

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1445
Wednesday, March 2, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall,
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Benjamin Draughon Higgins Hinkle, Secretary Kempe, Chairman Miller Petty, 2nd Vice- Chairman	Gardner C. Young T. Young Inhofe	Chisum Gardner Lasker Stump Wilmoth	Jackere, Legal Department

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, at 10:00 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Kempe called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Benjamin, Draughon, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Gardner, Higgins, C. Young, T. Young, "absent") to approve the minutes of February 16, 1983 (No. 1443).

REPORTS:

Chairman's Report:

Chairman Kempe appointed committees as follows for a term of 1-year.

Comprehensive Plan Steering Committee:

Scott Petty, Chairman
Carl Young
Marilyn Hinkle
John Benjamin

Rules and Regulations Committee:

Betty Higgins, Chairman
Chet Miller
Art Draughon
Bill Gardner

Also, a letter was submitted by Sue Doell, President of Jenks - East Parent-Teacher Group voicing their concern about the rate of multi-family development in this school district (Exhibit "A-1").

Director's Report:

Mr. Lasker informed the Commission that the Comprehensive Plan Steering Committee will meet on March 16, 1983, at 12:00 p.m., in Room 213 of City Hall to discuss the amendments to the District Plans for Districts 5, 8, 9, 10 and 18. These are amendments caused by either the zoning process or changes in the land use. The public hearing will be held on April 6 to consider these changes.

PUBLIC HEARING:

Mr. Gardner advised that this hearing did not have to be advertised, since the fees will be adopted by resolution as stated in the Zoning Ordinance and Sub-division Regulations. However, the Staff felt it important to keep the public informed in order to hear from various interest groups. It was advertised in the Tulsa Daily Legal News; and, meetings have been held with the Title Lawyers and Land Use Attorneys. In addition information has been sent to the Metropolitan Board of Realtors and to the Homebuilders Association. Mr. Gardner has been authorized by the Metropolitan Board of Realtors to advise the Commission that they are supportative of the fee increases, providing the fees are needed to maintain the level of service that presently exists. The Staff feels that level of service will be maintained and is always striving to improve the applications processing so there is the least amount of time delay in handling items.

Mr. Gardner submitted copies of the proposed fee increases, which included copies of the existing fee schedule and a comparison of Tulsa's fees to various other cities (Exhibit "B-1"). Copies of this handout have been furnished to the media. Mr. Gardner proceeded to explain the proposal and the comparisons.

Fees were established in 1953 and they have not been updated since 1974. The TMAPC Staff in 1974 created a fee schedule based on the amount of area being zoned, the intensity of zoning and used a based fee with a sliding fee for additional acreage. This system is used by most of the cities throughout the country. In the future, the Staff plans to re-evaluate the fees about every 2 years so increases will not be as drastic.

Last year, approximately \$60,000 was obtained from fees and the budget was over \$400,000 to perform those services. In 1974, when the fees were adopted it was estimated that they would cover about 1/3rd of the budget costs and the City and County picks up the remaining 2/3rd's of the processing costs. This fee increase represents between 30% or 40% of what it costs to actually provide these services to the development community. As proposed, the fees would raise approximately \$160,000 of the \$400,000 budget from last year. The budget will undoubtedly be increased this fiscal year; however, the Staff does not want to increase fees so high that growth is discouraged.

The Staff had included a \$5.00 fee for a zoning letter in the proposal. From time to time, a zoning letter is requested for a real estate transaction, stating what the tract is currently zoned. This is a form letter prepared by the Legal Department that states this is not a zoning clearance permit, only information as to the zoning of the property.

Commissioner Hinkle advised the Commission that the Rules and Regulations Committee reviewed the proposed fee schedule and recommends approval.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe, "absent") to close the public hearing and to instruct the Staff to prepare resolutions reflecting the increased fee schedule as proposed.

SUBDIVISIONS:

For Preliminary Approval:

Kensington, Block 15 & 17 (PUD 128)(783) 78th & S. Wheeling (RS-3) (RM-1 or RM-2 pending)

The Staff presented the plat with the applicant represented by Charles Norman.

This plat had a final approval on October 4, 1978, but was never filed of record and it expired after several extensions of approval. This is the same plat on the same area as before. However, an application has been made to increase the density allowed from RS-3 to RM-2 (Z-5804). The zoning hearing is scheduled for this meeting, March 2, 1983.

