

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1371
Wednesday, August 19, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, August 18, 1981, at 11:35 a.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 ELLER, the Planning Commission voted 7-0-0 (Eller, Freeman, Gardner, Higgins, Kempe, Parmeles, C. Young, "aye"; no "nays"; no "abstentions"; Holliday, Inhofe, Petty, T. Young, "absent") to approve the Minutes of July 22, 1981 (No. 1367) and August 5, 1981 (No. 1369).

DIRECTOR'S REPORT:

Staff response for Petition on Downzoning at 38th and Birmingham:

Director Jerry Lasker presented the Amended Petition for Zoning Change (Exhibit "A-1"), which was transmitted from the City Commission. The Staff reviewed the amended petition in accordance with the newly adopted procedure. Mr. Lasker presented the recommendation of the Staff (Exhibit "A-2") advising that it had been concluded that a procedural error was not made and it was recommended that a public hearing not be held.

G. C. Spillers advised that, based upon the TMAPC map, the citizens of the area have determined that there are 982 single family dwelling units within the section in question. He noted that he had just filed an additional 90 petitions in favor of the proposed rezoning; the total signatures include over 91% of all dwelling units in the section. There are some nonconforming properties in the area. Noting that this is an intelligent community, Mr. Spillers felt the Commission should give serious attention to the request of the 91% of intelligent citizens.

In regard to the Staff Recommendation, Mr. Spillers advised that if the Commission was to follow the recommendations they would fall into some very serious errors including constitutional questions that can easily be avoided. Mr. Spillers addressed the zoning history of his residential neighborhood, pointing out that either by mapping error or oversight, some of the properties were not zoned in accordance with the new coding classifications of the 1970 law.

Staff Response for Petition on Downzoning at 38th and Birmingham: (continued)

Pointing to what he considered to be the illogic of the Staff Report, Mr. Spillers noted that if there is a mapping error which is procedural (an innocent mapping error) the Commission would be more than happy to correct it; however, when it was decided to rezone but not remap, in 1958 and 1970, the rules of the game were changed. If it's done innocently the Commission will correct it, if it's done on purpose, they will not -- Mr. Spillers was of the opinion that no one on the Commission would be willing to publicly favor any such policy.

Chairman C. Young agreed with Mr. Spillers that the 91% of the area residents who have signed the petition should all immediately submit a petition and the Commission should rezone their property from RS-2 to the RS-1 designation. He pointed out that it is those who do not agree with the rezoning that trouble him. The property owners at 38th and Birmingham have had rights for at least 10 years, or at least thought they had rights, to build a certain number of units -- property rights have been established and Chairman C. Young was of the opinion that these owners have been "grandfathered in." The Commissioner was also in agreement that there probably were mapping errors made in 1958 and 1970; however, he was not in favor of correcting these errors when the property owners did not consent.

Chairman C. Young questioned how the residents could get to court for an interpretation and if it required a hearing and denial by the TMAPC and City Commission first.

Roy Johnsen was of the opinion that it does need to be recognized that the "error" has been in place for more than 23 years -- since the 1958 amendment. People have made decisions, based on that time-frame, that the property was zoned RS-2. This is one of the real problems with any effort to downzone property because the consequence is to add restrictions. Mr. Johnsen pointed out that as a result of lengthy public hearings and discussions, a policy and criteria have been adopted. He noted that the clear statement of the City Commission when they adopted the policy was that they did not want to go back and "second guess" judgement decisions that have been made by prior Commissions. The decision was made in 1958 not to redefine the zoning boundaries; this decision was confirmed in 1970 -- these are two judgement decisions that have been made by prior Commissions. Mr. Johnsen noted several reasons for not setting a public hearing; i.e., it would be very expensive, it would be time consuming for the Staff, it would be time consuming for the people that are involved -- to prepare, research old codes, etc. He felt that the basic answer to today's controversy is that the request does not meet the adopted criteria of the TMAPC. Mr. Johnsen stated that the whole effort to downzone, in his judgement, was a "backdoor" effort to defeat the proposal at 38th and Birmingham. The downzoning effort does not meet the criteria and the fact that the zoning has been in place for 23 years lead to the conclusion that no public hearing should be set.

G. C. Spillers noted that the downzoning petition was indeed designed to defeat the applicants for the 38th and Birmingham project, but more than that, it is designed to discourage further onslaughts on this section. There are some large lots remaining in the section and area residents are concerned about the domino affect of this action.

