TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1369
Wednesday, August 5, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller	Freeman	Gardner	Jackere, Legal Department
Higgins	Gardner	Howell	
Holliday, Secretary	Inhofe	Wilmoth	
Kempe, 2nd Vice-Chairman	T. Young		
Parmele, 1st Vice-Chairman			
Petty			
C. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, August 4, 1981, at 12:16 p.m., as well as in the Reception Area of the INCOG Offices.

Chairman C. Young called the meeting to order at 1:35 p.m. and declared a quorum present.

MINUTES:

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Eller, Holliday, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Higgins, Inhofe, T. Young "absent") to approve the Minutes of July 15, 1981 (No. 1366).

CONTINUED ZONING PUBLIC HEARING:

Z-5575 Roy Johnsen (Lomax Affil.) NE corner of 71st Street and Peoria Ave.
CS, RM-2, RM-1 to OM

PUD #261 Roy Johnsen (Lomax Affil.) NE corner of 71st Street and Peoria Ave.
(CS, RM-2, RM-1)

A letter (Exhibit "A-1") requesting continuance of these items to September 2, 1981, was presented. Mr. Johnsen requested the additional time in order to continue efforts to revise the site plan to conform to an acceptable re-alignment of South Peoria Avenue.

On MOTION of HOLLIDAY, the Planning Commission voted 5-0-1 (Eller, Holliday, Kempe, Petty, C. Young "aye"; no "nays"; Parmele "abstaining"; Freeman Gardner, Higgins, Inhofe, T. Young "absent") to continue Z-5575 and PUD #261 to September 2, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5594 Present Zoning: RD, RS-3
Applicant: Bailey Nicholas Proposed Zoning: RM-1
Location: North and East of the NE corner of 61st Street and 89th East Ave.

Date of Application: June 19, 1981
Date of Hearing: August 5, 1981
Size of Tract: 5.3 acres, more or less

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall Phone: 585-5641

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Metropolitan Area, designates the subject property Low-Intensity -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation:

The Staff recommends DENIAL of RM-1 or RM-0 zoning, for the following reasons:

The subject property is located at the NE corner of 61st Street South and 89th East Avenue. The tract is vacant, zoned a combination of RD and RS-3 and is permitted duplex development. The applicant is requesting RM-1 Apartment zoning.

The requested RM-1 zoning is inappropriate given the existing physical facts:

1. The requested RM-1 zoning does not meet the location criteria as set forth in the adopted Development Guidelines for Subdistricts (Item 3, page F-6):

   3. "A 300-foot deep strip of RD and/or proposed new, less dense RM zoning classification may be allowed in the subdistricts as a transitional intensity separating the subdistrict from adjacent high or medium intensity areas. The RD zoning classification may also be allowed in the subdistricts in instances where, by reason of physical features, i.e., narrowness, shallowness, shape, topography, or other unusual situation, condition or circumstance to a particular property, the limiting of subdistrict development to RS-1, RS-2 and RS-3, as set out in SUBDISTRICTS #1 is not merited."

2. Less traffic will be generated from the RD development than apartments.

3. The apartment zoning to the south is physically separated from the subject neighborhood by a major arterial street.

   RD zoning is consistent with Item #3 of the Development Guidelines. The RM-0 designation is not appropriate under the Development Guidelines since the single family area to the north is not adjacent to a high or medium intensity area.

The Staff also maintains that:

1. More privacy is afforded the existing residents by developing the duplexes than 2-story apartments.

2. Generally less noise and disturbance from duplexes than apartments because of the need for parking lots in apartment complexes.

Based on these reasons, the Staff recommends DENIAL of RM-1 zoning and APPROVAL of RD Duplex zoning.

Applicant's Comments:

Roy Johnsen advised that the subject tract has approximately 800 feet of frontage on 61st Street; the north/south dimension along 89th East Avenue, at its furtherest point, is 400 feet. He pointed out that the subdivision to the west of the subject tract has two single family dwellings with the balance of the lots developed for duplex use. With the exception of the front of the property which is adjacent to 89th East Avenue, the balance of the property is totally excluded from the existing neighborhood. The subject tract is essentially oriented to 61st Street and not a part of the existing neighborhood. The subject property fronts to 61st Street and, in Mr. Johnsen's opinion, is more oriented to the properties on 61st Street which are zoned RM-1 than to the single family neighborhood to the north. The character of 61st Street, from Memorial Drive to Mingo Road, is non-single family.

