

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1475  
Wednesday, September 28, 1983, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Beckstrom Connery Draughon Flick Higgins Hinkle, Secretary Woodard C. Young, 1st Vice- Chairman T. Young	Kempe Inhofe	Compton Gardner Lasker Martin	Linker, Legal Dept.

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on September 27, 1983, at 11:15 a.m., as well as in the Reception Area of the INCOG offices.

First Vice-Chairman Carl Young called the meeting to order at 1:32 p.m. and declared a quorum present.

MINUTES:

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, Kempe, Inhofe, "absent") to approve the Minutes of September 14, 1983, (Meeting No. 1473).

REPORTS:

Director's Report:

Jerry Lasker informed the Commission that the American Planning Association is holding a conference in Tulsa, October 27-29 which will be very beneficial. If anyone is interested in attending, please contact the Staff.

Dane Matthews advised the Staff has reviewed the NDP Amendment Resolution and find they are in accordance with the District 2 Plan provisions for Special District 1. The NDP Resolution is basically an amendment to the Land Use Plan, Financing Plan, Relocation Plan and an update of their maps.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Higgins, Kempe, Inhofe, "absent") to approve the NDP Amendment Resolution as it is in accord with the Comprehensive Plan.

Mr. Gardner advised the Brookside Study has not yet been completed, but will be presented to the Commission at the next scheduled meeting, October 5, 1983.

PUBLIC HEARING:

Open Hearing Regarding the Delineation of Future Freeway Rights-of-Way on the Face of Subdivision Plats Located Within the Path of Such Planned Facilities.

Mr. Carl Young opened the public hearing.

Mr. Charles Norman began his presentation by submitting an affidavit to the Commission which is a form of notice to the public in reference to his comments made at the previous hearing on September 7, 1983 (Exhibit "A-1"). At that meeting Mr. Norman had suggested that rather than indicating the delineation of future freeway rights-of-way on the face of the plat another method would be better and would be more comprehensive to members of the public who anticipate purchase of property or developers of property that is in or near the location of proposed freeways.

The affidavit presented by Mr. Norman is a separate instrument which would be filed by the Planning Commission in the County Clerk's Office and would identify the City-County Major Street and Highway Plan according to its latest form and its up-to-date amendments.

Mr. Norman briefly explained the affidavit and placed special emphasis on the fourth provision in that the Highway Plan provides for the location of the proposed freeway over and across all or part of the following described real property. The terms "all and part" is very significant because some of the debate concerning this matter has been centered on the question of establishing the exact location of the proposed freeway. Following the fourth item the exact legal description would be included in the document.

It was suggested that one of the notices be filed on each square-mile over which a freeway is proposed. As an alternative, a longer legal description could be attached and put in one document. He felt the first alternative would be more accurate and would give the best information to the Planning Commission and public. Another benefit is that two methods of notification would be made, with the specific legal description being stated and the maps which are prepared by the INCOG Staff would be attached. If an amendment is made to the proposed location of the freeway an amended affidavit would be filed and the 1st one would no longer be applicable.

The method, as presented, would be more accurate and fair to the public as the plat approach would not give complete notice and does not cover unplatted properties or property that has already been platted. Mr. Norman stated he submitted a copy of the affidavit to Mr. Roy Johnsen and Mr. Bill Jones who expressed their general support of this method.

Mr. Bob Green, general manager for the Grupe Company which has property directly affected by this consideration, stated he was in support of the affidavit method as suggested by Mr. Norman. He believed it would be more attractive and effective to the public than attempting to place the proposed expressway on the map.

Mr. Ted Sack stated he has dealt with many plats which have been affected by proposed expressways. One problem with delineating the future freeway rights-of-way on the face of the subdivision plats is determining exactly where to show the lines. Mr. Sack presented a copy of one expressway which has been completed recently at 41st and the Okmulgee Beeline. The right-of-way has been purchased and the highway is now in place. He pointed out the difference between the proposed expressway and the actual taking,

Public Hearing: (continued)

which there is a major difference in many instances. He did not feel the delineation shown on the subdivision plat was accurate and he was extremely opposed to that method.

Mr. William Jones informed the Commission that he had received an affidavit from Mr. Norman and supported that method of notice, but suggested that the using of exhibits attached to the notice to the public is too vague. He then discussed the various methods to notify the public concerning proposed expressways.

Mr. Jones raised several questions such as which method of notification would reach the largest segment of the public and which method would reflect all of the facts and true location of the proposed expressway. Does the method chosen lend itself to flexibility to account for abandonment or changes in the proposed location? Is the method chosen costly to implement or modify? After raising these questions and concerns Mr. Jones suggested the manner described by Mr. Norman was more accurate, truthful and supreme in comparison to delineating future freeway rights-of-ways on the face of subdivision plats.

Mr. Gardner stated Mr. Norman presented the affidavit to him and suggested that there might be some changes such as the affidavit being referred to to as a "Notice To Public" and refer to the proposed expressways as planned expressways.

As the Subdivision Regulations are written, the Staff feels the delineation across the face of the subdivision plat gives the potential buyer of the property who might see the plat the best available information. The Staff was willing to compromise because many have expressed concern about not being exact with the delineation and he suggested that a line which would be approximately in the center of the proposed expressway be shown. The line would reflect the path of the proposed expressway and take the place of the location map at the top of the subdivision plat. With a combination of the affidavit or notice to the public and the line drawn on the plat showing the approximate location of the future freeway, an individual would be fully informed of the proposal.

Part of the problem in showing the delineation is that some property will be included that will never be in the path of the expressway. Mr. Gardner suggested that the notice to the public might cover more ground and might be the best notice because it is subject to changes and modification. The Staff wants to give the best notification to the public although they are not trying to delineate the exact right-of-way.

Mr. Linker, Legal Counsel, believed a line across the face of the subdivision plat denoting that it is a planned or proposed expressway with language added for more clarity would be the best solution. Language in bold type such as: The expressway delineated on this plat is shown as established by the Tulsa City-County Major Street and Highway Plan, the expressway as designated hereon is shown for information purposes and is not a dedication. The actual location of said expressway when constructed may be different than shown on this plat.

Public Hearing (continued)

The responsibility of the Planning Commission is that the plat is put through with proper notice appearing on the face of that plat. The Oklahoma Statutes clearly envision that you protect the purchaser of property. It is very important that all easements, proposed streets, highways and facilities are shown on the face of the plat and they are set out in the Enabling Legislation that authorizes the adoption of the Subdivision Regulations by the Planning Commission. Mr. Linker then read from Section 863.9, Title 9 of the Oklahoma Statutes which states the statutory authority which he felt could be used to mandate the showing of planned expressways.

