TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1416
Wednesday, July 28, 1982, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Gardner	Freeman	Compton	Jackere, Legal Department
Hennage, 2nd Vice-Chairman	Hinkle	Gardner	
Higgins	Petty	Harrison	
Kempe, 1st Vice-Chairman	Inhofe	Lasker	
Parmele, Chairman			
Rice			
Young			

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, July 27, 1982, at 9:54 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Parmele called the meeting to order at 1:45 p.m.

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Young, Inhofe, "absent") to approve the minutes of July 14, 1982 (No. 1414).

REPORTS:

Chairman's Report:

Chairman Parmele advised there will be a Rules and Regulations Committee meeting on Wednesday, August 4, 1982, at 12:00 p.m. and a Comprehensive Plan Committee meeting on Wednesday, August 4, 1982, at 1:00 p.m.

SUBDIVISIONS:

Lot-Splits for Waiver:

L-15516 H. Lipe (1582) North side of 91st Street, East of South 33rd West Avenue (AG)

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Young, Inhofe, "absent") that this application be withdrawn.

CONTINUED ZONING PUBLIC HEARING:

Application No. CZ-56 Present Zoning: RE, CS
Applicant: Bode (Sokolosky) Proposed Zoning: RS
Location: NW corner of 96th Street North and Highway #75

Date of Application: June 3, 1982
Date of Hearing: July 28, 1982
Size of Tract: 60 acres, more or less

Presentation to TMAPC by: Calvin R. Bode
Address: 3336 East 32nd Street - 74135

Relationship to the Comprehensive Plan:

The District 12 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, does not cover the subject tract. However, the Development Guidelines designates the tract as being in a subdistrict.

The RS District is in accordance with the objectives of the Development Guidelines as prescribed for subdistricts.

Staff Recommendation:

The subject tract is located north and west of the northwest corner of the Cherokee Expressway (Highway #75) and East 96th Street North. It is 60 acres in size, vacant, except for some small oil storage tanks located in the north central portion, zoned a combination of RE and CS, and the applicant is requesting RS zoning. The tract is abutted on the north and west by vacant land zoned AG, on the east by the Cherokee Expressway, and on the south and southwest by sparsely developed single-family dwellings with accessory buildings zoned CS and AG.

Based on the location and the Development Guidelines, the Staff recommends APPROVAL of the requested RS zoning.

Mr. Gardner explained that the portion presently zoned commercial will remain.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RS:

RS: The W/2 of the SW/4, LESS 4.82 acres on the East for Highway Right-of-Way and LESS the West 330' of the South 660', and LESS the South 400' of the East 580' of the West 640', Tulsa County, Oklahoma, in Section 16, Township 21 North, Range 12 East.

Application PUD #215-B Present Zoning: (RS-3)
Applicant: Tannehill (Sotucom, Inc.)
Location: 91st Street and 77th East Avenue

Date of Application: June 2, 1982
Date of Hearing: July 28, 1982
Size of Tract: 55 acres

Presentation to TMAPC by: Tom Tannehill
Address: 1918 East 51st Street, Suite 2 W Phone: 749-4694

Special Discussion for the Record:

Mr. Tom Tannehill submitted a letter requesting a continuance to August 4, 1982 (Exhibit "A-1"). He had advised Mr. Hayden Crawford, Attorney for the protestants of this request for a continuance, which was requested so he could talk to the protestants. However, the request was not submitted to the Planning Commission office until today. The protestants had previously made a request for a continuance and Mr. Tannehill had no objections to that continuance. He is not prepared at this time to make a presentation.

Mr. Hayden Crawford was retained as attorney for the protestants two weeks ago. A continuance was requested in order for him to familiarize himself with the situation and this matter was set for hearing today. He felt that there was no reason for a continuance now and objected to the untimely request.

Due to the fact that so many people have taken the time and effort to be present and the request for continuance was not timely, Commissioner Kempe moved that the continuance be denied.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentiona:; Freeman, Hinkle, Petty, Young, Inhofe, "absent") to deny the request for continuance and to hold a public hearing on PUD #215-B.

Staff Recommendation:

Planned Unit Development No. 215-B is located approximately 1,000 feet west of the northwest corner of East 91st Street and South Memorial Drive. It is vacant, except for utility and facility improvements, 55 acres in size, zoned as part of PUD #215 for a single-family use at approximately 2.5 units per acre, and the applicant is proposing an amendment to the original PUD to allow a single-family use at approximately 3.6 units per acre.

His formal request is to amend Paragraph 1, Development Area "A" to read as follows:

a. "Be limited to single-family development, open space recreation areas, detention ponds and drainageways. The maximum numbers of dwelling units shall not exceed 802."

The Staff has reviewed this request and find that the original PUD was approved for 776 single-family lots. To date, the area has been platted for 734 lots, plus a request for 11 additional units has been approved by both TMAPC and the City Commission for the area abutting both the east and west sides of 80th East Avenue. This request created a loss of 1 lot in an abutting area, which resulted in a total of 10 more units being added to the 734. Carrying out the mathematics of this problem, indicates that

there still remains a 32-lot surplus that was approved by the original PUD #215, but not yet allocated for actual use.

The applicant is proposing to use this surplus, plus increase the original 776 allocation to 802, giving him an additional 26 lots for a total of 58 unused lots. The original plat submitted and approved for this tract identified that 140 lots would be developed. The amended plat shows a total of 197 lots to be developed, or 57 over the original plat and 1 under the applicant's request.