Mr. Johnsen stated that his client felt there is an increasing market for affordable houses that condominiums provide the opportunity of reaching. For that reason, they were interested in the subject tract as a property which would be adaptable for condominium units. The subject tract has been approved for duplex use, but to this point has not successfully developed for duplexes. The history of the subject property notes that the area was once identified for multifamily use and was always contemplated as being something other than a single family use. An attempt was made to develop a portion of the property into duplexes, they went into foreclosure and Mr. Johnsen's clients are attempting to acquire the lots from the bank. Therefore, there is not a very good history on the east portion of the subject tract for actual development as duplexes. Providing housing is becoming a very difficult proposition due to increasing construction costs and high interest rates. Mr. Johnsen stated it was his understanding that duplex development was one of the most difficult to develop and actually make a return.

Mr. Johnsen emphasized two points: 1) This is not an application that reflects a departure from the Comprehensive Plan and would not require any amendment to the Plan; and 2) the proposed change is totally consistent with the character of the area and what is happening along the 61st Street frontages. Noting that the Staff Recommendation relies heavily on the Guidelines, Mr. Johnsen pointed out that none of the existing zoning patterns along 61st Street meet the Guidelines, but they are realities of the situation. He advised that the RM-0 designation is recognized as a low-intensity residential use which might be appropriate near single family areas -- the Staff Recommendation discounts the value of RM-0 because 61st Street separates it from the RM-1 across the street. The applicant felt this interpretation of the Guidelines was "too strained." Mr. Johnsen suggested the Commission consider the alternative of 110 feet of RM-T, townhouse-type development, from 89th Street with the balance of the tract zoned RM-1 or RM-0. Under the Ordinance there is a one-story limitation in RM-1 or RM-0, where the property abuts single family for a distance of 50 feet. Therefore, if two-story buildings were proposed it would force the developer to file a PUD or seek Board of Adjustment relief.

Z-5594 (continued)

Protestants:		Address:	
	Gary Main		9008 East 60th Street
	David McKinney		8913 East 60th Street
	Robert Cadenhead		6038 South 89th East Avenue
	Steve Bennett		6026 South 89th East Avenue
	Charles Kelly		8940 East 60th Street
	Craig Shuck		9006 East 90th Street
	Elizabeth Payton		9235 East 58th Place
	Debbie Whitt		9021 East 60th Street

Protestant's Comments:

Gary Main advised that the homeowners do feel the subject tract is very much a part of their addition since it is the main entryway into the addition. The affect and appearance of the development will be a part of what the area residents have to live with.

Speaking on behalf of the Woodland View Park Court Addition homeowners, Mr. Main advised that the residents are not opposed to the change and progress of the Addition and the surrounding area. The homeowners feel that the development of the subject tract should be harmonious with the atmosphere of the Addition and should be similar development. The welfare, health and safety of the area are of the highest concern to the residents and they were of the opinion that a change to multifamily zoning would affect all of these areas. The residents questioned if there is sufficient need for multifamily development on the subject tract since there is already a great deal of land available in the area which is zoned for multifamily development. Duplexes are feasible in the area -- there are 22 existing duplex units which are all rented.

Mr. Main stated that the area residents are concerned about additional traffic in the area and noted that development of several office complexes, the Redman Plaza and probable development of the already zoned RM-1 land will further impact the area. Sixty-first Street is the main route to St. Francis Hospital and area residents are concerned that traffic, increased by the proposed development could hamper accessibility for emergency vehicles.

Homeowners of the area questioned how the area would be developed so residents of the proposed development could have playgrounds and recreational areas. Children in the developed area would be exposed to traffic not only on 61st Street, but 89th East Avenue and 92nd Street, as well. Mr. Main noted that the open drainage ditch along 61st Street could be hazardous if it attracted the children from the proposed development. In addition, drainage could be a problem to many of the existing homes since drainage from heavy rains causes runoff which accumulates in the yards. He advised that "overall welfare" is the objective of residents of this Addition. Members of the Homeowner's Association feel that in a Democratic and free society the views of nearly 200 residents and area taxpayers should prevail, not the will of the devleoper who will not have to live in the area affected and deal with the problems that are created. Mr. Main advised that the homeowners want the area to stay as zoned and develop so that investments can be protected and to keep the atmosphere which they have worked diligently to achieve since the birth of their Addition.