Staff Response for Petition on Downzoning at 38th and Brimingham: (continued)

Robert Burlingame advised the Commission that if they do not hold a public hearing they are going to step aside from a very important issue -- an issue which is going to come up in all the nice areas of Tulsa; i.e., Philbrook and 41st and Lewis Avenue. The issue must be addressed and Mr. Burlingame was of the opinion that it should be done in an open hearing. All of these lots are prime targets for increased density -- do the people of Tulsa want that type of development?

Mrs. Robert G. Walker reviewed some statements set forth in the *Citizens Handbook For Neighborhood Planning*, prepared by the Community Planning Associates for the people of Tulsa, authorized by City and County of Tulsa. One of the statements was "zoning locks in the land use." "Zoning was started to prevent someone from going into the middle of a block of homes and putting in an automobile garage or some other unwanted use." Another statement quoted by Mrs. Walker was, "A particular zoning decision gets down to the nitty-gritty of how a specified piece of property fits into the total community picture."

Chairman C. Young pointed out that the offer from the TMAPC was still open to those members of this square-mile that would like to voluntarily have their property zoned from the RS-2 category to RS-1. The application fee would be waived.

Commissioner Parmele questioned how much Staff time would be involved in the processing of this request. Bob Gardner advised that the primary cost factor would be the notice requirement. In addition, Staff time would be required to study the proposals. In the event that the TMAPC would consider the petition procedure, it would be the responsibility of the petitioners to provide the names to be notified; however, if the Commission chose to rezone with their own application, it would be incumbent upon the Staff to acquire the names and addresses of all the property owners, approximately 1,200 names. Commissioner Parmele stated he still supported the original suggestion and offer of the Commission to the property owners in the section.

Commissioner Freeman agreed with Chairman Young's statement and also felt the need for some remedy for further onslaughts which were referred to.

Commissioner Parmele made a motion to accept the Staff Recommendation. Chairman C. Young advised that he agreed with Commissioner Parmele; however, if a public hearing is held to rezone the properties in this section, he would not be able to support the rezoning request for anyone other than the 91% who stated they would like to have their zoning changed. The Chairman stated he would agree to a public hearing on the subject application or would allow the 91% to file a separate case.

On MOTION of PARMELE, the Planning Commission voted 5-1-0 (Freeman, Gardner, Higgins, Kempe, Parmele, "aye"; C. Young, "nay"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") to accept the Staff Recommendation that a public hearing not be scheduled.

Staff Response for Petition on Downzoning at 38th and Birmingham: (continued)

Commissioner Parmele stated he felt the Commission should hold open the offer to allow the area residents to submit a joint application and correct the zoning for those who wish to have it changed.

Chairman C. Young advised that his negative vote was to signify that he was still of the opinion that the 91% of the property owners should have the right to have their property zoned RS-1.

SUBDIVISIONS:

Pecan Place Addition (683) SW corner of 61st Street and South Zunis (OM pending)

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

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

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

1. On the face of the plat show the following: Tie dimension for reference to section corner at Lewis Avenue. Identify the 10' on east and north as "additional 10' dedication." Show a 50' building line on 61st Street in accordance with zoning; not under location map: "1 Lot, .75 acres."
2. 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.
3. 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.
4. Access points shall be approved by City and/or Traffic Engineer. (No access to 61st Street.)
5. 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.
6. The Zoning Application (Z-5601) shall be approved before final plat is released, or if not approved for OM, a revised plan(s) should be submitted conforming to the applicable zone.
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 final plat.

Holiday Inn - Motel Site (2994) NW corner of 51st Street and South 129th
East Avenue (CS)

The Staff presented the plat noting that the engineer had been present at the T.A.C. meeting and was in agreement with the conditions.

There were no particular problems or objections to the plat.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Holiday Inn-Motel Site, subject to the listed conditions:

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

1. On the last page of the Covenants at top, correct references to "IL" zoning. The zoning is CS (Commercial). This paragraph could be left out entirely if desired since zoning will apply anyway.
2. 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.
3. 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.) (if required)
4. 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).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (if required)
6. 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.
7. Access points shall be approved by City and/or Traffic Engineer.
8. 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.
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. The Zoning Application (Z-5584) shall be approved before final plat is released, or if not approved for CS, a revised plan(s) should be submitted conforming to the applicable zone.

Holiday Inn - Motel Site (continued)

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

Cedarcrest Park (1783) NE corner of 90th Street and South Delaware Ave. (RM-T)

The Staff presented the plat with the applicant represented by Ted Sack. Mr. Sack was in agreement with the recommended conditions.

This plat had received a preliminary approval June 3, 1981, under the name "Delaware Crossing Patio Homes." The revision represents a name change, change of engineers, and a different concept in the layout so it is being submitted as a revised plat.