The first question the Staff sees, is whether the original PUD #215 should be amended to increase the density from 776 lots to 802 as requested. The Staff cannot support this request based on the fact that we feel that a PUD is a contract with the City to develop an area per a specified site plan in exchange for innovative and flexible design. We are not saying that PUD's cannot ever be changed or amended. The general provisions of the PUD Chapter state, "The regulations of the general zoning district or districts remain applicable, except as specifically modified pursuant to the provisions of this Chapter." The Staff feels that the number of single-family lots originally requested and the subsequent plats submitted indicates a commitment to RS-2 type densities for the majority of the single-family development area.

At the same time, we recognize that different sub-areas within a large development have unique features that can set it aside from other sub-areas. We felt this was true on the previous PUD #215-A case and recommended that an increase in density at this location was appropriate, so long as it was within the number of lots originally allocated. This addresses the second question the Staff feels should be answered, "is there merit to all or a portion of the applicant's request given todays physical facts"?

The Staff sees the applicant's request as being two distinct and unique sub-areas. One north of the diagonal Reserve Area "C" and one south of Reserve Area "C". The area north of the Reserve Area is developed soley on internal access, is abutted, or adjacent to, existing single-family dwellings developed under the original PUD conditions, and within the interior of the total development. The area to the south is buffered on the west and north by reserved open areas. It is abutted on the east by RM-0 multifamily zoning and on the south, across 91st Street, by a recent CO zoning request where the applicant is proposing patio homes and townhouses. It has three direct accesses to 91st Street and because of the internal street patterns the Staff feels that the only increase in the internal traffic would be trips to the school site.

Therefore, the Staff recommends DENIAL of the request to increase the original PUD single-family allocations from 776 to 802, DENIAL of the Amended Site Plan for the area north of the Reserve Area "C", and APPROVAL of the Amended Site Plan for the area south of the Reserve Area "C", subject to the following conditions:

1) That the maximum number of lots not exceed 85.
2) That RS-3 bulk and area requirements shall apply, except that 20-foot front yards be permitted on nonarterial streets, and 15-foot side yards be permitted when abutting nonarterial streets.
3) That permitted uses be single-family residential and customary accessory uses.

4) That no building permit shall be issued until the Final Subdivision Plat has been approved by TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

NOTE:
The difference between the original south portion and the amended site plan is 24 lots. This would be 8 lots under the original PUD single-family allocation and the Staff could support an application to incorporate those lots into Development Area "E", which has the same surrounding physical conditions.

Applicant's Comments:
Mr. Tom Tannehill represented Sotucom, Inc., and he is going to address his remarks to the area north of Reserve Area "C" since the Staff recommended approval for the area south of the Reserve area. This entire area has presented some unique development concepts and problems. This entire subdivision is presently under one ownership and there has been no development in this subdivision. This request is not an increase in density from what the underlying zoning would permit. In actuality, the request is less dense than the zoning. There are no adjacent, single-family homeowners. There is a large drainage ditch that separates another subdivision from the one under application. These will not be substandard houses. These lots have been for sale quite a few years and have never sold. There are presently 140 lots platted. The Staff had submitted a plot plan to the Commission for their perusal (Exhibit "A-2"). The request today is for an increase in lots from 140 units to 197 units. This would be an increase in allowable density in the single-family area of about 26 units and is well below RS-3 density.

Protestants:		Addresses:	
	Hayden Crawford, Attorney		First Nat'l. Bank Bldg.
	Larry Henry		6541 E. 89th Street
	Janet Hurbison		8630 S. 73rd E. Ave.
	Lynn Lufkin		6616 E. 89th Place
	Cecille Boyd		7706 E. 87th Place
	Bobbie Callahan		8918 S. 67th E. Ave.

Protestants' Comments:
Mr. Hayden Crawford represented the neighborhood Homeowners Associations of Southfield and Chimney Hills Additions. He feels there is some misinterpretation. The original PUD was for 776 lots and he did not feel the additional lots would have been put in this area alone if the original application requested the 802 units. The residents were not opposed to the original PUD with the 776 lots. This area has not been opened to the public because of a foreclosure problem, which was just dismissed this last month. It is not fair to say that this area cannot be developed because there is a lack of interest in the homes when it was really because of litigation. There are houses under construction now in other parts of Chimney Hills. The PUD would probably not have been approved if the original request was for 802 lots, especially if the increase were in only 20% of the available area. After the PUD was approved, the owners platted the property the way it was going to be developed and the residents relied on that. The plat is a matter of public record, the streets have been dedicated to the public and private restrictions have been filed.

PUD #215-B (continued)

There is vacant land on all sides that can be developed. It is not necessary to say there is a market for the proposed type of housing and therefore it has to be developed here. He does not feel this is in keeping with the contractual relationship of a PUD.

Mr. Larry Henry is vice president of the Homeowner's Association. There are two Associations in the area and both are represented by Mr. Crawford. Both Associations have existed since the addition was created and have approximately 99%, voluntary membership. This is a positive association that is for development, beautification and protection of their investments. Many of the major improvements in the subdivision were purchased by the residents through the Association and the help of the builders. Also, they are working with the City on improvements. There are social activities in order to get a feeling of "community". He realized this was not relative to the Commission's action, but he felt the residents have been misrepresented in the past. They are just trying to protect what they were told would be developed.

Ms. Janet Hurbison researched the subdivision before buying their home. There is no dividing line between the areas. She feels the restrictive covenants should be a protection for their investment.

Mrs. Lynn Lufkin moved to Tulsa from Ohio because they liked this City. Mostly, she is concerned about the location of the school directly across from the area where the density would be increased. The children are not bussed to the school from these two subdivisions and the traffic is quite heavy. These additional homes would represent an increase in the school enrollment. There are no sidewalks except in front of the school and there is an open ditch behind the school.

Mr. Crawford displayed a chart showing the number of houses sold in the area from 1980-'82.