Mr. Wilmoth explained this plat would meet any zoning classification from RS-3 to Multifamily. This should have no influence on the zoning decision on the lots.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Kensington, Blocks 15 and 17, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Kensington, Block 15 and 17, subject to the following conditions:

1. All conditions of PUD #128 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants. Show PUD number on the face of the plat under title.
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. (Show 17½' "easement and building line" parallel to both 78th Street and Wheeling Avenue.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of final plat (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. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer (if required).

Kensington Addition (continued)

7. 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.
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. The key or location map shall be complete.
10. The restrictive covenants and deed of dedication shall be submitted for review with preliminary plat. (Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.)
11. The Zoning Application (Z-5804) shall be approved before final plat is released.
12. 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 Subdivision Regulations.)
13. All (other) Subdivision Regulations shall be met prior to release of final plat.

Pleasant View Estates Addition (2114) East 96th Street North and North 134th E.
Avenue (RE)

The Staff presented the plat with the applicant represented by Jack Finley.

This plat had a preliminary approval on January 17, 1979 and was extended but eventually expired October 1, 1980. It has been redesigned with much larger lots and a slightly different street pattern but the plat follows the intent of the original approval. It has been referred to the City of Owasso.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Pleasant View Estates Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Pleasant View Estates Addition, subject to the following conditions:

Pleasant View Estates Addition: (continued)

1. Identify all streets. (Use larger type for street names.) Show 35' building lines throughout the plat. (RE zoning requirement) Identify the adjacent land as "unplatted". Show "LNA" on the two lots that abut East 96th Street North. Identify all perimeter streets on the location map. Dimension utility easement on east side of Block 2 (17 $\frac{1}{2}$ ').
2. Covenants: 1st paragraph after legal description: Change "telephone" to "communications", or specifically list "cable TV". Restriction #1: Refer to paragraph #20, not #17. Add somewhere in the covenants the standard paragraph required for lots on septic systems. (HD requirement)
3. 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.
4. Water plans shall be approved by the applicable water authority prior to release of final plat.
5. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by County Commission.
6. A topo map shall be submitted for review by T.A.C. (Sub. Reg's.) (Submit with drainage plans)
7. Street names shall be approved by County Engineer. Show on plat as required.
8. It is recommended that the developer coordinate with the County Engineering 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.)
9. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
10. 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.
11. The method of sewage disposal and plans therefore, shall be approved by the City/County Health Department.
12. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information to be included in restrictive covenants.)
13. The method of water supply and plans therefore, shall be approved by City/County Health Department.

Plesant View Estates Addition: (continued)

14. A Corporation Commission letter (or Certificate of Non-development) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
15. This plat has been referred to Owasso because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; otherwise, only the conditions listed herein shall apply.
16. 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 Subdivision Regulations.)
17. All (other) Subdivision Regulations shall be met prior to release of final plat.

Car Care Addition (2083) SE corner of 91st Street and South Delaware Ave.
(CS)

The Staff presented the plat with the applicant, Mr. Grossich, represented by Gary Howell, engineer.

The Traffic Engineer requested a parking and driveway layout be submitted before they would release the plat. (The access on Delaware may need to be moved.)

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Car Care Addition, subject to the conditions.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Car Care Addition, 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. 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.
3. A topo map shall be submitted for review by T.A.C. (Sub. Reg's.) (Submit with drainage plans)
4. All curve data shall be shown on final plat where applicable. (Including corner radii.)
5. Access points shall be approved by City and/or Traffic Engineer.

Car Care Addition (continued)

6. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
7. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6(5) of Subdivision Regulations.)
8. All (other) Subdivision Regulations shall be met prior to release of final plat.

Cedarcrest Park II Addition (1783) 90th Street and South College Avenue (RM-T)

The Staff presented the plat with the applicant represented by Mike Taylor.

The applicant was advised to determine status or location of the "Drainageway Easement" referred to in the covenants. If part is on this plat, include the applicable language for maintenance.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Cedarcrest Park II Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Cedarcrest Park II Addition, 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 (if required).
3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat (if required).
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 during the early stages of street construction con-

Methodist Manor Amended Addition (continued)

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Methodist Manor Amended Addition, subject to the following conditions:

1. All conditions of PUD #197, including amendments, shall be met prior to release of final plat. Include PUD number on face of the plat. PUD conditions in covenants submitted for review should include all the conditions of the total PUD, and agree with those conditions as approved by the Planning Commission.
2. Covenants: Page 2, paragraph 3; after "detention area", add "...and maintenance easement"; on Page 3, paragraph 6, include Cable TV in Deed of Dedication.
3. 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.
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 a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
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 developer coordinate with Traffic Engineering 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.)
9. 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.
10. Identify East 32nd Street at Pittsburg Avenue. Dedicate the 30' x 50' corner needed to complete the intersection. Move building line back accordingly.
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 Subdivision Regulations.)
12. All (other) Subdivision Regulations shall be met prior to release of final plat.