David McKinney advised that he and his sister both own homes in the immediate area. He voiced no objections to the very nice duplexes which exist

in the area; however, intensive development, such as RM-1, is unsatisfactory to maintain the substantial land values in the area. In regard to Mr. Johnsen's comments, the protestant noted that a portion of the property was proposed for duplexes under a PUD; when the tract came out of foreclosure an entirely new plan was proposed which included a development of very nice homes, one of which was purchased by the protestant. He requested a buffer between the proposed development and his property.

Robert Cadenhead advised that he lives directly across the street from the subject tract and was very concerned about the proposed Addition. He pointed out that 89th East Avenue is a very congested arterial with constant traffic, day and night. A school bus stops at the entrance of the subdivision and the increased traffic generated by the proposed addition would present an even greater danger to the school children. The protestant expressed concern for property values in the area, noting that a home is a very important investment to everyone.

Steve Bennett, who resides in the subdivision which borders the subject tract, stated that he has resided in the area since the initial development. He advised that he was aware that duplex zoning was in place on the adjacent property; they have been completed, are well done and maintained. However, he noted that multifamily dwellings are often ill-kept because there is no true appreciation of the property by the residents and many times the owners themselves do not appreciate the property once it has been rented. The protestant advised that he has two children and was concerned with their safety since the traffic, at this time, is heavy and sometimes difficult to control. With additional residences in the area, there would certainly be parking along the streets -- a real safety factor for children in the area. In regard to the Public Service Substation, Mr. Bennett advised that these facilities were constructed to border any areas that needed electricity and were designed with a residential-type facement compatible with the neighborhood.

Charles Kelly pointed out the overcrowding which already exists in the school system and, expressed concern that the proposed development will further impact the situation. Another concern of Mr. Kelly was the maintenance of the subject tract. He advised that the stockade fences erected by the homeowners in the subdivision were put up for protection against people dumping trash, poor repair of the subject tract and the existing building which housed rats and mice.

Craig Shuck advised that the duplex zoning was approved in April 1978. Mr. Shuck expressed the concern that the subject tract represents such a small area and once the buildings, clubroom and swimming pool are in place, where will the children play? 61st Street is only 26 feet wide and abuts the subject tract; there are privacy fences on the other side. The protestant stated he would like to see the subject property develop in a way which is compatible to the existing neighborhood.

Elizabeth Payton advised that even though she did not live adjacent to the subject tract, she was interested in what happens to the area. Existing water facilities are good; however, Ms. Payton was of the opinion that it was planned for the original zoning and not meant for multifamily development. There are existing drainage problems in the area which will be increased with additional construction. Many of the residents in the area are young, married couples and they are very concerned about

potential overcrowding in the schools. Single family or duplexes were acceptable to Ms. Payton, but she noted that multifamily use would not fit in the existing neighborhood.

Debbie Whitt stated that she lives two blocks from the subject tract, but is very concerned with any additional traffic in the area. She also expressed concern that the rental properties will not be as well-kept as single family homes in the area. Since these rental properties would be at the entrance of the subdivision the protestant was concerned they would not reflect the appearance desired by other homeowners in the area.

Special Discussion for the Record:

Bob Gardner advised that approximately 117 units could be constructed under RM-1 zoning; RM-T - 64 units; a combination of 9 townhouses under RM-T - 55 units - RM-0; and 15-20 duplex structures - 30-40 units.

Roy Johnsen pointed out that an RM-T and RM-1 combination zoning, without a PUD, would allow approximately 68 dwelling units - 78 units with a Planned Unit Development. Noting that duplexes are more nearly like single family dwellings, they are larger units and usually attract families, Mr. Johnsen advised that 61st Street would not be a very good location for those children involved. More important, the cost of financing, constructing and commanding the rent which will allow a marginal profit makes duplex development undesirable. In addition, duplex units are basically rental units; the developer is proposing an ownership-type of project.