The Subdivision Regulations specifically provide for the showing of planned streets and highways. Mr. Linker stated there has been a great deal of concern about removing the delineation of a planned expressway if the location has been changed. The delineation is not permanent and is not a dedication, but is merely for information purposes. By going through a statutory process the delineation can be legally removed from the subdivision plat. He proceeded to explain that process by the filing of an affidavit.

Mr. Linker stated he had no problem with the notice of public introduced by Mr. Norman if delineation is also shown on the face of the subdivision plat which would cover unplatted and platted property. He felt it to be unfair if easements and other facilities are shown on the subdivision plat and planned expressways are not depicted thereon. Mr. Gardner suggested that a line placed at the approximate center of the proposed expressway would serve in the delineation process. Some of the other methods such as putting language on the face of the plat, or taking the quarter section approach could tend to unnecessarily include property that is not affected by the proposal. He did not feel the Planning Commission should take action that would affect many lots needlessly. Those methods would not be very accurate and would cause unnecessary expense to the Staff in answering all the questions when they could merely be answered in the abstract.

Mr. Linker then stated if it was shown on the plat in the abstract, an examiner would be advised and could advise his client of the approximate location and that this is not the final location of the expressway. He requested that the Planning Commission be careful in the decision made because they are representing the ultimate owners and purchasers of this property and the decision made will affect those individuals.

Commissioner Terry Young stated he was not in concurrence with the advise voiced by the Legal Counsel. He stated the Planning Commission is of the people, but are not to be as advocates for the people. He felt that the delineation of freeway rights-of-way is a taking of property without compensation as proposed by the Legal Department. Commissioner Young cautioned the Commission in following the Subdivision Regulations by drawing lines across someone's property and felt it was absurd to follow that procedure.

Commissioner T. Young was inclined to be supportive of the affidavit submitted by Mr. Norman, but felt that procedure would be outside the Subdivision Regulations which states that notice must be placed somewhere on the face of the plat. Commissioner T. Young submitted a notice statement which he prepared that reflects that the subdivision lies near proposed highway construction projects and states where additional information can be acquired (Exhibit "A-2"). He suggested that this notice or one similar

Public Hearing (continued)

be required on all subdivision plats that are identified as being in proposed right-of-way or adjacent to proposed right-of-way. He felt this method of notice would fully meet the spirit and intent of the Subdivision Regulations.

Commissioner Young completed his statements by addressing the various offices or departments which the public could acquire additional information concerning the proposed expressway. He stated he strongly believed the simple written notice as submitted meets the spirit and intent of the Subdivision Regulations.

Mr. Carl Young suggested that a motion was in order to cut off public hearing at which time the Commission would be in review session.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Inhofe, "absent") to close public hearing.

Mrs. Higgins did not advocate the placing of lines across the subdivision plat because she feels very strongly that it is a taking of an individual property rights without compensation and would stand in the way of a possible sale.

Mr. Flick stated the notice to the public presented by Mr. Norman was the most realistic method described. He felt the notice presented by Mr. Young is too vague and the lines drawn on the plat would damage the rights of property owners, but he felt that notice should be given to the public and suggested an agreement be made between the methods suggested.

Mr. Beckstrom believed that placing lines on the face of the subdivision plats is too permanent. He was in support of a written notice to be placed on the face of the plat and suggested that a statement similar to what Commissioner Young wrote would be appropriate, but suggested that it be more restrictive in nature. Mr. Draughon was also in support of the written notice suggested by Commissioner Young with added restriction. Mr. Draughon and Mr. Beckstrom were in support of placing the affidavit in the abstract.

Mr. Connery stated if the Commission is in support of enforcing the Subdivision Regulations then it should be adhered to, but if it is not being enforced some change is needed.

Mrs. Hinkle felt notice should be placed on the face of the plat, but suggested if it is in written form it might tend to confuse the public because it is not specific.

There was limited discussion among the Commission members that the affidavit would be appropriate to be placed in the abstract and a statement of notice to be placed on the face of the subdivision plat as proposed would be most appropriate, but suggested that the final wording be drawn up by the Staff and Legal Department.

Mr. Gardner advised the two proposals would be tied to the Major Street and Highway Plan and it would be encumbant upon the Staff to prepare them and receive the legal descriptions and file them as any existing planned but not constructed expressway. Any time there is a change the Staff would

Public Hearing (continued)

be required to make those changes or amendments.

Instruments Submitted: Affidavit written by Mr. Norman (Exhibit "A-1")  
Notice written by Commissioner  
Terry Young (Exhibit "A-2")

On MOTION of BECKSTROM, the Planning Commission voted 9-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Inhofe, "absent") that it be a policy of this Commission to give notice to the public through an affidavit which embraces the proposed concept with the exact wording to be prepared by the Staff and Legal Counsel.

On MOTION of T. YOUNG, the Planning Commission voted 9-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, Inhofe, "absent") that the requirement in the Subdivision Regulations requiring notice of proposed highways be fulfilled by written notice with specific language to be devised by the Staff and Legal Counsel for later approval by the Commission.

CONTINUED ZONING PUBLIC HEARING:

Application No. PUD #339 Present Zoning: CS and RM-1  
Applicant: Barnett (Barnett/Range)  
Location: North side of East 101st Street South and East side of Sheridan Road

Date of Application: August 4, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: 10 acres

Presentation to TMAPC by: William Jones  
Address: 201 West 5th Street Phone: 581-5641

Staff Recommendation:

Planned Unit Development No. 339 is approximately 10 acres (gross) in size and located at the NE corner of 101st Street and Sheridan Road. It is zoned a combination of CS and RM-1 and the applicant is requesting PUD Supplemental zoning to allow the spreading of the multifamily into the CS zoned area.

The Staff reviewed the original Outline Development Plan and identified several areas of concern. First, the submitted Site Plan did not show any access to 101st Street for the multifamily area and all traffic flowed through a single entry on Sheridan Road. Second, the proposal showed the parking provided to be less than required. The Staff can support a reduced parking requirement if the permitted use is restricted solely to elderly housing. Third, the proposal showed parking to within 3 feet of the single-family lots abutting the tract on the east and north. We feel that an increased setback for parking is necessary to provide a buffering area between the single-family lots and the parking. Finally, the density requested was the maximum provided for under the PUD, well in excess of what the Development Guidelines would call for in this area and more than the applicant could develop conventionally.