Southcrest Addition (PUD #198-B)(383) 62nd Street and South Maplewood Ave.
(RM-1, RM-2)

The Staff presented the plat with the applicant represented by Adrian Smith. This plat has sketch plat approval, subject to the conditions.

This is a PUD with multifamily development and the site plan has already been reviewed.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Southcrest Addition, subject to the conditions.

On MOTION of BENJAMIN, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Southcrest Addition, subject to the following conditions:

1. Show all building lines in accordance with PUD #198-B. (15' on the north and south, 20' on the west and 15' on the east.)
2. All conditions of PUD #198-B shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1170 of the Zoning Code, in the covenants.
3. 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.
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Off-site line required. (Secondary pressure system)
5. 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).
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (Relocate existing sewer line.)
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. Show detention area on face of the plat.
8. 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.
9. Include Planning Commission date of approval in 2nd paragraph (10-20-82). Correct Ordinance No. to 15559.
10. Include Cable TV in Section 1, paragraph "A". Add --- "and the City of Tulsa" to 1st line, Section II.

Southcrest Addition (continued)

11. Plat to north is "South Tulsa Office Park". Omit lot and block notation.
12. The underlying plat shall be vacated to the satisfaction of Title Attornies and City Attorney Offices. (This may have already been done, or is in progress.)
13. 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 Subdivision Regulations.)
14. All (other) Subdivision Regulations shall be met prior to release of final plat.

Urbana Heights Two (PUD #284)(3393) NW corner of 53rd St. and S. Vandalia Ave. (RM-2, RM-1)

The Staff presented the plat with the applicant represented by Adrian Smith. This plat has a sketch plat approval, subject to conditions. An adjacent property owner was present and all of his questions seemed to be answered. The setbacks are in accordance with the PUD.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat for Urbana Heights Two Addition, subject to the conditions.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Urbana Heights Two Addition, subject to the following conditions:

1. All conditions of PUD #284 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
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. (Additional fire hydrants are needed.)
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.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.

Urbana Heights Two (continued)

7. 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.
8. All adjacent streets and/or widths thereof should be shown on the final plat. (Show street intersection on the south side of 53rd Street in dashed lines.)
9. Site Plan review is required prior to issuance of building permit. Suggest this be done prior to release of the final plat (or include paragraph in covenants indicating no building permit until site plan is approved.)
10. Include Cable TV in easement grant. Show PUD number on the face of the plat. Show sheet numbers in lower right corner. (Sheet 1 of 2", "Sheet 2 of 2").
11. Urbana Avenue and other easements should be properly vacated and if any easements rights are retained, show same on the final plat.
12. 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 Subdivision Regulations.)
13. All (other) Subdivision Regulations shall be met prior to release of final plat.

Corrie Lynne Estates Addition (2193) East 35th St. at Oswego Avenue (RS-3)
The Staff presented the plat with the applicant represented by Adrian Smith.

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

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat for Corrie Lynne Estates Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Corrie Lynne Estates Addition, subject to the following conditions:

1. Show Oswego Avenue opposite this tract.
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 the Water and Sewer Department.) (Fire protection required.)

Corrie Lynne Estates Addition (continued)

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.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
7. 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.
8. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City and/or County Engineer.
9. Covenants: Page 1, Article 1, Section A -- include Cable TV. Also references are made to "Reserve A" and this isn't shown on drawing portion of the plat. Page 2, Section "D" -- omit this since "LNA" isn't shown on the plat. Page 3, Article II, A-2 -- add that this is "...subject to the terms and conditions of the Board of Adjustment Case #12074". Page 6 -- omit the acknowledgements for Planning and City Commissions (this is stamped on the face of the plat by the Staff when released).
10. Underlying plat (part of Albert Pike Addition) should be properly vacated as required by Title Attornies and present procedures for this action.
11. Location map should be corrected. (Identify "Albert Pike" and move shaded area to proper location.)
12. If pool facilities or other structures are to be within the mutual access area, exclude that area from any utility easements. (Two areas may be necessary; for instance, a "Reserve A" for pool and structures, and a "Reserve B" for access and utilities.
13. 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 Subdivision Regulations.)
14. All (other) Subdivision Regulations shall be met prior to release of final plat.

Bright Industrial Park (194) North side of East Admiral at S. 185th E. Ave.
(IL)

The Staff presented the plat with the applicant represented.

