Fax

(918) 209-8796 Cell

Email: rkolman@cityofglenpool.com



From: Richard Malone
Sent: Monday, December 12, 2016 4:36 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Cc: Roger Kolman <rkolman@cityofglenpool.com>
Subject: RE: TMPC Case # CZ-448

OFFICIAL RECORD EXHIBIT 7
ENTERED IN THE 3/1/17
MINUTES OF THE TULSA METROPOLITAN
AREA PLANNING COMMISSION.

Dwayne:

Having carefully reviewed this request by visiting the subject tract and checking with some of the abutting property owners in Glenn Abbey Addition. Our Comprehensive plan is being reevaluated as we speak and based upon what is existing on that site currently I think that a mini-storage development that is done with the input of the abutting property owners which includes proper screening and landscaping, can actually enhance the neighborhood.

If I can answer any further questions, please feel free to contact me.

CZ-450

[illegible]

OFFICIAL RECORD EXHIBIT
ENTERED IN THE 37117
MINUTES OF THE TULSA METROPOLITAN
AREA PLANNING COMMISSION

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Reeds, "absent") to **CONTINUE** Z-7376 to April 19, 2017 per request of applicant.

Legal Description of Z-7376:

LT 2 BLK 3, EXPOSITION HGTS ADDN, an addition to the City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

15. Z-7371 Miguel Gomora (CD 3) Location: North and west of the northwest corner of East 11th Street South and South Garnett Road requesting rezoning from **RS-3** to **CG**. (Continued from December 21, 2016 and February 15, 2017) **Applicant has withdrawn this application**

* * * * *

Adams out at 2:49 p.m.
Doctor out at 2:51 p.m.

16. CZ-450 JR Donelson (County) Location: Northwest corner of West 161st Street South and Highway 75 requesting rezoning from **AG** to **IL** (Continued from February 1, 2017)

STAFF RECOMMENDATION:

SECTION I: CZ-450

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from AG to IL in order to permit the marketing of the site for potential manufacturing, storage or sales uses. Screening would be required between industrial uses and adjacent residential zoned properties.

DETAILED STAFF RECOMMENDATION:

CZ-450 is non injurious to the existing proximate properties and;

IL zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-450 to rezone property from AG to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the US 75 Corridor District of The City of Glenpool Comprehensive Plan. The City Planner for Glenpool has stated that light industrial has been indicated for the site as part of the comprehensive plan.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: W. 161st St. S. is a Secondary Arterial

Trail System Master Plan Considerations: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently forested vacant land.

Environmental Considerations: None

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|-------------------------------|--------------------|-----------------|-----------------------|
| West 161 st Street | Secondary Arterial | 100 feet | 2 |

Utilities:

The subject tract has water available. Sewer is anticipate to be handled by an aerobic or septic system.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|----------|-----------------|-------------------------------|-----------------------------|-----------------|
| North | IL | N/A | N/A | Industrial |
| South | RS-3/CG | N/A | N/A | Vacant |
| East | CG | N/A | N/A | RV Sales/Hwy 75 |
| West | RE/PUD-755 | N/A | N/A | Vacant |

SECTION III: Relevant Zoning History

ZONING RESOLUTION: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

PUD-755 June 2008: All concurred in **approval** of a proposed *Planned Unit Development* on a 7.86± acre tract of land for single-family development, on property located west of northwest corner of West 161st Street South and Highway 75 South and abutting west of subject property.

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CZ-42 March 1982: All concurred in **approval** of a request for *rezoning* an 18± acre tract of land from AG to IM for industrial use, on property located and abutting north of subject property. This property has since been annexed into the City of Glenpool.

Applicant's Comments:

JR Donelson 12820 South Memorial Drive, Bixby, OK 74008

JR Donelson stated he represents the owner of the subject property and they wish to rezone this property to market to a manufacturing or storage use on that site. Mr. Donelson stated the property will not be mixed use so a PUD is not needed. Mr. Donelson stated prior to this application he spoke with the planning staff at INCOG and City of Glenpool. Mr. Donelson states the rezoning meets the Glenpool Comprehensive Plan. Mr. Donelson states he spoke with the representative of property owner to the west who has the PUD-755 and wanted the applicants to place development standards on the zoning application but when Mr. Donelson looked at their request he went to the Tulsa County Zoning Code sections 9 and 10. When Mr. Donelson looked at what the neighbor wanted the applicant to do and what the Zoning Code stated, they were asking for basically the same as in the Zoning Code. Mr. Donelson stated the development standards the neighbor wanted fit the permitted uses that are shown in the Zoning Code currently. Mr. Donelson stated other things the neighbor was asking in regards to setbacks were already addressed in the bulk and area requirements. Mr. Donelson stated the applicant isn't asking for anything different than what is in the Zoning Code. Mr. Donelson stated the applicant knows the property would need to be platted before a building permit could be issued. Mr. Donelson stated there were a number of issues that the neighbor wants as restrictions that would be addressed at the platting stage.

Mr. Covey asked Mr. Donelson to point out the existing businesses on the map. Mr. Covey asked if the Glenpool Comprehensive Plan covered this area.