Since the Staff's review of the original submission the applicant has submitted an amended application. The amended application addressed the concerns of the Staff and after this review, the Staff finds PUD #339 to be consistent with the Comprehensive Plan, in harmony with the existing and expected development of the area, a unified treatment of the development possibilities of the site, and consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #339, subject to the following conditions:

- (1) That the applicant's Outline Development Plan be made a condition of approval, unless modified herein.
- (2) Development Standards:

DEVELOPMENT AREA "A"

Land Area (Net):	.918 acre
Permitted Uses:	As permitted within a CS District, except taverns.
Maximum Floor Area:	17,000 sq. ft.
Maximum Building Height:	40 feet
Minimum Parking Lot Setback:	

9.28.83:1475(7)

PUD #339 (continued)

From north and east boundary lines,	5 feet
from west and south boundary lines.	2 feet
Minimum Building Setbacks:	
From centerline Sheridan Road,	100 feet
from centerline 101st Street,	100 feet
from north and east boundary lines.	10 feet
Minimum Off-Street Parking:	1 space per 225 sq. ft. of floor area

DEVELOPMENT AREA "B"

Land Area (Net):	7.629 acres
Permitted Uses:	*Elderly Multifamily Residential
Maximum Number of Dwelling Units:	256 units
Minimum Livability Space:	548 sq. ft. per unit
Maximum Building Height:	3 stories/40 feet
Minimum Building Setbacks:	
From Development Area "A";	35 feet
from centerline of Sheridan Road;	100 feet
from centerline 101st Street;	100 feet
from north and east boundary lines;	80 feet
between buildings.	15 feet
Minimum Off-Street Parking:	1.676 spaces per unit
Minimum Parking Lot Setbacks:	
From north and east boundaries;	10 feet
from south and west boundaries.	5 feet

\*The permitted uses can be changed to standard multifamily residential by minor amendment, only if parking and livability space requirements of the Code can be met.

- (3) That signs shall be as identified in Section 1130.2 (b) of the Zoning Code.
- (4) That a 6-foot solid wood fence shall be constructed and/or maintained along the north and east boundaries and that a landscaped area containing a decorative fence and/or berming shall be constructed and maintained along the west and south boundaries, and that a screening fence with pedestrian access shall be constructed and maintained between Development Areas A and B.
- (5) That a Detail Landscape Plan, by phase, shall be submitted to and approved by TMAPC prior to occupancy, including significantly landscaped buffer area of not less than 10 feet along the north and east boundary lines of Development Area "A" and not less than 5 feet along the street frontages to reduce the effect of the parking lots and increased height of structures.
- (6) That a Detail Site Plan, by phase, be submitted to and approved by the TMAPC prior to the issuance of a building permit, including access to 101st Street and a redesign of the parking lots.
- (7) That no building permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD

PUD #339 (continued)

conditions of approval, making the City of Tulsa beneficiary to said covenants.

The Staff recommends APPROVAL of the Detail Site Plan as submitted, for Area "B".

Applicant's Comments:

Mr. William Jones, attorney, represented the applicant. Mr. Jones stated he was in concurrence with the Staff Recommendation with the exception of two minor amendments. Development Area "A", the commercial property, has been recommended for a 2' minimum parking lot setback from the west and south boundary, but the applicant desires to eliminate the 2' of green space and park next to the right-of-way as the applicant will be required to maintain the right-of-way area anyway. The applicant is willing to comply with the 5' setback on the north and east boundary which abuts the residential property.

Mr. Jones also requested that the applicant be granted permission to erect a 30' high sign which exceeds the Zoning Code requirement by 5'.

In the initial development the applicant proposed 281 dwelling units, but after meeting with the Staff and surrounding property owners it was decided to eliminate one of the buildings and reduce the number of dwelling units to 256. It was also decided to increase the setback from 50' as required to 80' on the north and east boundary lines, which abuts single-family residents. The Staff recommended that exits be provided on North 101st and South Sheridan which we have complied with. The developer has also provided for future parking spaces if needed.

Mr. Jones formally requested that the Commission review and approve the Detail Site Plan for the proposed project. A detail PUD and site plan were submitted.

Larry Kester, architect, stated the site plan has been developed as a self-contained environment which will provide a sense of privacy and security. The buildings will be a combination of 2 and 3 stories to soften the appearance of the structures from the street. The ends of the buildings will be 2 stories in height.

Protestants:

Richard Howell Address: 9931 South 67th East Avenue

Protestant's Comments:

Mr. Howell stated his major concern was the height of the structures and requested that the structure be reduced to 2 stories. At the meeting with the developer and architect the neighborhood was informed that reducing the structures to 2 stories in height would be a disadvantage, but they did consent to the other requests of the neighborhood. The developer has consented to a wider buffer behind the houses and has agreed to install plant growth which would give the residents more privacy. Mr. Howell stated he wanted to maximize his privacy and minimize the impact on property values.

Mr. Gardner addressed the height restriction and advised the applicant would be permitted to build a 3-story structure 35' in height under the present zoning. The applicant has requested that the 3-story structure exceed the height restriction by 5' and has also agreed to maintain an 80' setback from the north and east boundary lines which is 30' in excess of the requirement.

PUD #339 (continued)

The Staff advised the Detail Site Plan could be approved, but the applicant must return to the Planning Commission for further approval because a condition of the PUD suggested that the Plan be approved phase by phase.

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 7-0-1 (Bechstrom, Connery, Draughon, Flick, Hinkle, Woodard, C. Young, "aye"; no "nays"; Higgins, "abstaining"; Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for a Planned Unit Development, subject to the amendments suggested by Mr. Jones which would permit a 30' high sign and permit a 0' parking lot setback on the west and south property lines of Area "A", and subject to the applicant providing significant landscaping, subject to all other conditions in the Staff Recommendation:

The SW/4 of the SW/4 of the SW/4 of Section 23, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, being more particularly described as follows, to wit: Beginning at the Southwest corner of Section 23, T-18-N, R-13-E, said point being the centerline of East 101st Street South and South Sheridan Road intersection; thence North 0°-07'-41" West along the Westerly line of said Section 23, a distance of 666.20'; thence North 89°-55'-17" East along the Southerly line of James Place Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, a distance of 660.07' to the Southeast corner of said James Place Addition; thence South 0°-08'-11" East along the Westerly line of Sheridan Hills South Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, a distance of 660.29' to a point on the Southerly line of said Section 23; thence South 89°-55'-45" West along said South line of Section 23, a distance of 660.16' to the Point of Beginning and containing 435,835.224 square feet or 10.0054 acres, more or less.

On MOTION of HINKLE, the Planning Commission voted 7-0-1 (Beckstrom, Connery, Draughon, Flick, Hinkle, Woodard, C. Young, "aye"; no "nays"; Higgins, "abstaining"; Kempe, T. Young, Inhofe, "absent") to approve the submitted site plan for PUD #339 as pertaining to Development Area "B", per Staff Recommendation.