Mrs. Cecille Boyd is a building contractor and has two custom homes to build in Chimney Hills. The real estate company has informed her the contract will not be finalized if the proposed development is approved.

Mrs. Bobbie Callahan stated that Chimney Hills is one community and not several different subdivisions. She feels it is unfair for the developer to change the proposed development and described what the residents have been doing to improve the neighborhood.

Mr. Crawford urged the Commission to deny this application. He feels the applicant has not shown any justification for a PUD amendment.

Applicant's Comments:

Mr. Tannehill stated the cost of these proposed homes would be approximately $90,000 and he did not feel this would be a lower class subdivision from the existing homes. There is only 1 single-family home adjacent to this property and that person does not object to the development. This application does not pertain to the other subdivisions and the restrictive covenants on the existing subdivisions will be unaffected by this development because this is a totally different, platted subdivision. Sotucom, Inc., can change the covenants in this subdivision whether or not this application is approved. A copy of the restrictive covenants has been submitted to the Planning Commission Staff for review.

PUD #215-B (continued)

Special Discussion for the Record:

Commissioner Young commented that the protestants are sincere and view the whole area as it was presented to them on maps where the lots are a certain size. He could not agree with the changes requested. Chairman Parmele could not agree to more than the original 776 units.

Instruments Submitted: Letter requesting continuance (Exhibit "A-1")
Plot Plan (Exhibit "A-2")

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners DENIAL of the request to increase the original PUD single-family allocations from 776 to 802, DENIAL of the amended Site Plan for the area north of Reserve Area "C" and APPROVAL of the amended Site Plan for the area south of the Reserve Area "C", subject to the following conditions set out in the Staff Recommendation, all within the following described property:

(1) That the maximum number of lots not exceed 85.

(2) That RS-3 bulk and area requirements shall apply, except that 20-foot front yards be permitted on nonarterial streets and 15-foot side yards be permitted when abutting nonarterial streets.

(3) That permitted Uses be single-family residential and customary accessory uses.

(4) That no building permit shall be issued until the Final Subdivision Plat has been approved by TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Chimney Hills South Block 32 through 39, an Addition to the City of Tulsa, Tulsa County, Oklahoma; LESS and EXCEPT Blocks 35 through 38 and LESS and EXCEPT all of Reserve Area "C".

ZONING PUBLIC HEARING:

Application No. Z-5732 Present Zoning: RS-2
Applicant: Alaman (Jack's Memory Chapel) Proposed Zoning: OL
Location: SW corner of 28th Street North and Cincinnati Avenue

Date of Application: June 14, 1982
Date of Hearing: July 28, 1982
Size of Tract: 275' x 100'

Presentation to TMAPC by: Morris Jackson
Address: 801 East 36th Street North Phone: 428-4431

Relationship to the Comprehensive Plan:

The District 25 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Office.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the OL District is in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located at the SW corner of East 28th Street North and North Cincinnati Avenue. It is slightly over 1/2 acre in size, vacant, zoned RS-3, and the applicant is requesting OL zoning. It is abutted on the north by a single-family residence zoned RS-3, on the east by a single-family neighborhood zoned RS-3, on the south by a vacant lot zoned OL, and on the west by a single-family neighborhood zoned RS-3.

Given the Comprehensive Plan designation and the abutting zoning patterns and land uses, the Staff can support OL zoning.

Therefore, the Staff recommends APPROVAL of the requested OL zoning.

Applicant's Comments:

Mr. Morris Jackson stated that the property as it now stands is not an asset to the community and he feels the proposed use would be of benefit.

Protestant: Alfreida Shaw Address: 2645 North Cincinnati Avenue

Protestant's Comments:

Mrs. Alfreida Shaw presented a petition of protest containing 110 signatures (Exhibit "B-1"). The residents of the area would prefer a definite use for the property and are concerned about the possibility for increase in traffic, crime and parking.

Instruments Submitted: Petition of Protest containing 110 signatures (Exhibit "B-1")

Applicant's Comments:

Mr. Jackson advised that the intended use for the property would be a law office.

TMAPC Action: 7 members present.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OL:

Z-5732 (continued)

The North 132' of the E/2 of the NE/4 of the SE/4 of the SE/4 of Section 23, Township 20 North, Range 12 East, Tulsa County, Oklahoma.

CZ-57 Sutton (Murray) 1½ mile East of Skiatook, 2½ miles West of Highway #75 on Highway #20 AG and AG-R to RMH

A letter was submitted from Mr. George Tiger of Lee Real Estate Investments, requesting the application be withdrawn.

Instruments Submitted: Letter requesting withdrawal (Exhibit "C-1")

Z-5733 Latch (Oawig) 4612 South Harvard Avenue OL to OM

A letter was submitted from Mr. Bob Latch requesting to withdraw this application in order to apply to the Board of Adjustment for relief.

Instruments Submitted: Letter requesting withdrawal (Exhibit "D-1")

Application No. Z-5734 Present Zoning: RS-3
Applicant: George Hill Proposed Zoning: CG
Location: SE corner of 37th West Avenue and Skelly Drive

Date of Application: June 16, 1982
Date of Hearing: July 28, 1982
Size of Tract: 100' x 170', more or less

Presentation to TMAPC by: George Hill
Address: 1743 East 59th Place - 74105 Phone: 747-6323

Relationship to the Comprehensive Plan:

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Commercial, Special District 3.