At the T.A.C. meeting, the Health Department advised tabling the plat until percolation data is made available to that Department. However, the problem has been solved.

Bright Industrial Park (continued)

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat for Bright Industrial Park, subject to the conditions.

On MOTION of BENJAMIN, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Preliminary Plat of Bright Industrial Park, subject to the following conditions:

1. Show a lot/block number. Show number of acres on the face of the plat. Show adjacent land as "unplatted". Show tie dimensions to centerline of 185th East Avenue, or some other reference point.
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. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (Not applicable if on septic.)
4. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
5. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City and/or County Engineer.
6. Access points shall be approved by City and/or Traffic Engineer. Also show "LNA" on expressway.
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. The method of sewage disposal and plans therefore, shall be approved by the City/County Health Department.
9. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information to be included in restrictive covenants.)
10. A Corporation Commission letter (or Certificate of Non-development) 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.)
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 Subdivision Regulations.)

Bright Industrial Park (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 Subdivision Regulations.)

For Final Approval and Release:

Faulkenberry Estates (3073) 163rd Place and S. Troost (AG)

Rock Creek Acres (3590) W. 61st & S. 204th W. Ave. (AG, AGR)

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

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the Final Plats of Faulkenberry Estates and Rock Creek Acres and release same as having met all conditions of approval.

For Waiver of Plat:

BOA #12410 Vern Subdivision Amended (892) 1016 s. 54th W. Ave. (RM-2)

This is a request to waive the plat on part of Lots 1 and 2, Block 9 of the above plat. The property is presently used as a church and the Board of Adjustment application was for expansion of that use. The applicant is requesting waiver, since the land is already platted. The Staff notes that only 40' of right-of-way exists on both adjacent streets and an additional 5' would be needed to meet the Major Street Plan. (Five feet was dedicated just west of this property in 1969.) Grading plans will be required through the permit process.

The applicant was not present.

The Technical Advisory Committee and Staff recommended approval of the request to waive the platting requirements for BOA #12410, subject to the conditions.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to waive the platting requirements for BOA #12410, subject to the following conditions:

- (a) Grading plans through permit process and
- (b) dedication of 5' of right-of-way on West 10th Street and South 54th West Avenue.

BOA #12432 Golden Acres (494) NE corner of 11th Street and South 138th East Avenue (RS-3)

This request is to waive the plat on Lots 11 and 12, Block 1, of the above subdivision. All the necessary rights-of-way have been dedicated, as well as some 5' utility easements. The Staff see no objection, subject to grading and drainage plans through the permit process and any additional utility easements and/or extensions required. The

BOA #12432 Golden Acres (continued)

Traffic Engineering Department may require an access control agreement (subject to Traffic Engineer).

The applicant was not represented but had no objections to the recommendation.

The Technical Advisory Committee and Staff recommended approval of the request to waive the platting requirements for BOA #12432, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to waive the platting requirements for BOA #12432, subject to the following conditions:

- (a) Grading plans through permit process,
- (b) 17½' utility easement on the east and 11' on the north, and
- (c) Access control agreement.

Z-4636 (unplatted) (894) SW corner of 11th Street and South 129th E. Ave.
(CS)

This is a request to waive the plat on a tract of land 250' x 250' at the SW corner of 11th Street and 129th East Avenue. The applicant has processed a lot split (L-15681) and has dedicated 40' of right-of-way on both 11th Street and 129th East Avenue and has granted an 11' utility easement on the west and south sides of the tract. This is part of a 10-acre tract zoned under this file number and the request is only to waive that part processed under the lot split. The Staff see no objection to this partial waiver, since we received right-of-way and easements needed. However, the remaining parcel is of sufficient size that development should be done by plat and not piece-meal by lot-split or waiver. The Traffic Engineering Department will require an access control agreement on this portion and the City Engineering Department will require grading and drainage plans in the permit process. (Proposed use is a service station.)

The Traffic Engineer recommends only one access point to 129th East Avenue; and, the access as shown on the plat will need to be modified on 11th Street.

A sewer main extension may be required. Additional right-of-way is required at the corner. (A 30' radius on 45° angle 30' back from the corner)

The Technical Advisory Committee and Staff recommended approval of the request to waive the platting requirements for Z-4636, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to waive the platting requirements for Z-4636, subject to the following conditions:

Z-4636 (continued)

- (a) Grading and drainage plans approval through permit process;
- (b) access control agreement as approved by Traffic Engineer;
- (c) additional right-of-way at intersection as recommended by the City Engineer and Traffic Engineer; and,
- (d) sewer main extension, if required.