ZONING PUBLIC HEARING:

Application Nos. Z-5880 and PUD 340  
Applicant: VanFossen (King, Myer, Wester)  
Location: 3501 to 3517 South Yale Avenue

Present Zoning: RS-2  
Proposed Zoning: RM-1

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Date of Application: August 16, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: .93 acre

Presentation to TMAPC by: Gary VanFossen  
Address: 7030 South Yale Avenue

Phone: 492-7104

STAFF RECOMMENDATION:

Relationship to the Comprehensive Plan: Z-5880

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately .93 of an acre in size and located just north of the northeast corner of Allegheny Avenue and South Yale Avenue. It is partially wooded, flat, contains two single-family dwellings and zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by an office building under construction allowed by BOA exception, but zoned RM-1, on the east and south by a single-family neighborhood zoned RS-2 and on the west, across Yale Avenue, by a single-family neighborhood zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have allowed RM-1 zoning on small lots that front Yale Avenue where single-family homes across the street do not front Yale. The BOA allowed office use by exception on three lots north of the subject tract based upon a Site Plan and special protective conditions.

Conclusion -- Based upon the Comprehensive Plan's designation of RM-1 as being a "may-be-found", the abutting zoning patterns, and surrounding land uses, the Staff can support RM-1 zoning on the subject tract only to a point no farther south than the south property line of those lots fronting 35th Street. RD zoning south of this point would be appropriate, but would not permit additional office floor area under the accompanying PUD.

Therefore, the Staff recommends APPROVAL of RM-1 on the north 200' and RD on the remainder.

PUD #340 and Z-5880 (continued)

STAFF RECOMMENDATION: PUD #340

Planned Unit Development No. 340 is located just north of the northeast corner of Allegheny Avenue and South Yale Avenue. It is .93 of an acre in size, contains two single-family structures, and has a companion Zoning Case (Z-5880) requesting RM-1 zoning.

The Staff has reviewed the Outline Development Plan and has some concerns about the maximum floor area and the signage. Since the Staff cannot recommend RM-1 zoning farther south than 180 feet and the BOA action on the tract abutting the subject tract on the north restricted the floor area ratio to .35, the Staff cannot support a floor area greater than 12,500 square feet. Also, the Staff feels that the proposed signage is in excess of what is appropriate for this area. We can support only one free-standing sign identifying the complex and one wall sign for each individual use within the complex.

However, we do find that with revisions the proposal is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of this site; and (4) is consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #340, subject to the following conditions:

(1) That the applicant's Outline Development Plan be made a condition of approval, except as modified herein.

(2) Development Standards:

Land Area:	.93 acre
Permitted Uses:	Use Unit 11, except (1) Broadcasting Studio-Recording Studio, (2) Funeral Home, (3) Prescription Pharmacy and (4) Drive-in Banking.
Maximum Floor Area:	14,000 sq. ft.
Maximum Building Height:	1-story/14 feet eave height
Maximum Number of Buildings:	2
Minimum Open Space:	7,000 sq. ft.
Minimum Building Setbacks:	
South and east boundary lines,	10 feet
north boundary line,	6 feet
west boundary line,	60 feet
between buildings.	10 feet
Minimum Off-Street Parking:	1 space per 290 sq. ft. of floor area

(3) Signage design location, and size shall be by TMAPC approval, but in no case shall it exceed the requirements of Section 1130.2 (b).

Note: The Staff sees this PUD as well as the BOA approved office structure abutting this tract on the north as being one complex. We support one entry sign for the complex and one wall sign for each business within the complex.

PUD #340 (continued)

- (4) That the exterior of the proposed office be architecturally consistent with the structure under construction on the abutting tract to the north.
- (5) That a Detail Site Plan be submitted to and approved by the TMAPC prior to the issuance of a building permit.
- (6) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy including an 8-foot wood or masonry fence along the east property line and a 6-foot wood or masonry fence along the south property line.
- (7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and 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. Gary VanFossen, architect, stated he was in agreement with the Staff Recommendation, but requested that 14,000 square feet considered the maximum floor area rather than 12,500 square feet as the Staff recommended. The original proposal was to utilize 50% for office use and 50% for medical use, but there is no demand for medical offices in this area at present. The original parking proposal consisted of 1 space per 171 square feet, but the parking has been reduced in phase 2 because there is no demand for medical.

The District 6 Steering Committee suggested that only two buildings be constructed and the applicant agreed to that condition and is reflected in the plans. The PUD requirement has been changed to include only 2 buildings in lieu of 3. Mr. VanFossen requested that the parking ratio be changed to 1 space per 290 square feet in lieu of 1 space per 270 square feet as proposed. The fencing requirement has been changed to provide an 8-foot fence on both sides at the request of the neighbors.

Mr. Gardner stated he would have no objection to the zoning being expanded 10 feet to the south. The Staff would also agree with the proposed parking standard because it would still exceed the Code requirement for 1 space per 300 square feet and would also accept the condition that the development being limited to two structures.

If the applicant was premitted the 14,000 square-foot floor area the approval would be amended for RM-1 on the north 200' in lieu of 180' as originally recommended and RD on the remainder of the tract.

Protestants: None.

Instruments Submitted: Letter from District 6 Steering Committee recommending approval of the zoning and PUD (Exhibit "B-1")  
Building Plans (Exhibit "B-2")

Z-5880 and PUD #340 (continued)

TMAPC Action: 7 members present.

On MOTION of BECKSTROM, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Hinkle, Higgins, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1 on the north 200 feet and RD on the balance, per Staff Recommendation, on Application Z-5880.

On MOTION of FLICK, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Hinkle, Higgins, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, Woodard, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, as recommended by the Staff including: (1) that the floor area be approved for 14,000 square feet, (2) minimum off-street parking be 1 space per 290 square feet and (3) the number of buildings are not to exceed 2, in PUD #340.

LEGAL PER REVISION:

by Planning Commission Action

Z-5880: RM-1 -- The North 50' of Lot 12, All of Lots 13 and 14, Block 3, Resub. of Yorkshire Estates Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof; and

RD -- The South 25' of Lot 12, All of Lot 11, Block 3, Resub. of Yorkshire Estates Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

LEGAL PER NOTICE:

PUD #340: -- The North 45' of Lot 11, All of Lots 12, 13, and 14, Block 3, a Resubdivision of Lots 2, 3, and 4, Block 3, and All of Blocks 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, ALL in Yorkshire Estates Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Application No. Z-5881 Present Zoning: AG  
Applicant: Luckey Annie Proposed Zoning: CS  
Location: South of the SW corner of East 81st Street and South Sheridan Road

Date of Application: August 16, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: 2 acres

Presentation to TMAPC by: Annie Luckey  
Address: 8104 South Sheridan Road Phone: 481-0225

Relationship to the Comprehensive Plan: Z-5881

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.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2 acres in size and located south of the southwest corner of 81st Street and South Sheridan Road. It is partially wooded, gently sloping, contains two single-family dwellings and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by a Quik-Trip zoned CS, on the east by vacant lands zoned AG, on the south by multi-family zoned RM-0/PUD, on the west by vacant land proposed for office development zoned RM-0/PUD.