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

Staff Recommendation:

The subject tract is located just south of the southeast corner of Skelly Drive and 37th West Avenue. It is approximately 100' x 170' in size and contains two vacant single-family structures. West of the subject tract is a CS-zoned lawn mower sales and to the north, south and west RS-3 zoned property. As mentioned above, the proposed CG zoning may be found in accordance with the Comprehensive Plan. However, there is still a considerable number of single-family residential properties that will be directly impacted by the proposed CG zoning. The Staff realizes that the abutting properties to the north and east will develop into commercial at some point in time, but at present due to surrounding conditions, the subject tract does not merit CG zoning. The "Development Guidelines" state that "...existing conditions, including land uses, existing zoning and site characteristics, shall be considered".

For the above mentioned reasons, the Staff cannot support CG zoning, but can recommend APPROVAL of CS zoning.

NOTE:
The Board of Adjustment has the authority to grant, by special exception, general commercial uses with CS zoning.

Applicant's Comments:

The applicant had no comments and agreed with the recommended CS zoning.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Gardner, Hennege, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be denied CG zoning and APPROVED CS rezoning, based on the Staff Recommendation:

The South 42.34' of the North 84.67' of the West 166' of Lot 7, in Block 4 of Richmond Acres Addition, a Subdivision in Tulsa County, Oklahoma, according to the Recorded Plat thereof, LESS and EXCEPT the North 7.67' of the West 10' of the Lot previously deeded to the

State of Oklahoma and the North 42.33' of the West 166' of Lot 7, in Block 4 of Richmond Acres Addition, a Subdivision in Tulsa County, Oklahoma, according to the Recorded Plat thereof, LESS and EXCEPT the West 10' of said Lot previously deeded to the State of Oklahoma, AND the South 42.33' of the West 166' of Lot 7 in Block 4, Richmond Acres Addition, a Subdivision in Tulsa County, Oklahoma, according to the Recorded Plat thereof.

Application No. 5735 Present Zoning: AG
Applicant: Sterns (Anderson) Proposed Zoning: RS-1
Location: 8400 South Elwood Avenue

Date of Application: June 16, 1982
Date of Hearing: July 28, 1982
Size of Tract: 10.175 acres

Presentation to TMAPC by: Mark Sterns
Address: 5638 South 85th East Avenue - 74145 Phone: 252-3832

Relationship to the Comprehensive Plan:

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Industrial - Agriculture.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RS-1 District is in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located south of the southwest corner of West 81st Street and South Elwood Avenue. It is 10.175 acres in size, vacant, zoned AG and the applicant is requesting RS-1 zoning. It is abutted on the north, east and west by sparsely developed single-family developments zoned AG, on the northeast by the vacant Tulsa Pilot's Club zoned IL and on the south by mostly vacant land zoned AG.

Based on the surrounding land use, existing zoning patterns and Comprehensive Plan designation, the Staff can support the request.

Therefore, the Staff recommends APPROVAL of the requested RS-1 zoning.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-1:

A tract of ground situated in the SE/4 of the NE/4 of Section 14, Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, to wit: Beginning at a point on the East line of the SE/4 of the NE/4 of Section 14, 60.0' South of the Northeast corner thereof; thence South along the East line of Section 14, a distance of 760.79'; thence North 89°-51'-11.23" West a distance of 730.6'; thence North 21°-22'-32.2" East a distance of 816.33' to a point 60.0' South of the North line of the SE/4 of the NE/4; thence East along a line parallel with and 60.0' equal distance South of the North line of the SE/4 of the NE/4, a distance of 434.57' to the point of beginning, containing in all 10.175 acres.

Application No. Z-5736 Present Zoning: RS-3
Applicant: Raintree (Davis, McWilliams) Proposed Zoning: OM
Phone: 496-9095
Location: NE corner and SE corner of South Sheridan Road and South 79th Street

Date of Application: June 16, 1982
Date of Hearing: July 28, 1982
Size of Tract: 1.11 acres, more or less

Presentation to TMAPC by: Wayne Cosort
Address: 4641 South Braden, Suite 101 Phone: Unknown

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the OM District is not in accordance with the Plan Map.

Staff Recommendation:

The subject tracts are located at the northeast and southeast corners of East 79th Street and South Sheridan Road. Combined, they are approximately 1.11 acres in size and the northern tract contains a residential structure used as a business and several accessory structures, while the southern tract is vacant. They are both zoned RS-3 and the applicant is requesting OM Medium Office zoning. The tracts are abutted on the north and east by a single-family neighborhood zoned RS-3, on the south by vacant land zoned as a PUD for commercial uses, and on the west by a PUD developed as a multi-family and approved for commercial uses.

Based on the Comprehensive Plan and surrounding land uses and zoning patterns, the Staff cannot support the OM request. The Staff did give some consideration to OL zoning on those lots which have frontage on Sheridan Road; however, approval of nonresidential would add two curb-cuts on Sheridan creating additional traffic movement problems. The Staff would support RD zoning, if properly advertised, as a transitional district given the existing physical conditions.

Based on these reasons, the Staff recommends DENIAL of the requested OM zoning.

Chairman Parmele asked if the Staff could support OL zoning if the curb-cuts on the plat were on the residential streets. Mr. Gardner explained that the Staff would not be able to support such a recommendation. The zoning patterns in the area are sound and the area would be developed by now if the housing market were healthy. Duplex zoning was previously approved, but there was a time lapse through the Board of Adjustment.

Applicant's Comments:

Mr. Wayne Cosort represented the applicant. He disagreed with Mr. Gardner that the duplex approval has lapsed. The property is surrounded by CS on the north and south with duplexes on the east and a PUD to the west. This requested rezoning would allow a higher density than OL. Rezoning to CS would help him somewhat, since there is existing CS in the area, but would perfer OM.