Mr. Donelson stated "yes", the Comprehensive Plan shows this area as the U.S. 75 Corridor District. Mr. Donelson stated the planning staff at Glenpool recommended Mr. Donelson apply for IL zoning.

Shane Roller 15831 South Lewis Avenue, Bixby, OK 74008

Mr. Roller stated he didn't wish to speak.

Michael Roller 9067 East 118th Place South, Bixby, OK 74008

Mr. Roller stated he owned the subject property and was available for questions. Mr. Roller stated there were no plans for the property except to rezone the property and put it on the market.

INTERESTED PARTIES COMMENTS:

Kevin Coutant 2 West 2nd Street STE 700, Tulsa, OK 74103

Mr. Coutant stated he represents Brian Jones who owns the property adjacent to the subject property and designated as PUD-755 on the map. Mr. Coutant stated his clients property approximately 9 acres was approved for a PUD in 2008 and the underlying zoning is RE zoning. Mr. Coutant stated his client does not object to the proposed IL zoning. Mr. Coutant stated his client believes there should be

a transition between PUD and IL zoning. Mr. Coutant stated there is a hierarchy of zoning intensities that are represented by zoning classifications and a general understanding that you don't jump too many steps for compatibility of use. Mr. Coutant stated his client is RE zoning which has the largest lots available and over the last few weeks Mr. Coutant has tried to engage in a conversation with the applicant about those transition issues. Mr. Coutant stated he gave the applicant a set of development standards that didn't limit the uses at all. The issues are dealt with in PUD's all the time such as lighting, noise and increasing the setbacks. The Zoning Code requires a 75 foot setback from adjacent residents and Mr. Coutant has suggested a 100 foot setback. Mr. Coutant stated his client is not objecting to the use but feels there needs to be some buffering. Mr. Coutant stated the response from Glenpool planners that Mr. Coutant has a copy of states that the Comprehensive Plan calls for light industrial zoning but cautions the applicant about screening and landscaping requirements on the property zoned RE to the west of the subject tract. Mr. Coutant stated his client has no choice in this conversation but to oppose the application. Mr. Coutant stated what should happen is the applicant and his client should talk and come back with a PUD that is appropriate not only his client but by the Comprehensive Plan, that includes buffering and transition.

Mr. Covey asked if Mr. Coutant has spoken with the applicant about the PUD.

Mr. Coutant stated "yes" it was just development standards that would be helpful to the neighbor.

Mr. Covey asked what the applicant's response was.

Mr. Coutant stated "no thank you".

Mr. Covey asked if Mr. Coutant if he offered to pay for the PUD.

Mr. Coutant stated "he did not".

Mr. Donelson stated he understands the neighbors concerns about landscaping and buffering but these things will be addressed in the platting process simply because this is IL zoning adjacent to residential zoned property. Mr. Donelson believes this property rezoned as IL will have a positive effect of South Tulsa County and will be the best use of the property. Mr. Donelson stated the piece of property that is zoned RE and is listed as PUD-755 falls within what is listed as U.S. 75 Corridor District in the Glenpool Comprehensive Plan. Mr. Donelson further states the buffer is in fact the neighbor's property not the applicants as you can see from the planning map. So adjacent to highway 75 everything falls in place the piece of property to the applicants west is the buffer property.

Mr. Covey asked Mr. Donelson if the applicant was opposed to a PUD.

Mr. Donelson stated 'yes'.

Mr. Walker asked Ms. VanValkenburgh who is compelled to buffer.

Ms. VanValkenburgh stated she believes it's a planning concept.

Ms. Miller stated there are buffer standards between IL and adjacent residential. Ms. Miller states the zoning is what really requires the buffering. If Industrial is against residential then its industrial's responsibility.

Ms. Millikin asked Ms. Miller as this property is developed will a site plan be looked at for buffering.

Ms. Miller answered if it's not a PUD and they get their building permit the user will be subject to the minimum landscaping and screening requirements for IL when it abuts a residential district. Ms. Miller asked the applicant and neighbor if the PUD was in Glenpool or unincorporated Tulsa County.

Mr. Donelson replied the applicant's property is in unincorporated Tulsa County.

Ms. Miller stated the PUD-755 is in unincorporated Tulsa County.

Ms. VanValkenburgh asked Mr. Hoyt if the screening would be governed by the use.

Mr. Hoyt answered that is correct but all the uses he researched for this property all require it.

TMAPC Action; 8 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Fretz, Krug, Millikin, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Adams, Doctor, Reeds "absent") to **APPROVE** CZ-450 per staff recommendation.

Legal Description of CZ-450:

The East 10 acres of the South Half of the Southeast Quarter of the Southeast Quarter (S/2 SE/4 SE/4) of Section Twenty-two (22), Township Seventeen (17) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof lying West of the West right of way of Highway #75 as appropriated to the Department of Highways of the State of Oklahoma by report of commissioners, No. 93017, as filed at book 2787, page 264, office of county clerk, Tulsa County, Oklahoma (the "Property").

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