Zoning and BOA Historical Summary -- Past zoning actions have established five-acre nodes of medium-intensity zoning districts at both the northeast and northwest corners of the intersection of 81st Street and Sheridan Road.

Conclusion -- Based upon the existing land uses, the surrounding zoning patterns and the Comprehensive Plan, the Staff recommends APPROVAL of the requested CS zoning.

Applicant's Comments:

Ms. Annie Luckey was present, but had no comment.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Hinkle, Higgins, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS:

Two (2) acres, more or less, beginning at a point 208.72' South of the Northeast corner of Section 15, Township 18 North, Range 13 East; thence South 208.71'; thence East 417.42' to the point of beginning, also known as 81st and Sheridan, City of Tulsa, Tulsa County, Okla.

Application No. Z-5882 Present Zoning: AG  
Applicant: Casey (Oxley) Proposed Zoning: IM  
Location: East of the NE corner of 36th Street North, and Memorial Drive

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Date of Application: August 16, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: 60 acres, more or less

Presentation to TMAPC by: Franklin Casey  
Address: Suite 2 Winston Square Building, 3140 South Winston Avenue  
Phone: 747-9654

Relationship to the Comprehensive Plan: Z-5882

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 1 -- Aviation Oriented Industries.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 60 acres in size and located at the SE corner of the Port Road and Memorial Drive. It is partially wooded, gently sloping, contains several single-family dwellings and various accessory buildings and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by the Port Road, then Mohawk Park zoned RS-3, on the east by the Tulsa International Airport zoned IL, on the south by a mixture of light industrial and residential uses zoned IL and RS-1, on the west by vacant land and a small single-family neighborhood zoned RS-3 and IL at the southwest corner.

Zoning and BOA Historical Summary -- Past zoning actions have established the area to be in transition to light industrial zoning and uses.

Conclusion -- Based upon the facts that the surrounding area is developing light industrial, the airport is zoned IL and the surrounding area contains single-family residential, the Staff cannot support IM zoning, but can support IL. IM zoning would permit some uses which would clearly be inappropriate for the area; therefore, the Staff recommends DENIAL of IM and APPROVAL of IL.

Applicant's Comments:

Mr. Franklin Casey, attorney, represented the owner of the property and stated he was in agreement with the Staff Recommendation.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Hinkle, Higgins, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL as set forth in the Staff Recommendation:

Z-5882 (continued)

A tract of land in the W/2 of Section 13, Township 20 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, more particularly described as follows, to wit: Beginning at the SW corner of the SW/4 of Said Section 13; thence North  $00^{\circ}00'24''$  West along the West line of Said Section a distance of 2,639.90' to the NW corner of Said SW/4; thence North  $89^{\circ}59'36''$  East a distance of 90.00'; thence North  $12^{\circ}11'57''$  East a distance of 108.50'; thence along a curve to the left having a radius of 2,963.58' a distance of 198.64'; thence North  $00^{\circ}00'24''$  West a distance of 75.02'; thence North  $44^{\circ}30'01''$  East a distance of 771.48'; thence South  $0^{\circ}00'30''$  East a distance of 3,574.95' to a point on the South line of Said Section 13; thence North  $89^{\circ}53'37''$  West along said South line a distance of 660.50' to the Point of Beginning, and Block "D" Woodland Park, a Subdivision in Tulsa County, Oklahoma, according to the Recorded Plat thereof.

Application No. Z-5883 Present Zoning: RM-1  
Applicant: Curtsinger (Foster and Fogaley) Proposed Zoning: CS, FD  
Location: North of the NW corner of 11th Street and South Garnett Road

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Date of Application: August 12, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: 2.5 acres

Presentation to TMAPC by: Charles Curtsinger  
Address: 9749 East 31st Street Phone: 622-8787

Relationship to the Comprehensive Plan: Z-5883

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use--Development Sensitive.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.5 acres in size and located just north of the NW corner of 11th Street and Garnett Road. It is wooded, gently sloping, vacant and zoned RM-1.

Surrounding Area Analysis -- The tract is abutted on the north by a church zoned RM-1, on the east by a motel use zoned CS, on the south by a motel use zoned CS, and on the southwest by commercial uses zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have allowed commercial zoning at the other three corners to a greater extent than the northwest corner.

Conclusion -- The Plan calls for the area to be Low Intensity -- No Specific Land Use; however, the Staff feels the intent of the Plan was to restrict commercial stripping north along Garnett Road and to not allow commercial zoning to encroach into the interior north and west of the subject tract. Since the Development Guidelines would support a 5-acre medium intensity node at this corner (467' x 467') and since the Guidelines require that existing conditions be taken into consideration, which includes the commercial zoning in the area, the Staff can support CS zoning on the eastern portion of the tract where it abuts CS both on the south and east. Also the majority of the tract frontage (all but 28') falls within the 467' depth from 11th Street. However, CS zoning on the western portion of the tract could influence additional depth for CS zoning along 11th Street which the Staff feels would not be consistent with the Plan. In addition, the western portion of the tract has been identified as being Development Sensitive based upon its flooding potential.

Therefore, the Staff recommends APPROVAL of CS zoning on the eastern portion of the tract to a depth of not greater than 350 feet from the centerline of Garnett Road and FD on that portion of the tract identified by the applicant and the City Engineer to be within the FD Floodway Area. We recommend DENIAL of the remainder of the request. Finally, we recommend that the Comprehensive Plan be amended to reflect the zoning changes.

Z-5883 (continued)

Applicant's Comments:

Mr. Charles Curtsinger, who represented the owner of the property, requested that the entire depth of the tract be approved for CS zoning, not as recommended by the Staff. The owner of the property proposes to construct a motel structure which will be 310' in length and a 100' setback is required. The Staff has recommended that CS zoning on the eastern portion of the tract to a depth no greater than 350' from the centerline of Garnett Road. This would not be sufficient space for the use as proposed. Parking is proposed on the rear portion of the tract.

Mr. Gardner explained that the Staff's main concern is that a precedent will be set for greater depth of commercial zoning along 11th Street. The Staff believes the zoning should be fit within the node. The flexibility on the parking and shifting of lines could be solved by Board of Adjustment approval or a PUD.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned as per Staff Recommendation:

LEGAL PER REVISION:  
by Planning Commission Action

CS: The East 315' of Lot 2, Block 2, Resub. of Lot 4, Block 2, Eleventh Park Addition; and

FD: Lot 2, Block 2, Resub. of Lot 4, Block 2, Eleventh Park Addition, LESS and EXCEPT the East 315' thereof, City of Tulsa, Tulsa County, Oklahoma.