Z-5736 (continued)

Protestants: Nancy Reese
Carol Drawst

Addresses: 6814 East 79th Place
7962 South 69th East Avenue

Protestant's Comments:

Ms. Nancy Reese is a resident of the Briarview Addition, which is adjacent to the subdivision where the subject property is situated. She presented 5 pictures of the area (Exhibit "E-1"). Mr. Davis, the interested party, has had a commercial establishment for approximately one year in an area zoned RS-3. There are already duplexes in the area as the pictures illustrate. The pictures also demonstrate the unkept manner in which the establishment operates. There are dirt piles, trash, storage sheds, weeds and trucks full of trash parked on the lot where the sign states the subdivision is for single-family and duplex residences. The traffic congestion is at a high level already at 81st Street and Sheridan Road and no improvements are planned for the area at this time. Ms. Reese represents several home owners who request these two lots be left at the RS-3 zoning and the area continue to act as a buffer between the commercial and single-family residences, since this is one of only two entrances into the area.

Interested Party: Wayne O. Davis Address: 6924 South Knoxville Avenue

Interested Party's Comments:

Mr. Wayne O. Davis submitted 8 pictures (Exhibit "E-2") showing the existing duplexes which he built. There seems to be a lot of parking along the streets where the duplexes are and if the land is further developed for duplexes, the parking would be greater in the evening, adding to the congestion. However, if the zoning were changed to office, the parking would not be a problem in the evening.

Protestant's Comments:

Ms. Carol Drawst was not opposed to the duplexes that are under construction, but could not agree to having two commercial establishments on this property when there would be duplexes and single-family residences surrounding them. She was also concerned about the traffic.

Applicant's Comments:

The applicant had no further comments.

Special Discussion for the Record:

Mr. Gardner explained that the Board of Adjustment has the power to grant a variance for a period of three years. If the duplexes are not built, or at least a building permit obtained, within those three years, the approval lapses. Chairman Parmele wanted to know about the PUD adjacent to the property and Mr. Gardner explained this is a commercial PUD.

Commissioner Young asked if this could be rezoned for duplexes at this time, but Mr. Gardner advised that it is not advertised correctly. Commissioner Young, therefore, made a motion to deny the requested OM zoning, per Staff Recommendation, and the motion was second by Gardner. Chairman Parmele was opposed to denial because of the surrounding zoning. He felt the commercial development to the south and the apartments across the street would lend itself to an OL transitional use.

Instruments Submitted: 5 pictures of surrounding area presented by the protestants (Exhibit "E-1")
8 pictures of the existing duplexes submitted by the interested party, Wayne O. Davis (Exhibit "E-2")

Z-5736 (continued)

TMAPC Action: 7 members present.

On MOTION of YOUNG, the Planning Commission voted 5-2-0 (Gardner, Hennage, Kempe, Rice, Young, "aye"; Higgins, Parmele, "nay"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be DENIED rezoning to OM:

Lots 1 and 2, Block 1 and Lots 1 and 2, Block 2, Deer Hollow Estates Addition, Tulsa County, Oklahoma.

Application No. Z-5737 Present Zoning: RS-3, OL
Applicant: Johnsen (Quik-Trip) Proposed Zoning: CS
Location: West of the NW corner of 51st Street and Vancouver Avenue

Date of Application: June 16, 1982
Date of Hearing: July 28, 1982
Size of Tract: .8 acre

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall - 74103 Phone: 585-5641

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use on the southern 2/3rds and Low Intensity -- Residential on the northern 1/3rd.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CS District is in accordance with the Plan Map on the southern 2/3rds and not in accordance with the northern 1/3rd.

Staff Recommendation:

The subject tract is located at the northeast corner of West 51st Street and South Vancouver Avenue. It is .8 acres in size, contains what appears to be a single-family dwelling (northern portion) zoned OL and RS-3, and the applicant is requesting CS zoning. It is abutted on the north and northwest by single-family dwellings zoned RS-3, on the east by a Quik-Trip store zoned CS, on the south by a drive-in restaurant and service station zoned CS, and on the west by an insurance office and vacant land zoned OL and RM-2.

In analyzing the existing land uses and zoning patterns surrounding the tract, the Staff views the OL zoning for the funeral home at the northeast corner of Waco Avenue and 51st Street as being the buffer for the residential neighborhood on farther to the west. We also note that if the northern property line of the CS were aligned with the RM-2 to the west, the proposal would be in harmony with the Comprehensive Plan. Therefore, we see that boundary line as being the northern boundary of a CS District and the centerline of Vancouver Avenue as the stopping point for commercial. The existing home on the northern 1/3rd of the property would serve as a buffer to the homes to the north.

Based on these reasons, the Staff recommends APPROVAL of the requested CS zoning to align with the RM-2 to the west and DENIAL of the balance of the request.

NOTE:
Approving OL zoning or Parking zoning on the northern 1/3rd of the tract would be the same as zoning the entire tract commercial with the exception of a greater building setback.

Applicant's Comments:

Mr. Roy Johnsen represents the Quik-Trip Corporation, which owns this property as well as the property immediately to the east. The purpose of this purchase was to construct a Quik-Trip convenience store, which fronts on Union Street. The balance of the property is vacant. Mr. Johnsen feels this is a major interesction because of the expressway proximity. When the intersection is put into the perspective of the surrounding patterns, this

request has some fundamental merit to it, although Vancouver is not a major street. Mr. Johnsen requested the Commission consider the suitability for CS on the south portion and he feels it is appropriate to request additional zoning to the north line of the subject property. The depth overall from 51st Street is only 254 feet and a standard node would be 300'. He would like the Commission to consider the possibility of a combination of CS in accordance with the RM-2 line across the street and perhaps OL or P on the north approximate 90 feet, giving the developer an opportunity to have some form of transition such as parking on that tract. It is unlikely that a single-family residence would be built on that tract, given the physical facts.