It was Mr. Johnsen's opinion that the most critical factor of the subject tract was the small portion of the property which is located across the street from the two existing single family houses. The subject tract was previously platted, received approval of the TMAPC, but has not been filed of record. If the property is to be developed, lots will be fronted to 89th Street and some type of street system will need to be designed off of 61st Street. The subject tract is oriented and relates to 61st Street. Mr. Johnsen suggested the area which could be duplexes and rental units be considered under some type of ownershipl i.e., RM-T, and deal with the balance of the tract as a condominium project oriented to 61st Street. He advised this would provide logic to the zoning pattern and a consistency with past decisions. Mr. Johnsen noted that so many times it has been encouraged, permitted and deemed appropriate to have multifamily development in and near single family neighborhoods -- if that's incorrect then virtually every zoning pattern in the City is wrong.

Chairman C. Young pointed out that most of the cases are new areas with initial zoning -- office zoning wrapped around the commercial zoning at the corner with RM-0 or RM-1 around the office area. The subject application involves the interior of a section where residential use is already in place.

Mr. Johnsen made the point that even though the more intense use is at the corner, it is recognized that at some point the multifamily use is against a single family neighborhood in a back-up relationship and it is considered acceptable. He was of the opinion that there will be other applications where people are trying to address the housing demands and condominium projects are one way of doing that. This is a good location for a condominium project -- a tract with good accessibility that

can maintain a satisfactory relationship with adjoining properties at a low density (RM-0 or RM-1) and a developer should be allowed to make the effort to meet a market of the future.

Mr. Gardner pointed out Mr. Johnsen stated that the RM-1 designation on the south side of the street is medium intensity for his purpose of justifying additional RM-1; however, when the RM-1 is on the north side of 61st Street it is considered low intensity and fits within the Plan.

The applicant advised that if you were viewing the property on the south side as though the RM-1 wasn't there, then Mr. Gardner's statement would be correct, but the RM-1 is in place and he considered it low intensity. Mr. Johnsen did not see how the frontages along 61st Street could be considered as typical Guidelines applications.

In answer to Commissioner Parmele's question, Mr. Johnsen advised that he had considered the RM-T designation on the entire tract. The townhouse zoning would lower the density by 10 dwelling units.

Bob Gardner advised that the RM-T and RM-0 designations are the exact same density (if the units contain more than one bedroom); however, the maximum amount of density cannot be achieved unless a PUD is filed because some ground is lost when lots and street patterns are laid out, some of the lots are going to be more than the minimums.

Commissioner Higgins asked what the density would be, or if the project could be accommodated, if duplex zoning was approved directly across from the two single family houses with the balance of the tract zoned RM-0.

Mr. Johnsen stated that it probably would be feasible if a PUD was filed on the entirety, the frontage use on 89th Street was limited to duplex use, and there was some transfer of density within the tract. One advantage to the Commission would be a required site plan and a more detailed review of the setbacks, landscaping, etc.

Noting that the number of dwelling units was an important issue to him, Chairman C. Young questioned the number of allowable units under the present zoning. Mr. Gardner advised that about 17 lots and 34 dwelling units could be built.

The applicant stated that with RD zoning on 110 feet on 89th East Avenue and RM-0 on the balance, and a PUD filed on the entire tract, the calculations would show approximately 76 dwelling units.

Commissioner Petty, after assurance by the Staff that if the entire tract was zoned RM-T it would require a PUD be filed to develop as a condominium project, advised that he favored RM-T on all of the property; it would be an accommodation and a compromise. The RM-T would tie the developer to individually owned properties whereas the other zoning would not, it is a less intense zoning than what was advertised and would be an appropriate buffer.

Commissioner Parmele was in agreement with RM-T zoning on the entire tract. He noted that it has been the Commission's policy to place multifamily zoning adjacent to single family additions and would support either RM-T on the entire tract or RM-T with RD facing 89th Street. This would insure

Z-5594 (continued)

the Commission of a PUD being filed, approval of a site plan and could place restrictions on landscaping and open space.

TMAPC Action: 7 members present.