Request to Change Access:

Village South (2683) Southeast Corner of 101st and S. Sheridan (CS)

This is a request to relocate the access points at the corner of 101st and S. Sheridan. The locations were shown on site plans for PUD 267 and are in accordance with the concept reviewed and approved by the Planning Commission. Traffic Engineer has approved the request and it is recommended the change be approved by the Planning Commission.

On MOTION of BENJAMIN, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to change the access points for Village South Addition.

Magic Circle South (794) Northwest corner of 21st and S. 101st E. Ave. (CS)

This is a request to vacate one access point on 21st Street and relocate two existing access points on 101st East Avenue for a net reduction of one access. Traffic Engineer has approved the request and it is recommended that the Planning Commission concur.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to change the access points for Magic Circle South Addition as requested.

Regency Center Amended (2593) West of the Northwest corner of 51st and S. Mingo (CS)

This is a request to vacate two access points and replace it with one access point in between, for a reduction of one access point. Traffic Engineering has approved the request and it is recommended that the Planning Commission concur.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to change the access points for Regency Center Amended as requested.

Raintree II (182) Southwest corner of 66th Place and S. Peoria (RM-2)

This is a request to vacate two access points and replace them with one relocated access. Traffic Engineering has approved the request and it is recommended the Planning Commission concur.

Raintree II Addition (continued)

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") to approve the request to change the access points on Raintree II Addition as requested.

LOT SPLITS:

For Ratification of Prior Approval:

L-14077 (592) Frank Jeffries	L-15719 (3103) Bruce Loud
L-15715 (3602) T.U.R.A.	L-15723 (683) Western Heritage Assoc.
L-15717 (3113) Bernard Fernen	L-15725 (603) Joe R. Shade
L-15718 (1793) Franklin Properties	L-15731 (2523) Kathryn Holland

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe "absent") that the approved lot splits listed above be ratified.

For Discussion and Prior Approval:

L-15727 Robert Flaherty and Stanley Cebuhar (583) 6700 Block South
Florence Avenue (RS-1)

This split represents a request to create an additional building site (lot) out of two tracts, thus creating three (3) lots where two existed. The larger tract (shaded area on map) is the remainder or third tract under lot split #15674 which was approved by the TMAPC on February 9, 1983. That split has been appealed to District Court by adjacent owners who protested the application. The split for review this date (L-15727) creates three lots which will meet the Subdivision Regulations requiring conformance with the zoning, which requires a minimum of 100' lot width and 13,500 square feet of area. The lots all exceed 100' width, have a minimum of 30' of frontage and are in excess of an acre in area. Since this split overlaps a portion of that tract appealed to District Court, the Staff would not recommend an approval without a review of the Planning Commission.

This request does not require prior notification; however, the adjacent owners who were present when the previous lot split was heard, were notified as a matter of courtesy.

Request for Continuance:

Mr. Bill Huckin requested this item be continued because the protestants were not informed of the application until late this morning. A continuance would allow all interested parties to be present.

MOTION was made by BENJAMIN, second by HINKLE, to continue consideration of this lot split for two weeks.

Special Discussion:

Mr. Jackere advised the Commission there is no notice requirement for prior approval lot splits. Notice was provided to these

abutting owners by Mr. Linker and Mr. Wilmoth as a matter of courtesy. Mr. Gardner explained the first time this lot was under application, a waiver of frontage requirements was involved, which was the reason for notice at that time. That lot split was subsequently withdrawn and this application reflects an agreement with an abutting property owner for additional footage so no waivers would be involved. A law suit has been filed on the property to the west and the Staff felt all the information should be before the court if a law suit is involved.

Applicant's Comments:

Mr. Main explained he is not aware of a law suit and has not been served with a summons. Two other attorneys have investigated this tract and reviewed all titles. All of the area was previously under one ownership. The conclusion of the research was that the lot lines would shift to the southeast; and, in so doing, one lot would be less than one acre. The restrictive covenants require each lot to be an acre; therefore, this application was filed in order to correct the problem. The closing date on this property is Friday. The sale of the property has been pending since August.

Commissioner Petty questioned whether the continuance is needed because the objections were heard at the previous hearing. Mr. Huckin replied he has not had an opportunity to prepare for this hearing because the lot configuration is different. He feels the Commission should have a chance to hear both sides of the situation.

Mr. Ridge Bond tried to reach Mr. Frank Hettinger who is an attorney representing another adjoining property owner and Mr. Hettinger is out of town today. Mr. Hettinger's client would be the property owner most affected by this change; therefore, Mr. Bond also requests a continuance on behalf of Mr. Hettinger's client and himself.