Application Nos. Z-5884 and PUD 261-A Present Zoning: RS-2, CS & OM  
Applicant: Johnsen (TEC Interim Realty Fund, Ltd.) Proposed Zoning: OM  
Location: East of the NE corner of 71st Street and Peoria Avenue

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Date of Application: August 18, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: Z-5884 - 2.718 acres and PUD #261 - 18.34 acres

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

STAFF RECOMMENDATION:

Relationship to the Comprehensive Plan: Z-5884

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.718 acres in size and located north of 71st Street, 1/2 mile east of Peoria Avenue. It is partially wooded, flat, vacant and zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family neighborhood zoned RM-1/PUD, on the east by a single-family neighborhood and vacant land proposed for office development zoned RS-3, OL and OM, on the south by vacant land zoned CS and on the west by an office complex zoned CS, OM/PUD.

Zoning and BOA Historical Summary -- Past zoning actions have allowed OM in the area with an OL buffer where the tract abuts existing single-family.

Conclusion -- Based upon the surrounding land uses, existing zoning patterns and past zoning actions, the Staff recommends APPROVAL of OM zoning, LESS and EXCEPT the east 100 feet of the north 200 feet for OL zoning. We would also recommend that the Comprehensive Plan be amended.

Staff Recommendation: PUD #261-A

Planned Unit Development No. 261 is located at the northeast corner of 71st Street and South Peoria Avneue. The tract is 18.34 acres in size and contains an existing multifamily office building.

A part of the property has a Staff recommendation for OM and OL. The remainder was initially submitted and approved in 1981 as PUD No. 261 depicting a 13-acre office property. The office park was planned for 290,000 square feet of floor area to include five multi-story office buildings which was later amended to three buildings at a maximum of 8-story height.

PUD #261-A (continued)

The development concept behind PUD #261-A is to provide office, retail and supportive uses in a planned and complementary setting. The project design incorporates the 4-story office building presently on the tract on the northwest portion of the site with a proposed retail center containing 105,000 square feet to be located in the eastern portion of the project, and an office-restaurant parcel in the center portion of the site.

The Staff reviewed the proposal and find that it is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purpose and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #261-A, subject to the following conditions:

- (1) That the applicant's Outline Development Plan be made a condition of approval unless modified herein.
- (2) Development Standards:

GENERAL STANDARDS:

Land Area (Gross):	18.34 acres
(Net):	17.25 acres
Permitted Uses:	As permitted within the OM and CS Districts.
Maximum Floor Area:	
Office,	139,800 square feet
Retail/Restaurant.	121,000 square feet
Minimum Interior Open Space:	18%

SPECIFIC STANDARDS:

Development Area "A" - Office:

Gross Area:	Plus or minus 4.4 acres
Net Area:	Plus or minus 4.3 acres
Permitted Uses:	As permitted within an OM District.
Maximum Floor Area:	67,000 square feet*
Minimum Internal Landscaped Open Space:	18% of net area, excluding landscaped right-of-way.
Maximum Stories:	4 stories
Minimum Building Setback from North Boundary:	75 feet
Minimum Building Setback from Centerline of abutting Public Street:	125 feet
Parking Ratio:	1 space per 360 sq. ft. of floor space.
Other Bulk and Area Requirements:	As required within an OM District.

PUD #261-A (continued)

\*Includes 7,500 square feet of accessory space which may be used for club and restaurant facilities.

Development Area "B" - Office/Restaurant:

Gross Area:	Plus or minus 4.55 acres
Net Area:	Plus or minus 3.94 acres
Permitted Uses	As permitted within an OM District and uses included within Use Unit 12 - Eating Places.
Minimum Floor Area:	72,400 square feet*
Maximum Stories:	4 stories
Maximum Height:	56 feet
Minimum Internal Landscaped Open Space:	18% of net area, excluding landscaped right-of-way.
Minimum Building Setback From Center-line of Abutting Public Street:	100 feet
Parking Ratios:	
Office Use,	1 space per 300 sq. ft.
Other uses.	1 space per 225 sq. ft.
Other Bulk and Area Requirements:	As provided within an OM District.

\*Not more than 16,000 sq. ft. shall be used for uses included within Use Unit #12.

Development Area "C" - Shopping:

Gross Area:	Plus or minus 9.39 acres
Net Area:	Plus or minus 9.01 acres
Permitted Uses:	As permitted within a CS Commercial Shopping District.
Maximum Floor Area:	105,000 sq. ft.
Maximum Height:	28 feet
Minimum Internal Landscaped Open Space:	18% of net area, excluding landscaped right-of-way.
Minimum Building Setback from North Boundary:	45 feet
Minimum Setback of Trash Receptacles and Service Entries from North Boundary and North 200 feet of East Boundary:	45 feet
Minimum Building Setback from East Boundary:	30 feet
Minimum Building Setback From Center-line of Abutting Public Street:	100 feet
Parking Ratio:	1 space per 225 sq. ft.
Other Bulk and Area Requirements:	As provided within a CS District.

That the architectural character and the design of the front elevation of the building be carried through to the rear elevations, including the screening of utility meters and roof mounted equipment. That roof design be such that it minimizes the visual height of the structures.

PUD #261-A (continued)

- (3) Signs accessory to permitted principal uses shall be permitted, but shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:
1. One monument sign identifying the project may be located at each of the two principal public street entrances to the project and not exceeding 6 feet in height and not exceeding a display surface of 120 square feet.
  2. Within Development Area "C", one pole or pylon sign identifying the shopping center and/or individual tenants therein, not exceeding 25 feet in height and not exceeding a display surface area of 150 square feet.
  3. Within Development Area "B", one pole or pylon sign identifying a tenant or use within the project not exceeding 20 feet in height and not exceeding a display surface area of 120 square feet.
  4. One monument sign for and identifying each building not exceeding 4 feet in height and not exceeding a display surface area of 48 square feet.

Wall or canopy signs shall be limited in aggregate display surface area to 1 1/2 sq. ft. per each lineal foot of the building wall to which the sign or signs are affixed. Wall or canopy signs shall not exceed the height of the building.

- (4) That a Detail Site Plan for Development Areas "B and C" be submitted to and approved by the TMAPC prior to the issuance of a building permit.
- (5) That a Detail Landscape Plan for Development Areas "B and C" be approved by the TMAPC and installed prior to occupancy, including (a) 6-foot height screening fence that shall be constructed along the north boundary and along the north 200 feet of the east boundary and (b) screening of all trash receptable and service entries.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants and PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Roy Johnsen, attorney, represented Fra Corp., and advised the initial project consisted of 13 acres and the Corporation undertook construction of one of the approved office buildings which is ready for occupancy, is included in the balance of the PUD five additional acres was acquired on the east making a total of 18 acres under one ownership.