On MOTION of PARMELE, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned RD on the west 110 feet, RM-T on the balance:

A tract of land in Section 36, Township 19 North, Range 13 East, City of Tulsa, more particularly described as beginning at the Southwest corner of the Southeast Quarter; thence East 400'; thence North 300'; thence West 400'; thence South 300' to the point of beginning, containing 2.75 acres, more or less; AND all of Block 1, Woodland View Park Court Addition to the City of Tulsa, Tulsa County, Oklahoma.

SUBDIVISIONS:

The Highlands (PUD #159) (382) North of the NW corner of 71st Street and Union Avenue (RM-1)

The Staff presented the plat with the applicant not represented.

The Staff noted that this plat had a preliminary and final approval under the old Subdivision Regulations, but the plat expired before it was filed of record. This is the same project that was previously reviewed, but some additional requirements will be necessary under the new Regulations and policies.

Water Department reminded the applicant a secondary pressure system will be required above 775'. The City Engineering Department advised that on-site detention would be required unless it was provided for in the initial West Highlands development.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of The Highlands, subject to the conditions.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the preliminary plat of The Highlands, subject to the following conditions:

1. The access easement pending shall meet the approval of the City Legal and Park Departments prior to release of the final plat. (Tract also has frontage and access on South Union Avenue.)

2. Covenants: (a) Include PUD requirements; (b) include PSO and Water and Sewer Department language; and (c) include applicable language pertaining to access agreement with the City.

3. The final plat should be 1"=100' scale on a maximum paper size of 24" x 36".

4. All conditions of PUD #159 shall be met prior to release of final plat, including any applicable provisions in the Covenants, or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the Covenants.

5. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. (17½ feet) Existing easements should be tied to or related to property and/or lot lines.

6. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language in Covenants relating to water and sewer.) (Secondary system above 775')

7. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).

8. A request for creation of a Sewer Improvement District shall be submitted to the water and Sewer Department prior to release of final plat.

The Highlands (PUD #159) (continued)

9. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required)

10. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.

11. Access points shall be approved by the City and/or Traffic Engineer.

12. It is recommended that the developer coordinate with the Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)

13. It is recommended that the applicant and/or his engineer, or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

14. The key or location map shall be complete. (Show Golf Estates.)

15. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on the plat on any wells not officially plugged.

16. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

17. All Subdivision Regulations shall be met prior to release of the final plat.

Valley Glen Condominiums (1994) 3200 Block of South 108th East Avenue (RM-1)

The Staff presented the plat noting the applicant was not represented at the meeting.

The Engineering Department advised the following would be required:

(a) Finished floor elevation 1-foot above the loo-year water surface elevation,
(b) elevate pads, but leave greenbelt, open space. Parking should not flood in excess of 1 & 1/2 feet,
(c) provide internal storm sewer,
(d) earth change and floodplain development permit will be required, and
(e) applicant to fill out fee in lieu of on-site detention form.

The Technical Advisory Committee and Staff recommended APPROVAL of the preliminary plat of Valley Glen Condominiums, subject to the conditions.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the

Valley Glen Condominiums (continued)

preliminary plat of Valley Glen Condominiums, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.

2. Water plans shall be approved by the Water and Sewer Department prior to the release of the final plat. (Include language in Covenants relating to water and sewer.) (if required)

3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).

4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (If required -- Check location of sewer.)

5. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.

6. It is recommended that the applicant and/or his engineer, or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

7. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

8. All Subdivision Regulations shall be met prior to release of the final plat.

Royal Hills (2883) 109th Place and South Louisville Avenue (AG)

The Staff presented the plat with the applicant represented by Paul Gunderson.

This plat has a sketch plat approval, subject to conditions.

The Technical Advisory Committee and Staff recommended APPROVAL of the preliminary plat of Royal Hills, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the preliminary plat of Royal Hills, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines. (Easement around cul by separate instrument) (O.N.G.)

Royal Hills (continued)

2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language in Covenants relating to water and sewer.)

3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).

4. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission. (PFPI is required for storm (drainage)

5. Street names shall be approved by City Engineer. Show on plat as required. (as "private")

6. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.

7. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information to be included in Restrictive Covenants.)

8. Show tie dimension to 1/4 section or other reference.

9. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged.)