Commissioner Petty wondered if there are some reservations about approval as far as the Staff is concerned. Mr. Gardner explained there is always the question that was raised at the previous meeting about surveys. A registered, certified engineer provided the Staff with the data that meets the Ordinance. This would have been a normal prior approval under other circumstances. The Staff recommendation for approval is based on the fact that the Subdivision Regulations have been met. Nothing would be accomplished if this were approved in two weeks because it meets the Subdivision Regulations. If there are some questions or doubts as to the real issue, continuance should be approved. Mr. Main assured the Commission he is in receipt of a certification from Hammond Engineering that this lot meets the Ordinance.

TMAPC Action: 7 members present.

On MOTION of BENJAMIN, the Planning Commission voted 5-2-0 (Benjamin, Draughon, Hinkle, Miller, Petty, "aye"; Higgins, Kempe, "nay"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe, "absent") to continue consideration of L-15727 until

L-15727 (continued)

March 16, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

L-15706, 7 & 8 - Eldon Boyd (1193) 1143-67 South 79th East Avenue (RD)

The applicant was not present but is aware of the recommendation.

This is a series of lot split requests involving 5 existing adjacent duplexes. Each duplex lot will be split into 2 lots for a total of ten lots. The smallest of the lots will be 30' wide with 4,520 sq. ft. The applicant is requesting Board of Adjustment approval of a waiver of lot width and lot area since the RD zone requires 60' of frontage and 6,900 sq. ft. of lot area for a single-family. This is being handled by separate lot split instead of a replat as both the Staff and the City Legal Department felt there was nothing to be gained by a replat. Since the duplexes are all existing, and, therefore, the overall density and physical appearance of the area will not change, the Staff has no objection to the split, subject to Board of Adjustment approval. The applicant is also required to provide for maintenance of any common utility connections, and file this of record. A short sewer extension is required at the NE corner of Lot 2, or a redesign of the split to permit access to the existing sewer.

The Technical Advisory Committee and Staff recommended approval of L-15706, 7 & 8, subject to the conditions outlined.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe, "absent") to approve L-15706, L-15707 and L-15708, subject to the conditions outlined above.

L-15711 L. R. Stout (1824) West of the SW corner of East 166th Street North and North Garnett Road (AG)

This is a request to split a 7.5 acre tract into 2 parcels. One parcel will be well in excess of 2.5 acres and will not require TMAPC approval. The other tract will be 2.5 acres less any dedicated or required right-of-way and will be 165' wide. This lot will require Board of Adjustment approval of a waiver from 200' to 165' of lot width. There are existing homes on both tracts and the land has been under separate ownership as described, since 1976. Since both houses are existing, the physical appearance will not change, and the Staff has no objection to the split, subject to the City-County Health Department approval and Board of Adjustment approval.

The Technical Advisory Committee and Staff recommended approval of L-15711, subject to conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye";

L-15711 (continued)

no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe, "absent") to approve L-15711, subject to the following conditions:

- (a) Board of Adjustment approval of lot width, and
- (b) Health Department approval of septic system.

CONTINUED ZONING PUBLIC HEARING:

PUD #313 Nichols (Lomas & Nettleton Mtg. Co.) 3000 West 61st Street
(RS-3 & RM-T)

A letter was submitted from Mr. John Groves, a protestant to this case, requesting a one-week continuance (Exhibit "C-1"). This request is due to the unavailability of a final amended Outline Development Plan, Plot Plan and Text for the protestants' perusal.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Benjamin, Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Gardner, C. Young, T. Young, Inhofe, "absent") to continue PUD #313 until March 9, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5804 & PUD #128-B (continued)

Staff Recommendation: PUD #128-B:

Planned Unit Development No. 128-B is located on the northeast and southeast corner of South Wheeling Avenue and 78th Street. It consists of two tracts; Kensington, Block 15, which is on the northeast corner and is approximately 11.64 acres in size; and Kensington, Block 17, which is on the southeast corner and is approximately 15.6 acres in size. The total tract is 27.24 gross acres in size, vacant, and approved for multifamily use.

By previous action and based upon the underlying zoning of the entire PUD this tract has been allocated a total of 417 units. If the tract is rezoned, as recommended by the Staff, the tract would lose 141 units allocated to it because of the RS-3 underlying zoning. At the same time it would gain 698 units from the recommended RM-1 zoning. Since the applicant's proposal addresses only those units supported by the RM-1 zoning, the remaining units in excess of the RS-3 Zoning ($317 - 141 = 276$) will need to be reallocated to other appropriate areas within the PUD. In this case the applicant is requesting that these units be moved to Development Area "D", (Blocks 30 and 31), which has been designated for high intensity residential. The Staff would concur.