Water and Sewer Department will require water and sewer main extensions, since this is being platted into individual lots and each must abut the utility. P.S.O. needed minor corrections in language in Covenants. City Engineer recommended the existing drainage easements on abutting plats be dashed in for information purposes.

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

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Eller, Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Holliday, Inhofe, Petty, T. Young, "absent") to approve the preliminary plat of Cedarcrest Park, 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.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (subject to comments above)
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). (Check language in Covenants?)
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (subject to comments above)
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 City Commission.
6. It is recommended that the developer coordinate with 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 plat.)

Cedarcrest Park (continued)

7. 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.
8. All lots, streets, building lines, easements, etc., shall be completely dimensioned. (Provide tie dimensions to those lots not abutting a dimensioned exterior property line.)
9. The key or location map shall be complete. (Identify Delaware Crossing Condo's. Also show on face of plat where applicable.)
10. 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.)
11. All (other) Subdivision Regulations shall be met prior to release of final plat.

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

Lawton Industrial Park (3592) 5400 Block of South Lawton Avenue (IL)

Mr. Wilmoth advised that he had not received all of the letters for approval and recommended these items be tabled.

The Chair, without objection, tabled Cabin Place and Lawton Industrial Park.

Herrington Acres (2790) SE corner of Coyote Trail and South 225th West Avenue

All of the letters are in the file and the Staff recommended final approval and release of Herrington Acres.

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

CHANGE OF ACCESS ON PLAT:

Tri Center (1393) North side of Skelly Drive, between Memorial and 27th Street (CS)

This is a request to adjust one access point by moving it 110' east. The platted access does not agree with the actual access point in use and constructed by the Highway Department. This change will amend the plat to agree with the actual location. Traffic Engineering has approved the request and it is recommended that the Planning Commission concur.

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Eller, Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Holliday, Inhofe, Petty, T. Young, "absent") to approve the adjustment of one access point by moving it 110' east on Tri Center.

TEMPORARY WAIVER OF PLAT:

Z-5113 (Hammond Engineering) (3194) NE corner of 59th Street and South Mingo Road (IL)

A letter (Exhibit "B-1") was presented from Hammond Engineering requesting a temporary plat waiver for 60 days to enable the owner to obtain his building permit so that the contractor can proceed immediately with the erection of the building.

Assistant City Attorney, Russell Linker, advised that he did not believe there is any authority for a temporary waiver of plat in the Zoning Code or Subdivision Regulations.

Mr. Wilmoth stated that the plat is being processed at this time, but will not be able to be filed of record before the owner needs to move into his building.

Mr. Linker noted that the Commission would have no control after the building permit has been issued.

Roy Johnsen, stating that the question is an important one, pointed out that there are some other checks; i.e., (1) this is a temporary waiver so that when a building permit is secured a notation can be made that there was a temporary suspension, (2) an occupancy permit process which would stop the owner, and (3) almost always a final drainage review is required. These are some of the practical checks and Mr. Johnsen was of the opinion that the temporary waiver has not been a problem in the past.

On MOTION of PARMELE, the Planning Commission voted 7-0-0 (Eller, Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Holliday, Inhofe, Petty, T. Young, "absent") to approve the temporary waiver of plat for a period of 60 days on Z-5113.

WAIVER OF PLAT:

Z-5554 Valley Center (683) West of the NW corner of 62nd Street and South Trenton Avenue (RD)

Z-5598 River Grove (783) South side of 75th Place, East of Quebec Avenue (AG to RM-2)

The Staff advised that the applicants on these two items had requested they be tabled.

Without objection, the Chair tabled Z-5554 and Z-5598.

LOT-SPLITS:

L-15269	City Engineer Department (1183)	L-15272	W. Ted Rankin (692)
15270	Susan Cartwright (3303)	15273	Dale W. Young & Marsha(3393)
15271	First Home Serv. Corp. (3094)	15278	Jerry M. Smith (392)

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") for ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-15254 Clarice Creekmore (2382) The NW corner of 96th Street South and
South Nogales Avenue (RE, County)

This is a request to approve a .93-acre tract that was split off of a 2.8-acre tract. Also a waiver of the Major Street Plan is asked on the remainder. Both tracts subject to Health Department approval of the septic systems. The only issue at this time is the right-of-way requirement of an additional 17' on 96th Street to meet the Major Street Plan. Only 33' exists on this side at this time, but 96th is the main east-west street into Jenks and may require widening as the traffic from U. S. #75 into Jenks increases. The T.A.C. staff and County Engineer can not recommend waiver of the Major Street Plan in this particular case.

The Technical Advisory Committee and Staff recommended denial of L-15254, since the request does not meet the Subdivision Regulations requiring conformance with the Major Street Plan.