10. Covenants:
    (a) Page 1: Omit "LNA" provisions--not shown on plat and not an arterial street.
    (b) Page 3, paragraph 2: Since property line is curved owner should made sure the described parcel will be sufficient for gates.
    (c) Page 3, paragraph 3: May be some conflict of uses between easement for utilities and bridle trail. (Check?)
    (d) Page 4: (or appropriate location) add language for septic tank use.

11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)

12. Board of Adjustment approval of the bulk and area requirements.

13. All Subdivision Regulations shall be met prior to release of final plat.

Tower Estates (29, 30 & 3290) West 51st Street and South 257th West Avenue (AG-R)

Rim Rock Estates (2090) West 41st Street and Rim Rock Road (AG-R)

Mr. Wilmoth advised that these subdivisions are already built and a continuance is necessary to complete the percolation tests on the tracts.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to continue Tower Estates and Rim Rock Estates to September 16, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Brighton Square (3093) SW corner of 48th Street and South Quaker Avenue (RM-T)

Mr. Wilmoth advised that all letters were in the file and final approval and release was recommended.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to grant final approval and release of Brighton Square.

Cabin Place (1694) East of the NE corner of 31st Street and South 129th East Avenue (RM-1)

The Staff recommended this item be tabled.

The Chair, without objection, tabled Cabin Place.

Ridge Park (PUD #190) (1083) 77th Street and South Yale Avenue (RS-3)

The Staff advised the Commission that all letters of approval had been received and that the plat was ready for release. (The Site Plan was also reviewed this date.) The Staff recommended final approval and release of the plat, including the provision that those items in the Site Plan Review applicable to the Covenants be included in final plat.)

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the final plat and release same, as recommended by the Staff.

Lewis Park Townhomes (3293) 5600 Block South Lewis Place (RM-T)

Mr. Wilmoth advised that he had not received all of the letters for final approval and release of this plat. He recommended the item be tabled.

Without objection, the Chair tabled Lewis Park Townhomes.

CHANGE OF ACCESS ON PLAT:

Admiral Benbow Addition (2793) SW corner of Skelly Drive and 46th Street (OMH)

The Staff made the following report:

This is a request to relocate one access point on Skelly Drive service road and to eliminate the access limitations on the nonarterial street

Admiral Benbow Addition (continued)

Darlington Avenue. The property was recently rezoned OMH and the plat requirement was waived. One of the conditions of the plat waiver was the approval of new access points which this application does. (The zoning line now goes to the center of Darlington so the removal of access limits on that street will not conflict with zoning.) Traffic Engineer has approved the request and it is recommended the Planning Commission concur.

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve relocation of one access point on Skelly Drive service road and to eliminate the access limitations on the nonarterial street Darlington Avenue in Admiral Benbow Addition.

East Vue Center (2094) NE corner of 41st Street and Garnett Road (CS)

The Staff advised that this is a request to relocate the access points on both Garnett and 41st Street. No new access points are being granted and the new locations are in conjunction with an approved lot-split. Generally, the access points are being moved away from the street intersection. The Traffic Engineer has approved the request and it is recommended that the Planning Commission concur.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve relocation of the access points on both Garnett Road and 41st Street on East Vue Center.

Longview Lake Estate Center Amended (1894) NE corner of 31st Street and Mingo Road (CS)

Mr. Wilmoth advised that the applicant had not submitted the necessary information and recommended the Commission strike the item.

The item was stricken from the agenda without objection.

LOT-SPLITS:

L-15239	Carl E. Stufflebeam	(3392)	L-15260	C. H. Walters	(883)
15241	Fred R. Probis	(1582)	15261	T.U.R.A.	(2502 & 3602)
15251	Jack Stacy	(2792)	15262	Roger & Brenda K. Blanton	(Osg. 2702)
15252	Ken. G. Cook	(1792)	15264	One Wm's. Center Co.	(192)
15256	Everett E. Hooper	(3483)	15265	Larry D. & Sherri Ladd	(3214)
15257	Fred D. Keas, Jr. etal.	(3303)	15266	H. S. McBride, Jr.	(793)
15258	Ramon L. King	(2793)	15267	Sharon L. Dossey	(293)
15259	Larken & Thompson Partn's.	(2083)	15268	Joy Reid McLaughlin	(1193)