The Staff, as previously stated in the zoning recommendation, finds that the changes that have occurred in the surrounding area support this type of transitional development and we find that it is consistent with the purposes of the PUD classification.

Therefore, the Staff recommends APPROVAL of PUD #128-B, subject to the following conditions:

- 1) That the excess 276 units be reallocated to Blocks 30 and 31 (Development Area "D") making the maximum number of dwelling units in this area 2,572.
- 2) That the applicant's Outline Development Plan be made a condition of approval.
- 3) Development Standards:

Proposed Block 15

Land Area (Gross):	507,223 sq. ft.	11.64 acres
(Net):	457,733 sq. ft.	10.51 acres

Permitted Uses: Multifamily dwelling units and related accessory uses including clubhouses and recreational facilities as permitted in Use Unit 8.

Maximum No. of Dwelling Units: 298 units

Maximum Building Height: 45 feet.

Minimum Building Setbacks:

From South Wheeling Avenue	35 feet
From East 78th Street South	25 feet
From Paved Drive or Parking	10 feet

Z-5804 and PUD #128-B (continued)

When the application was filed, Mr. Norman believed the RM-2 zoning classification would be more appropriate because of the approval of RM-2 development standards for two areas to the south. However, studies indicate that RM-1 zoning would produce sufficient units to provide for an acceptable project for the University.

Protestants: None.

TMAPC Action: 6 members present (Z-5804):

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Benjamin, Gardner, C. Young, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1:

TMAPC Action: 6 members present (PUD #128-B)

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; "abstentions"; Benjamin, Gardner, C. Young, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the major amendment to PUD #128 be approved on the following described property, subject to the conditions set out in the Staff Recommendation:

All that part of the W/2 of the SE/4 of Section 7, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the Official Government Survey thereof, more particularly described as follows, to wit:

Beginning at the Northeast corner of the W/2 SE/4; thence South $0^{\circ}09'38''$ West along the East Boundary of Said W/2 SE/4 a distance of 806.20'; thence North $71^{\circ}11'58''$ West a distance of 299.20'; thence on a curve to the right having a radius of 656.25' a distance of 817.41'; thence North $0^{\circ}10'03''$ East a distance of 89.02' to a point in the North Boundary of Said W/2 SE/4; thence South $89^{\circ}48'42''$ East along the North Boundary of Said W/2 SE/4 a distance of 729.99' to the point of beginning, containing 457,733 square feet or 10.5081 acres. (Kensington-Proposed Block 15)

AND

Beginning at a point in the East Boundary of the W/2 SE/4 890.63' from the Northeast corner thereof; thence South $0^{\circ}09'38''$ West along the East Boundary of Said W/2 SE/4 a distance of 927.99'; thence North $89^{\circ}32'05''$ West a distance of 585.46'; thence North $9^{\circ}03'01''$ West a distance of 0.00'; thence on a curve to the left having a radius of 1,981.14' a distance of 295.42'; thence North $16^{\circ}35'39''$ West a distance of 0.00'; thence on a curve to the right having a radius of 613.21' a distance of 507.28'; thence North $30^{\circ}48'17''$ East a distance of 329.49'; thence North $73^{\circ}57'19''$ East a distance of 21.89'; thence South $63^{\circ}28'37''$ East a distance of 0.00'; thence on a curve to the left having a radius of 736.25' a distance of 99.23'; thence South $71^{\circ}11'58''$ East a distance of 326.18' to the point of beginning, containing 614,150 square feet or 14.0989 acres. (Kensington-Proposed Block 17)

PUD #128-B & Z-5804 (continued)

Between Buildings 10 feet
Minimum Livability Space per Dwelling Unit: 600 sq. ft.
Off-Street Parking: As required in Use Unit 8.

Proposed Block 17

Land Area (Gross): 679,446 sq. ft. 15.60 acres
(Net): 614,150 sq. ft. 14.10 acres

Permitted Uses: Multifamily dwelling units
and related accessory uses
including clubhouses and
recreational facilities as
permitted in Use Unit 8.

Maximum No. of Dwelling Units: 400 units

Maximum Building Height: 45 feet

Minimum Building Setbacks:

From South Wheeling Avenue 35 feet
From East 78th Street South 25 feet
From Paved Drive or Parking 10 feet
Between Buildings 10 feet

Minimum Livability Space per Dwelling Unit: 600 sq. ft.