Larry Creekmore advised that he will be the owner of the .9-acre which will be split off. He noted that his mother has deeded the land to him and the only problem is the lot-split. Mr. Creekmore has a builder who has already scraped the land and has been ready to begin construction for approximately two months. The applicant stated he obtained a permit from the Board of Adjustment last year to locate his mobile home on the tract for a period of one year. At that time, Mr. Creekmore invested \$4,000 in the subject tract. He requested approval of the split as submitted, waiving the right-of-way requirement.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") to approve the lot-split, waiving the Subdivision Regulations requiring conformance with the Major Street and Highway Plan, on L-15254.

L-15255 Oleta Carpenter (3224) South side of East 136th Street North, West
of North 129th East Avenue (AG)

The Staff made the following report:

This is a request to split approximately 1/2 acre (gross) from a larger tract in an AG District. When right-of-way requirements are applied only 14,930 square feet remains on the property. Even if only 25' of right-of-way existing or obtained, only 18,355 square feet would be the net size. These sizes are too small to meet both zoning and Health Department requirements. The applicant is asking for waiver of the Subdivision Regulations requiring conformance with the Major Street Plan, and the bulk and area requirements in the AG District. The Health Department advised the Staff they can not recommend approval of the request under any circumstances.

The Technical Advisory Committee and Staff recommended denial of L-15255, because the tract is too small to meet the Health Department requirements for a septic system, and, it does not meet the zoning requirements, and, it does not meet the Subdivision Regulations requiring conformance with the Major Street Plan.

L-15255 (continued)

James Ritchie stated that he and his wife proposed to purchase the subject property. The mobile home located on the tract, as well as the previous mobile home, has been on the sewer system for over 20 years. The owner of the subject tract originally owned all of the surrounding area and has sold all of the property with the exception of less than one-half acre - the subject property. The wife of the owner is in ill health and the couple is in need of money which prompts the sale of this tract.

Mr. Ritchie advised that he had received a letter the day before this meeting informing him of the need to receive the Health Department's approval for a septic system. The applicant requested an opportunity to have the Health Department check out the property and present some type of option so the problems could be worked out. (The Staff noted that the applicant stated "sewer system", but assumed he meant "septic system.")

The Chair, without objection, tabled L-15255.

L-15263 Lynn Calton (2484) 343' South of the SW corner of 91st Street and South 193rd East Avenue (AG-R)

Mr. Wilmoth advised that this request is to waive the bulk and area requirements in the AG-R District to permit creation of three lots, with frontages ranging from 111.59' to 150'. The area of the lots run from 29,850 sq. ft. to 40,125 sq. ft. There are other lots in the area of similar size, so, the Staff sees no objection to the request, subject to Health Department approval of the septic systems and Board of Adjustment approval of the zoning waiver. (The applicant has not asked for waiver of the Major Street Plan requirement.)

The Technical Advisory Committee and Staff recommended approval of L-15263, subject to two conditions.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") to approve L-15263, subject to the following conditions:

- (a) Board of Adjustment approval of minor variance, and,
- (b) Health Department approval of septic systems.

OTHER BUSINESS:

A letter (Exhibit "C-1") was received from Charles E. Norman requesting approval of the Detailed Site and Grading Plan, the Revised Circulation Diagram and the Site Phasing and Temporary Parking Plan; approve a minor amendment to permit an increase in the maximum building floor area from the 89,034 square feet to 89,838 square feet; approve the design and height of the parking structure within Development Zone C including a Minor Amendment as necessary; and grant a waiver of the replat requirement of the project site.

Mr. Gardner advised that the applicant is requesting Site Plan approval of the St. John's Medical Center, Physicians Building, Parking garage and temporary open parking during construction of the 1st phase of the parking

Letter from Charles E. Norman (continued)

garage. Specifically, the applicant is requesting the TMAPC to:

1. Approve the Detailed Site and Grading Plan (Sheet 1.2), the Revised Circulation Diagram (Exhibit 4), and the Site Phasing and Temporary Parking Plan (Sheet 1.4) as a part of the required Detailed Site Plan review; and,
2. approve a Minor Amendment to Planned Unit Development No. 225 permitting an increase in the maximum building floor area from 89,034 sq. ft. to 89,838 sq. ft.; and,
3. approve the design and height of the parking structure within Development Zone C as submitted, including a Minor Amendment to PUD #225 as deemed necessary; and,
4. Grant a waiver of the replat requirement of the project site.