Protestants: Jerry Berdick Address: 5004 South 25th West Avenue

Protestant's Comments:
Mr. Jerry Berdick is a teacher at Webster High School and represents the owner of the lot to the north of the subject tract. He would not be opposed to what has been presented today but is concerned that the property would be used for an arcade or a drive-in. He commended the Quik-Trip Corporation for the beautiful stores and landscaping in the Tulsa area.

Applicant's Comments:
Commissioner Young asked if Mr. Johnsen was amending his application to request P zoning on the northern portion of the property and Mr. Johnsen would like for the Commission to consider this, since the notice would permit such consideration.

TMAPC Action: 7 members present.
On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS to align with the RM-2 to the west and approval of P zoning on the remainder of the property:

CS: The South 164.5' of Lot 6, Block 2, Greenfield Acres Addition; and
P: The North 90' of Lot 6, Block 2, Greenfield Acres Addition; City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5738 Present Zoning: IL
Applicant: Walter Proposed Zoning: RMH
Location: NW corner of 29th Street North and Yale Avenue

Date of Application: June 17, 1982
Date of Hearing: July 28, 1982
Size of Tract: 13.8 acres

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall - 74103 Phone: 585-5641

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- No Specific Land Use, Corridor District, Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RMH District is in accordance with the Plan Map.

Staff Recommendation:

The subject tract is 13.8 acres in size, vacant, and is located at the southwest corner of the proposed Gilcrease Expressway and Yale Avenue. It is surrounded entirely by IL zoned land which is mostly vacant, but does contain a few light industrial facilities to the west.

Since the subject property is currently zoned IL with no major industrial development occurring in the area, RMH zoning would make an ideal interim use on the subject property. If the area develops in the future and industrial zoning is needed, the transition from RMH to industrial would be much easier than RS or commercial to industrial. If RMH becomes the dominant land use, then the Plan could be changed.

For the above mentioned reasons, the Staff recommends APPROVAL of RMH zoning.

For the Record:

The City Engineer should take special note of the area during the platting process by establishing a drainage easement in order to prevent any flooding of mobile homes in the future on the western 1/3rd of the property.

Applicant's Comments:

Mr. Roy Johnsen stated this property has no surrounding land uses as such. Most of the property immediately abutting this tract is vacant and zoned industrial. A lot of the property in the area was mined at one time and is now fill land. The Walter family has owned this property for a number of years and it is of sufficient size to provide its own environment inside this 14 acres. It has access to Yale Avenue, is adjacent to a proposed expressway and does not seem to be a tract that would adversely affect surrounding properties.

Protestants:		Addresses:
	Kenneth Vantres (Wood Concepts)	4623 North Darlington
	Bill Fairly (B & R Machines)	5313 E. Apache St.
	Bob Barton (Stang Hydronics)	2935 N. Toledo Ave.

Z-5738 (continued)

Protestants' Comments:

Mr. Kenneth Vantres owns property in the area and is reconstructing his plant on his property. The property across the street from the subject tract has caused Mr. Vantres a number of problems in his industrial use because of the fill and he is concerned about the location of the property as it relates to the approach courses to Tulsa International Airport. This particular piece of property, if used for residential purposes, would have people living directly across the street from a dump. This is an ideal area for industrial use, particularly when the funding for the Gilcrease Expressway is appropriated.

Mr. Bill Fairly moved his business to the north because he was under the impression that the area was to be light industrial.

Mr. Bob Barton is Vice President and Regional Manager of Stang Hydronics, whose property abuts the subject tract. The traffic from the runways is extremely noisy and is being used extensively during repair work on other runways. He does not feel this is a good place for residential. The businesses have been having trouble with the noise inside the offices and in the yards. This has been a dump area and there are rats. He would like to see it cleaned up but not used for residential.

Applicant's Comments:

Mr. Johnsen agreed there are light industrial uses existing and under construction on the next street to the west of the property. The Stang property is the only one that is actually abutting the property and their building is some distance removed from the subject tract. The drainage is a tributary of Coal Creek, which runs to the north, and the center of this forms the west boundary of this property, separating the tract physically from the uses some distance to the west. The airport is some distance away from this area and there are existing single-family homes. He is not aware of any factor in the Zoning Code prohibiting residential development this distance from a runway. It is extremely hard to find good sites for mobile home development and this site seems to be adaptable.

Commissioner Hennage asked how many mobile homes could be placed on this tract and Mr. Johnsen estimated 94 for a maximum, 7 units per acre, with a pad of 45' x 100'. Commissioner Hennage wondered if there would be any restrictions as far as skirting and soforth. Mr. Johnsen has not discussed this with the developer, but anymore it is good business to have internal restrictions on how the homes are done.

Commissioner Higgins did not feel she would want to live in this area, but the owner can develop this in any manner so long as it is within the standards.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RMH:

Part of Lot 1, Block 6, Gilcrease Freeway Industrial Park: Beginning 690.3' East from the Southwest corner of Lot 1, Block 6; thence East 690.3'; thence North 662.89' to the South right-of-way line of the Gilcrease Expressway; thence North 79°-34'-11" West 174.53'; thence

Z-5738 (continued)

North 47°-23'-13" West 382.66'; thence Nroth 58°-58'-17" West 182.07'; thence North 62°-28'-10" West 90.22' to a point; thence South 1,135.87' to the point of beginning, in Tulsa County, Okla.

Application No. Z-5731 Present Zoning: CS
Applicant: Norman (Geiler, McCune) Proposed Zoning: OMH
Location: NW corner of 51st Street and South Yale Avenue

Date of Application: June 9, 1982
Date of Hearing: July 28, 1982
Size of Tract: 3 acres, more or less

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building, Suite 1100 - 74103 Phone: 583-7571

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- No Specific Land Use and potential Corridor.