Off-Street Parking: As required in Use Unit 8.

- 4) Signs shall conform to the requirement of Section 420.2 (d) (2).
- 5) That a Detail Site Plan, by block, be submitted to TMAPC and approved prior to the issuance of a building permit.
- 6) That a Detail Landscape Plan be submitted and approved by TMAPC prior to occupancy, including sign location and design and landscape materials and plants location.
- 7) That no building permit shall be issued until the property has satisfied the requirements of Section 260 of the Zoning Code, submitted to and approved by the 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.

Applicant's Comments:

Mr. Charles Norman represented Oral Roberts University and requested that the Staff Recommendation be approved. He thanked the Commission for approving the request for early public hearing. The graduate programs at ORU will be increased at the fall semester and the subject tract will be used for student housing.

This Planned Unit Development was approved in 1972 and Mr. Norman was gratified when the Commission denied the suggestion that an expiration period be placed on PUDs. This project is a good example, showing that development may take many years for completion.

Z-5804 and PUD #128-B (continued)

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Benjamin, Gardner, C. Young, T. Young, Inhofe, "absent") to approve early transmittal of proceedings for Z-5804 and PUD #128-B, per the applicant's request.

OTHER BUSINESS:

PUD #268 Buchanan (Kwok) 8904 East 91st Place South, Lot 10, Block 13, Woodland Glen IV Addition

Staff Recommendation - Minor Amendment:

Planned Unit Development No. 289 is located slightly over one-half mile east of South Memorial Drive on the south side of 91st Street. The subject tract (Lot 10, Block 13) is located southeast of 91st Pl., and 89th East Avenue. The applicant is proposing to build an addition on the rear of an existing house that would extend 12 feet into the existing rear yard. This would require that the minimum rear yard requirement of 20 feet be reduced to 13 feet.

The Staff has reviewed the PUD conditions and submitted plan and finds this expansion to be minor in nature. Therefore, the Staff recommends APPROVAL of the reduction of the rear yard from 20 feet to 13 feet on Lot 10, Block 13, Woodland Glen IV, per plot plan submitted.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Benjamin, Gardner, C. Young, T. Young, "absent") to approve the requested minor amendment to PUD #268, per plot plan submitted.

PUD #128-B Norman (Oral Roberts University) Block 17

Staff Recommendation - Detail Site Plan Review:

The subject tract is located at the southeast corner of South Wheeling Avenue and 78th Street. It is 15.6 acres in size, vacant and zoned as a PUD for multifamily use. The applicant is requesting Detail Site Plan review and approval.

The Staff has reviewed the submitted Site Plan and compared it to the PUD conditions and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	15.6 acres	15.6 acres
(Net):	14.1 acres	14.1 acres
Permitted Uses:	Multifamily and Accessory	Multifamily and Accessory
Maximum No. of Dwelling Units:	400 units	400 units
Maximum Building Height:	45 feet	45 feet
Minimum Building Setbacks:		
From South Wheeling Avenue	35 feet	85 feet
From East 78th Street South	25 feet	25 feet
From Paved Drive or Parking	10 feet	15 feet
Between Buildings	10 feet	20 feet
Minimum Livability Space:	600 sq. ft./Unit	Exceeds
Off-Street Parking	Per Code, 699 spaces	705 spaces

Based upon the above review the Staff recommends APPROVAL of the Detail Site Plan for PUD #128-B, Block 17, subject to Plans submitted.

PUD #128-B (continued)

Applicant's Comments:

Mr. Charles Norman noted that the Staff Recommendation indicates that there are buildings proposed with a height of 45 feet. The height was included to permit 3-story buildings; however, there are none shown on the Detail Site Plan. The maximum height would be approximately 26 to 28 feet. The Site Plan does not include any 3-story buildings.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Benjamin, Gardner, C. Young, T. Young, Inhofe, "absent") to approve the Detail Site Plan for #128-B, subject to the Plans submitted and the conditions set out in the Staff Recommendation.

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Draughon, Higgins, Hinkle, Kempe, Miller, Petty, "aye"; no "nays"; no "abstentions"; Benjamin, Gardner, C. Young, T. Young, Inhofe, "absent") to approve the request for early transmittal of the proceedings for Detail Site Plan Review of PUD #128-B.

There being no further business, the meeting was adjourned at 3:10 p.m.

Date Approved

March 16, 1983

Cherry Kempe
Chairman

ATTEST:

Marilyn Hinkle
Secretary