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") for ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-15243 Ruth A. Blanc (1993) The SW corner of East 33rd Street South and South Quincy Avenue (RS-3)

The Staff made the following report:

This is a request to split the lot in order to sell an existing duplex and a single family residence separately. The applicant is asking for a waiver of the 60' minimum frontage to allow a 45' frontage. The lot has been fenced separately for several years and no new building is planned. The applicant advised the Staff that separate water and sewer connections are in place so, no extensions would be needed, however, the Water and Sewer Department advised that no water line exists on Quincy Avenue. They would need to determine the location and/or source of water for the lot facing Quincy. Since it is an existing situation and nothing is being done to increase the density in the neighborhood, the Staff sees no objection to the request, provided the utilities are satisfied. Approval will be subject to the Board of Adjustment approval of the minor variance of the frontage.

The Technical Advisory Committee and Staff voted unanimously to recommend approval of L-15243, subject to the two conditions.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young "absent") to approve a waiver of the 60-foot minimum frontage to allow a 45-foot frontage on L-15243, subject to the following conditions:

(a) Board of Adjustment approval of the minor variance and,
(b) determination of source of water and/or location of water meter for lot facing Quincy Avenue.

L-15246 Christopher E. Aga (3193) North side of East 55th Place, East of South Quincy Avenue (RS-3)

Mr. Wilmoth advised that this is a request to create a "flag lot" since there is no other direct access to the rear of this large lot. Each lot will exceed 9,000 square feet and the applicant plans to request Board of Adjustment approval for duplexes. (One on each tract being created.) (Even if the duplexes are not granted the lot-split could be used for two single family residences, so the only issue at this point in time is the 20-foot frontage on the handle for the rear lot. Otherwise all zoning and Subdivision Regulations would be met.)

Some easements would be required and upon determination of where, utilities would advise the Staff of the location.

The Technical Advisory Committee and Staff recommended APPROVAL of L-15246, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young "absent") to approve the request to create a "flag lot" on L-15246, subject to the following conditions:

L-15246 (continued)

(a) Board of Adjustment approval of the 20-foot frontage for the rear lot; and,

(b) easements to be granted as needed to serve the development.

L-15247 Arthur L. Peters, et al (1262) South side of East 198th Place (201st), 1/4 mile East of Elwood Avenue (AG)

The Staff reported that this is a two-fold request, to approve a previously made split and one new one. It appears that this 20-acre tract had been split by deed, dated January 12, 1976, from E. L. Christian to Johnny Christian for 1.5 acres and they in turn have split approximately .5 acre by deed from Johnny Christian to Arthur L. Peters. No lot-splits were approved or processed as required by law. The request is to waive the Subdivision Regulations requiring conformance with the Major Street Plan which shows this road proposed as 100' of right-of-way, and to waive the minimum area requirement of the AG District to permit less than 2-acre tracts. (The applicant has indicated that an additional 5' of right-of-way may be obtainable and still leave sufficient land to meet the 1/2 acre minimum of the Health Department.) The Staff notes that the original split in 1976 would not have had any zoning waiver, since it was outside the 5-mile perimeter, but would have required lot-split approval and approval of the City-County Health Department. It appears that a number of dwelling units are on the original 20-acre tract, but this request is made only for the land described above.

The applicant was not present.

The Technical Advisory Committee and Staff recommended APPROVAL of L-15247, subject to the conditions.

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the waiver of conditions on L-15247, subject to the following conditions:

(a) Board of Adjustment approval of the area requirements; and,

(b) Health Department approval of septic systems.

OTHER BUSINESS:

PUD #218 Charles Norman SE corner of 21st Street and Yorktown Avenue

Request waiver of sidewalk requirement. Subdivision Regulations require sidewalks along collector street system.

Charles Norman requested this item be withdrawn since the matter has been resolved on another basis and does not require an interpretation of the Subdivision Regulations.

The Chair, without objection, withdrew the item.

PUD #254 Charles Norman 71st Street and Canton Avenue, Autumn Oaks Addition

Request Minor Amendment to center the office buildings within the site and to modify open space requirement parallel to 68th Street and Canton Avenue.