The retail use is based on the underlying CS zoning on the 71st Street frontage. When the one office building was initially constructed the parking required by the Zoning Code was one (1) space per 400 sq. ft., which has been amended from 400 sq. ft. to 300 sq. ft. The original building as completed provides only one space per 360 sq. ft. which exceeded the Code at that time. Mr. Johnsen advised that one per 300 sq. ft. ratio would be

Z-5884 and PUD #261-A (continued)

acceptable for the structure which has not yet been constructed. Mr. Johnsen suggested that the Commission modify the parking as to the "Development Area A" to recognize 1 space per 360 sq. ft. which exceeded the Code at the initial time of construction and the balance of parking requirements would be met.

Mr. Johnsen also expressed his concern with the Staff's Recommendation that the architectural character and design of the front elevation of the building be carried through to the rear elevations. He requested clarity on the language. Mr. Johnsen assured the Commission that the rear elevation would be pleasing to the eye, but was unsure of the Staff's language.

Mr. Gardner explained that it is difficult to accurately word the Staff's intention as it relates to building facade on the rear of the building. The Staff does not expect an enormous amount of money spent to decorate the back of the building, but feel it should be compatible with adjoining property owners.

Mr. Johnsen felt the use of the term "architectural character and design" caused some confusion. He felt the objective is to achieve some compatibility with the adjoining properties. He suggested that the language be worded as follows: Design attention will be given to the rear elevation of the buildings abutting residential properties in order to achieve reasonable compatibility therewith, including screening, utility meters and roof mounted equipment, from abutting residential property lines of the site.

Larry Kester, architect, felt it was premature in stating the specific design on the rear of the structure. He suggested that what the Commission requires be flexible enough to create a cosmetic pleasing rear facade without going to costly extremes.

Mr. Gardner advised the Staff is not expecting the same treatment on the back as proposed on the front, but at the same time would oppose 28' of concrete wall in the rear with a flat roof.

Mr. C. Young suggested that the language remain as is until the applicant can be more definite because the backs of shopping centers that border residences is very important. Mr. Johnsen was in agreement with that statement, but when the applicant returns, the Commission should recognize that there are many ways to treat the rear of the building making it acceptable without duplicating the front of the building.

Instruments Submitted: Outline Development Plan Text (Exhibit "C-1")  
Three (3) Photographs of the property (Exhibit "C-2")

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned as per Staff Recommendation:

Z-5884 and PUD #261-A (continued)

LEGAL REVISION:  
by Planning Commission Action

Z-5884 - A tract of land situated in Lot 7, Section 6, Township 18 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the Southwest corner of said Section 6; thence North  $89^{\circ}-25'-55''$  East along the South line of said Lot 7 a distance of 1,345.18 feet to the Southeast corner of said Lot 7; thence North  $00^{\circ}-24'-39''$  West along the East line of said Lot 7 a distance of 361.50 feet to the point of beginning; thence continuing North  $00^{\circ}-24'-39''$  West along the East line of said Lot 7 a distance of 430.50 feet; thence South  $89^{\circ}-25'-55''$  West a distance of 275.00 feet; thence South  $00^{\circ}-24'-39''$  E. a distance of 430.50 feet; thence North  $89^{\circ}-25'-55''$  East a distance of 275.00 feet to the point of beginning, said tract containing 2.718 acres, more or less, LESS and EXCEPT the North 200' of the East 100'.

PUD #261 - A parcel of land situated in Lot 7, Section 6, Township 18 North, Range 13 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows:

Commencing at the SW corner of said Section 6; thence North  $89^{\circ}-25'-55''$  East along the South line of said Lot 7 a distance of 1,345.18' to the SE corner of said Lot 7, said corner being the point of beginning; thence North  $00^{\circ}-24'-39''$  West along the East line of said Lot 7 a distance of 792.00'; thence South  $89^{\circ}-25'-55''$  West a distance of 550.00'; thence North  $00^{\circ}-24'-39''$  West a distance of 3.60'; thence South  $89^{\circ}-26'-50''$  West a distance of 589.48'; thence South a distance of 150.00'; thence South  $89^{\circ}-26'-50''$  West a distance of 200.00' to a point on the West line of said Lot 7; thence South along the West line of said Lot 7 a distance of 60.00'; thence North  $89^{\circ}-26'-50''$  East a distance of 200'; thence South a distance of 185.73'; thence North  $89^{\circ}-26'-50''$  East a distance of 200.00'; thence South a distance of 200.00'; thence North  $89^{\circ}-25'-55''$  East a distance of 200.00'; thence South to a point on the South line of said Lot 7 a distance of 200.00'; thence North  $89^{\circ}-25'-55''$  East along the South line of said Lot 7 a distance of 745.18' to the point of beginning, said tract containing 18.34 acres, more or less.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Connery, Draughton, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the above (PUD #261) legal description on the property be approved for Planned Unit Development, as recommended by the Staff, including the parking ratio be 1 space per 360 sq. ft. for floor area in Development Area "A".

Application No. CZ-91

Present Zoning: AG

Applicant: Blunt (Garrett)

Proposed Zoning: RMH, FD

Location: East of the SE corner of 126th Street North and Garnett Road

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Date of Application: August 18, 1983

Date of Hearing: September 28, 1983

Size of Tract: 29.24 acres

Presentation to TMAPC by: Lyn Myer

Address: P. O. Box 385, Mounds, Oklahoma.

Phone: Unknown

Relationship to the Comprehensive Plan: CZ-91

The Comprehensive Plan for the Owasso Area, designates the subject property Rural Residential. The Owasso Plan identifies mobile home parks as high intensity uses making the requested RMH not in accordance with the Plan.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 29.24 acres in size and located 1/4 mile east of the southeast corner of North Garnett Road (Highway #169) and 126th Street. It is partially wooded, rolling, contains one single-family dwelling and is zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling and a mobile home park zoned AG, on the east and west by single-family dwellings on acreage lots zoned AG, and on the south by vacant land zoned AG and a large lot subdivision zoned AG-R.

Zoning and BOA Historical Summary -- Past zoning actions have started the establishment of a medium-intensity node at the intersection of Garnett Road and 126th Street.

Conclusion -- The subject tract is beyond the medium-intensity node or the wrap-around buffer and it is planned for very low intensity residential. However, the existing mobile home park abutting the tract on the north influences a density higher than the surrounding AG or AG-R residential. Since a portion of the tract may be within a floodplain and not proper for development, and a PUD would allow the applicant to reclaim the lost density, the Staff recommends APPROVAL of RE zoning. A PUD would allow the mobile home usage and a potential density up to 48 units. Therefore, the Staff recommends DENIAL of the RMH and APPROVAL of RE zoning, LESS and EXCEPT any portion of the tract identified as being in the 100-year floodway which we recommend FD.\*

\*Delineation of any FD shall be the burden of the applicant's engineer working with the County Engineer for his approval.