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

Staff Recommendation:

The subject tract is located at the northwest corner of East 51st Street and South Yale Avenue. It is 3 acres in size, contains a service station and a restaurant, zoned CS, and the applicant is requesting OMH zoning. It is abutted on the north by a restaurant and professional office building zoned CS, on the east by commercial structures zoned CS, on the southeast by LaFortune Park, on the south by a newly constructed medium-rise office building developed under a PUD, and on the west by a car rental service zoned CS.

The Staff can support the applicant's request based on the following reasons:

1) The area has been designated as potential Corridor and is abutted on two sides by fully improved arterial roads and intersection;

2) is located within 1,300 feet of an expressway (I-44);

3) is located in an area where existing land uses and zoning patterns are medium (CS) and high intensity (CH); and,

4) will generate less daily traffic under the proposed OMH District than the existing CS District if fully developed.

Therefore, the Staff recommends APPROVAL of the requested OMH zoning.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OMH:

Lots Nine (9) and Ten (10), Interstate Central Extended, an Addition to the City of Tulsa, Tulsa County, Oklahoma, situated in the East Half (E/2), Southeast Quarter (SE/4) of Section 28, Township 19 North, Range 13 East, Tulsa County, State of Oklahoma.

9) That all signs shall meet the requirements of the PUD Chapter of the Tulsa Zoning Code.

Detail Site Plan

1)	Total Land Area:	4.432 acres
2)	Maximum Building Area: (excluding cooling tower penthouse)	66,400 square feet
3)	Height:	4 stories
4)	Total Parking	210 spaces
5)	Minimum Open Space:	3,900 square feet
6)	Fencing:	6-foot height & located per plan
7)	Sign:	Per Zoning Code & located per plan
8)	Temporary and permanent access points:	Per plan

Applicant's Comments:
Mr. Roy Johnsen agreed with the Staff Recommendation.

TMAPC Action: 7 members present.
On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to approve the Site Plan as submitted, subject to the conditions set out in the Staff Recommendation.

PUD #187-1 Lynn Meyers (ERC Property) NW corner of 71st Street and 78th E. Ave.

Staff Recommendation:
The request is for a Minor Amendment to PUD #187 to allow a variance of the front yard setback from 78th East Avenue from 25' to 17.7'.

The Staff reviewed the application and concluded that if the structure were not already built, we would not support the variance, but could require moving the entire structure to the rear and encroach upon the rear yard requirement. The Staff feels that it is important to maintain uniformity of setback along the street frontage and at the same time, provide adequate setback for automobiles to be parked entirely within the applicant's property line.

However, due to the fact that the structure is already built and that the majority of todays cars are less than 18' in length, the Staff recommends APPROVAL of the request, per plot plan submitted.

TMAPC Action: 7 members present.
On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to approve this minor amendment to PUD #187 per plot plan submitted (Exhibit "G-1").

PUD #281-1 Charles Norman South of East 61st Street, West of South Mingo

Staff Recommendation - Amended Development Plan:

Planned Unit Development No. 281 is located south and west of the intersection of 61st Street and South Mingo Road. The tract is 90.48 net acres in size and the underlying zoning is RM-1 and RS-3. It was recommended for approval by the TMAPC on April 7, 1982, and was approved with modifications by the Board of Commissioners of the City of Tulsa on June 1, 1982. The approval by the City was as follows:

"It was moved by Commissioner Hewgley that PUD #281 be approved as recommended by the TMAPC and amended by the applicant (to provide a dedicated stub street from 91st East Avenue to the northern boundary of the property under application) with two additional amendments:

1. That there be duplex development on the south 115 feet of Development Area "C" and on the west 115 feet of Development Areas "D" and "E"; and

2. that there be no development occurring west of the drainage channel (affecting Development Areas "D", "E" and "F") until there is access to 61st Street."

Since the approval by the Board of Commissioners, the applicant, Never Fail Builders, Inc., has been in negotiations with the Burning Tree Master Association, Inc., in an effort to resolve the concerns of the residents of the areas adjacent to the proposed development. An agreement with the Master Association, Inc., has been reached and in accord with that agreement the applicant has submitted the following minor amendments to Planned Unit Development No. 281:

1. Dwelling Unit Allocations and Revisions

	Approved	Revised	Changed
Dev. Area A	358	336	- 22
Dev. Area B	262	256	- 6
Dev. Area C	52	44	- 8
Dev. Area D	150	114	- 36
Dev. Area E	108	94	- 14
Dev. Area F	224	200	- 24
Total	1,154	1,044	-110

2. Revised Site Development Plan

The revisions made to Areas "C", "D", "E" and "F" are shown on the Amended Development Plan, including the revised alignment of East 64th Street South and the addition of a proposed collector street from East 64th Street, south to the north boundary of Development Area "F", which would ultimately be extended north to East 61st Street. No other revisions have been made in the areas of Development Areas "C", "D", "E" and "F".

3. Additional Development Conditions for P.U.D. No. 281

a. No buildings with more than eight (8) dwelling units shall be permitted within Development Areas "C" and "E" and the west 440 feet of Development Area "D"; no building with

SUBDIVISIONS:

For Final Approval and Release:

Riverbank Plaza (182) NW Corner 66th Place and S. Newport Ave. (RM-2)

The Staff advised the Commission that all letters of approval had been received and final approval and release was recommended.

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to approve the final plat of Riverbank Plaza Addition and release same as having met all conditions of approval.

Sunchase (2483) 93rd and S. Memorial (CO)

The Staff advised the Commission that all letters of approval had been received and final approval and release was recommended.