Mr. Gardner advised that the applicant is requesting Detailed Site Plan approval for PUD #254 located at 71st Street and South Canton Avenue. In addition, the applicant is requesting two minor PUD amendments:

1. Building Setbacks:	Required Standards
Building "A" (South 350')	
East side 112'	170'
West side 87'	25'
Buildings "B" (North 398')	
East side 114'	55'
West side 86'	140'
2. Landscaped Open Space (Distance from curb)	
Canton Avenue 18'	25'
68th Street 18'	25'

Since the overall project is better designed (traffic circulation) to move buildings "A and B" toward the center of the tract (east-west axis) and, since the project meets the total open space requirements (more open space adjacent to the buildings, rather than paralleling streets), the Staff considers the amendments to be minor in nature and, therefore, recommends APPROVAL of the Detailed Site Plan as submitted, subject to the conditions.

Charles Norman presented a letter (Exhibit "B-1") requesting the minor amendment to center the office buildings within the site, modification of the open space requirement parallel to 68th and Canton Avenue and a revised site plan (Exhibit "B-2"). The applicant also presented a revised Declaration of Covenants and Restrictions (Exhibit "B-3") which he noted was identical with the Declaration previously approved, except for the changes in the building setbacks required by the relocation of the buildings.

On MOTION of PARMELE, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the Declaration of Covenants and Restrictions and the detailed site plan for PUD #254 including the minor amendment to center the office buildings within the site and to modify open space requirement parallel to 68th Street and Canton Avenue, subject to the following conditions:

1. That all of the bulk and area restrictions listed in the attached Covenants shall apply (Items b, c, d and e).

2. That the sign controls, Item A of the attached Covenants, shall apply.

3. That the off-street parking and landscaping provisions contained in Items f, g, and h shall apply.

PUD #179-F John Moody (El Paseo) South side of East 71st Street and West of South Mingo Road

Request Minutes of October 1, 1980, to be amended.

Paul Gunderson appeared on behalf of the applicant and stated he wanted to be absolutely certain there is no requirement for a bond or for the building of the street itself. The clarification of the Minutes (Exhibit "C-1") approved July 29, 1981, was reviewed and Mr. Gunderson was in agreement with the action.

PUD #190 Ridge Park Condominiums, Minshall Park 77th Street and South Yale Ave.

Consider request for site plan approval.

The Staff made the following report.

The subject tract, Development Area "C-3" contains 8.4 acres and is located adjacent to Yale Avenue at 77th Street South. The tract is permitted a total of 100 units.

The Staff has reviewed the applicant's detailed site plan and find it to be in keeping with the approved concept plan.

Detailed Site Plan	PUD Requirements
8.4 acres Gross Site	8.4 acres Gross Site
100 D.U's.	100 D.U's Maximum
5.4 acres Open Space	4.6 acres Open Space Minimum
25' to 35' Building Setback	25' Building Setback Minimum
Parking: 183 spaces shown	Parking: 1 1/2 spaces per 1 bedroom 2 spaces per 2 or more bedrooms
50--1 bedroom x 1.5 = 75	
50--2 or more x 2 = 100	
175 spaces required	

Therefore, the Staff recommends APPROVAL, subject to the following conditions:

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, Petty, C. Young "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, T. Young, "absent") to approve the detailed site plan of PUD 190, subject to the following conditions:

1. That the development be restricted to 100 dwelling units.
2. That the storm water detention facility meet the approval of the City Hydrology Department.
3. That if the units are to be sold, that a homeowner's association be created for the maintenance of the detention area, parking lots, clubhouse, and other common areas.
4. That the landscaping as shown on the plot plan be representative of the amount of landscaping to be used.
5. That the clubhouse membership be limited to tenants of the project and no free-standing signs be permitted identifying the clubhouse from Yale Avenue.
6. All permanent project identification signs shall meet Section 420.2 (d) 2 of the Tulsa Zoning Code.

PUD #190 (continued)

7. That the above conditions be made a part of the Restrictive Covenants of the subdivision plat and filed of record in the County Clerk's Office per Section 1170.5 (c) of the Tulsa Zoning Code.

There being no further business, the Chair adjourned the meeting at 3:20 p.m.

Date Approved August 19, 1981

Chairman

ATTEST:

Secretary

1st Vice-Chairman

8.5.81:1369(19)