The Staff has reviewed the applicant's submittals and find them to be within the spirit and intent of the approved PUD. The additional access point on 19th Street is definitely an improvement to the Circulation Plan. The temporary parking is needed to off-set the loss of off-street parking in the area during construction of the 1st phase of the parking garage. The 804 square feet of additional floor area is permitted by the underlying zoning and is insignificant given the 89,000 plus footage originally approved. The parking garage will be only 12 feet above the ground; however, the ground level is increased by the landscape berms along Victor Avenue. The Technical Advisory Committee reviewed the original site plan prior to PUD approval and, also, reviewed the revised site plan this past Thursday and had no problems or special requirements concerning the plat waiver request. The property is already platted and, therefore, a replat would serve no purpose other than to remove the individual lot lines.

Based on these findings, the Staff recommends APPROVAL of the Detailed Site Plan, Landscape Plan, Grading Plan, Site Phasing and Temporary Parking, subject to the Plans submitted, and, subject to the temporary parking surface being dust free.

The Staff recommends APPROVAL of 804 square feet of additional building floor area provided the structure does not exceed 96 feet in height.

Also, the Staff recommends waiver of the replat requirement for PUD #225.

Mr. Norman advised that the Traffic Engineer has approved the revised circulation around the building. The changes in access were previously reviewed with the Tulsa Traffic Engineer and no objection was expressed by that office. The grading plans were submitted as a result of the approval given by the Traffic Engineer. Mr. Norman presented a detailed overview of the proposed building and the requested minor amendments.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") to approve the Detailed Site and Grading Plan, the Revised Circulation Diagram and the Site Phasing and Temporary Parking Plan; a minor amendment to permit an increase in the maximum building floor area from 89,034 sq. ft. to 89,838 sq. ft.; the design and

Letter from Charles E. Norman (continued)

height of the parking structure within Development Zone C, including a minor amendment as necessary; and granted a waiver of the replat requirement of the project site on PUD #225.

PUD #171 Roy Johnsen NW corner of 81st Street and Sheridan Road (H-J Plaza Development) Site Plan Review - Lot 3, Block 1.

A letter and a copy of the Detailed Site Plan (Exhibit "D-1"), submitted by Roy Johnsen, was exhibited.

The Staff advised that the applicant is requesting approval of the submitted Detailed Site Plan for Lot 3, Block 1, H-J Plaza Addition, a part of PUD #171.

The Staff has reviewed the Site Plan and recommends APPROVAL, subject to the following conditions:

1. That the applicant revise the parking space allocation to include 13 spaces, not 12 as shown, prior to issuance of a building permit. (Ordinance permits 25% of spaces to be $7\frac{1}{2}$ feet wide.)
2. That the landscaping as depicted on the Site Plan be approved in concept and that a detailed landscape plan be approved by the TMAPC prior to occupancy of the building.

NOTE: The center permits 2 free-standing signs, one on 81st Street and one on Sheridan Road. The proposed sign utilizes the Sheridan allotted sign.

Roy Johnsen advised that there are twelve parking spaces along the front of the building, a Quik-Trip convenience store; toward the front of the subject tract are the typical gas pumps. There is at least one parking space on each side of the gas pumps. Therefore, Mr. Johnsen was of the opinion that, technically, there are 14 existing parking spaces.

Mr. Gardner agreed that these spaces are not part of the driveway or the circulation system and, obviously, they would accommodate a car. Even though they are not marked as such, they are obviously parking spaces. The Staff would waive the condition set forth for the parking.

Mr. Gardner advised that the applicant had submitted a Site Plan (Exhibit "D-2") which includes the Detailed Landscape Plan and therefore, that condition, imposed by the Staff, had been met.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") to approve the Detailed Site Plan for Lot 3, Block 1, H-J Plaza Addition, a part of PUD #171.

PUD #128 Kensington II Amended Addition South of the SW corner of 71st Street
and South Lewis Avenue

Consider approving minor amendment to encroach 1-foot into the front yard setback for Lot 9, Block 5, Kensington II Amended Addition.

The Staff stated that the applicant is requesting to build 1-foot into the required 25-foot front yard on Lot 9, Block 5, Kensington II Amended Addition. 73rd Place is on a slight curve which necessitates building 1-foot over the front yard setback.

The request is minor and, accordingly, the Staff recommends APPROVAL per Site Plan submitted.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Eller, Holliday, Inhofe, Petty, T. Young, "absent") to approve a minor amendment to encroach 1-foot into the front yard setback for Lot 9, Block 5, Kensington II Amended Addition, PUD #128.

There being no further business, the Chair adjourned the meeting at 3:00 p.m.

Date Approved

September 9, 1981

Chairman

ATTEST:

Maria E. Holliday
Secretary