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to approve the final plat of Sunchase Addition and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #154-1 D.L. McDaniel 7010 S. Delaware (Delaware Place Addition)

Staff Recommendation:

The request is to allow a home occupation (Kennel) in an RS-1, PUD zoned area, located at the NW corner of 71st Street South and Delaware Place. The subject tract is bordered on all sides by large lot residential neighborhoods.

After review of the application, the Staff found the request to be minor in nature and recommend APPROVAL of the home occupation, subject to the following conditions:

1. No more than 5 dogs are to be kept on the property at any one time.

2. No boarding of any other dogs.

3. No breeding of dogs for sale is to occur on the subject property.

4. No commercial sales of any kind are to take place on the property, other than selling of existing dogs.

5. As the current dogs die or are sold, they are not to be replaced.

6. This minor amendment is to run with this property owner only, until such time as the number reduces to three (3) dogs, or less, at which time the home occupation approval shall cease.

Applicant's Comments:

Mrs. Kathy McDaniel advised that the neighbor's complaint is not because of excessive noise by the dogs, but due to the number of dogs. There are three homes together that share a common pool area. One of the homes is rented, which creates some maintenance problems. The four smaller dogs are kept in the house except for brief intervals. The yard is completely fenced and another dog is within the fenced area. The dogs are never allowed to run free. Mrs. McDaniel's husband is gone a good deal of the time, she has been robbed twice and she needs the dogs for protection. A picture was presented (Exhibit "F-1") of the small dogs, as well as a letter from Mrs. McDaniel requesting this home occupation (Exhibit "F-2").

TMAPC Action: 7 members present.

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to approve this minor amendment to PUD #154, subject to the conditions set out in the Staff Recommendation.

PUD #261-1 Johnsen (Lomax Affiliates) NE corner of 71st and Peoria

Staff Recommendation - Site Plan Review

The subject property is 13.34 acres in size, located north and east of the northeast corner of 71st Street and South Peoria Avenue. The applicant is proposing an office park consisting of buildings which vary in height and square-footage. The TMAPC approved PUD #261 on September 23, 1981. The applicant is now proposing an amended Development Plan and Detail Site Plan approval on the first building.

The Staff has reviewed both the Amended Development Plan and the Detail Site Plan and recommend APPROVAL, subject to the following conditions:

Amended Development Plan

1) That the applicant's amended Plan be made a condition of approval as being representative of the intended development unless modified herein.

2) That the maximum floor area for all buildings within the complex not exceed 290,500 square feet and that the floor area be assigned each individual building, prior to building permits being issued.

3) That the permitted uses be those permitted within the OM Zoning District.

4) That all structures shall meet the bulk and area requirements of the OM Zoning District as relates to building setback from residential districts. That a maximum building height be 8 stories (approximately 96 feet) and that said building be located a minimum of 150 feet from the north property line if developed at 8 stories.

5) That the minimum parking be 1 space per 360 square feet of floor area.

6) That a minimum of 18% of the site be devoted to landscaped open space.

7) That a Detail Site Plan be approved by the TMAPC prior to the issuance of any building permits.

8) That a Detail Landscape Plan be approved prior to occupancy of any building.

more than two (2) dwelling units shall be permitted within the south 115 feet of Development Areas "C" and "D" and within the west 115 feet of Development Areas "D" and "E" (required by the City Commission).

b. No black composition shingles or other black roof covering shall be permitted within Development Areas "C", "D" and "E".

c. No building within Development Areas "C", "D" or "E" shall have a roof pitch of less than 2" in 12", except for Mansard-style roofs; provided, however, that flat roofs with an area not exceeding 20% of a total roof area shall be allowed.

d. No chain-link or other wire or metal fences shall be permitted on, or along the south boundaries of Development Areas "C" and "D" and on or along the west boundaries of Development Areas "D" and "E".

e. East 64th Street shall not be opened to South 89th East Avenue until August 1, 1983, or until the first dwelling unit in Development Areas "A" or "B" is occupied, whichever event occurs later; provided, however, if the right-of-way for the proposed collector street to East 61st Street from the north boundary of Development Area "F" is dedicated to the public thirty (30) days or more prior to the opening of East 64th Street, then East 64th Street shall not be opened for public travel until the collector street to East 61st Street is opened for public travel; provided further, that at whatever time the collector street to East 61st Street is opened to public travel, then East 64th Street may be opened at the same time to South 89th East Avenue.

f. Subject to the approval of the City of Tulsa, South 93rd East Avenue shall not be opened for public travel until such time as East 64th Street South is opened to South 89th East Avenue as provided in paragraph (e) above.

g. No dwelling unit shall be constructed within Development Areas "D", "E" and "F" until the collector street from Development Area "F" to East 61st Street is opened to public travel.

The Staff has reviewed the Amended Development Plan and Text and find that the requests are more restrictive than the inital proposal and that densities have been reduced in all development areas. Therefore, the Staff can support the requests as being minor in nature and would recommend APPROVAL of these amendments.

Applicant's Comments:

Mr. Charles Norman had made the proposed changes to the Staff and this request for amendments to the PUD was approved by the president of the Burning Tree Master Association, Mr. Frank Speigelburg, who could not be present. In addition to the reduction of densities in the areas closest to the adjacent residential areas, he has incorporated a new collector street to the north that represents a change in access. He thinks these are improvements and requests approval.

PUD 281-1 (continued)

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Higgins, Kempe, Parmele, Rice, Young "aye"; no "nays"; no "abstentions"; Freeman, Hinkle, Petty, Inhofe "absent") to approve these amendments to PUD #281 per Staff Recommendation.

There being no further business, the meeting was adjourned at 4:15 p.m.

Date of Approval 8-18-82

Chairman

ATTEST:

Cherry H. Kempe
Acting Secretary

7.28.82:1416(28)