Applicant's Comments:

Mr. Lyn Myer advised the Commission of three mobile home parks in the surrounding area and other scattered mobile homes throughout the area. Mr. Myer advised a portion of the subject property is located within the 100-year floodplain and the remainder of the area which is located within the floodplain is confined to the creek channel.

Mr. Myer expressed some concern with the drainage area to the south and felt there might be additional water on the site. The engineer has

9.28.83:1475(26)

Z-91 (continued)

assured that the water could be rerouted back off and through the drainage area and have less runoff on the south property than present.

The site plan reflected that there will be 84 lots on the site with a density of 2.73 dwelling units per acre. The mobile home lots will be 60' x 120' in size and a 24' wide street will be provided with curbs and gutters. A lagoon system is proposed for the tract which will be located in the center of the subdivision because it must be located 500' from the existing residences abutting. A 20' setback is proposed from the right-of-way.

Mr. Myer submitted a petition in support of the proposed zoning signed by 8 property owners in the immediate area (Exhibit "D-1") and six (6) photographs of a mobile home park similar to what is proposed (Exhibit "D-2").

Mr. C. Young advised a letter was submitted from the Owasso Planning Commission who voted 3-0-0 to recommend approval of the zoning request (Exhibit "D-3").

The Commission inquired as to the number of mobile home units permitted under RS, RE and RMH zoning and the Staff explained the various numbers permitted under each zoning category. It was suggested that the property be zoned RS or RMH with a PUD to limit the number of units per acre to what is proposed.

Mr. Flick was in support of the Staff Recommendation for RE zoning as it would be more desirable for the area with the lagoon system on the tract. Mrs. Higgins suggested that the property be zoned a combination of RMH and RS with a PUD. Mrs. Hinkle suggested that the property be zoned a combination of RS and RE totaling 84 units.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RS on the north-half and RE on the south-half with the number of mobile home units being limited to 84 under a PUD or Board of Adjustment.

FD: The North 530' of the East 660' of the NE/4 of the NW/4, LESS right-of-way and the South 305' thereof, Section 5, Township 21 North, Range 14 East; and

RE: The North 530' of the West 660' of the NE/4 of the NW/4, LESS right-of-way and the South 305' thereof, Section 5, Township 21 North, Range 14 East; and

RS: The NE/4 of the NW/4, LESS right-of-way and the South 305' and the North 530' thereof, Section 5, Township 21 North, Range 14 East, ALL in the County of Tulsa, Oklahoma.

Application No. CZ-91

Present Zoning: AG

Applicant: Blunt (Garrett)

Proposed Zoning: RMH, FD

Location: East of the SE corner of 126th Street North and Garnett Road

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Date of Application: August 18, 1983

Date of Hearing: September 28, 1983

Size of Tract: 29.24 acres

Presentation to TMAPC by: Lyn Myer

Address: P. O. Box 385, Mounds, Oklahoma.

Phone: Unknown

Relationship to the Comprehensive Plan: CZ-91

The Comprehensive Plan for the Owasso Area, designates the subject property Rural Residential. The Owasso Plan identifies mobile home parks as high intensity uses making the requested RMH not in accordance with the Plan.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 29.24 acres in size and located 1/4 mile east of the southeast corner of North Garnett Road (Highway #169) and 126th Street. It is partially wooded, rolling, contains one single-family dwelling and is zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling and a mobile home park zoned AG, on the east and west by single-family dwellings on acreage lots zoned AG, and on the south by vacant land zoned AG and a large lot subdivision zoned AG-R.

Zoning and BOA Historical Summary -- Past zoning actions have started the establishment of a medium-intensity node at the intersection of Garnett Road and 126th Street.

Conclusion -- The subject tract is beyond the medium-intensity node or the wrap-around buffer and it is planned for very low intensity residential. However, the existing mobile home park abutting the tract on the north influences a density higher than the surrounding AG or AG-R residential. Since a portion of the tract may be within a floodplain and not proper for development, and a PUD would allow the applicant to reclaim the lost density, the Staff recommends APPROVAL of RE zoning. A PUD would allow the mobile home usage and a potential density up to 48 units. Therefore, the Staff recommends DENIAL of the RMH and APPROVAL of RE zoning, LESS and EXCEPT any portion of the tract identified as being in the 100-year floodway which we recommend FD.\*

\*Delineation of any FD shall be the burden of the applicant's engineer working with the County Engineer for his approval.

Applicant's Comments:

Mr. Lyn Myer advised the Commission of three mobile home parks in the surrounding area and other scattered mobile homes throughout the area. Mr. Myer advised a portion of the subject property is located within the 100-year floodplain and the remainder of the area which is located within the floodplain is confined to the creek channel.

Mr. Myer expressed some concern with the drainage area to the south and felt there might be additional water on the site. The engineer has

Z-91 (continued)

assured that the water could be rerouted back off and through the drainage area and have less runoff on the south property than present.

The site plan reflected that there will be 84 lots on the site with a density of 2.73 dwelling units per acre. The mobile home lots will be 60' x 120' in size and a 24' wide street will be provided with curbs and gutters. A lagoon system is proposed for the tract which will be located in the center of the subdivision because it must be located 500' from the existing residences abutting. A 20' setback is proposed from the right-of-way.

Mr. Myer submitted a petition in support of the proposed zoning signed by 8 property owners in the immediate area (Exhibit "D-1") and six (6) photographs of a mobile home park similar to what is proposed (Exhibit "D-2").

Mr. C. Young advised a letter was submitted from the Owasso Planning Commission who voted 3-0-0 to recommend approval of the zoning request (Exhibit "D-3").

The Commission inquired as to the number of mobile home units permitted under RS, RE and RMH zoning and the Staff explained the various numbers permitted under each zoning category. It was suggested that the property be zoned RS or RMH with a PUD to limit the number of units per acre to what is proposed.

Mr. Flick was in support of the Staff Recommendation for RE zoning as it would be more desirable for the area with the lagoon system on the tract. Mrs. Higgins suggested that the property be zoned a combination of RMH and RS with a PUD. Mrs. Hinkle suggested that the property be zoned a combination of RS and RE totaling 84 units.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RS on the north-half and RE on the south-half with the number of mobile home units being limited to 84 under a PUD or Board of Adjustment.

FD: The North 530' of the East 660' of the NE/4 of the NW/4, LESS right-of-way and the South 305' thereof, Section 5, Township 21 North, Range 14 East; and

RE: The North 530' of the West 660' of the NE/4 of the NW/4, LESS right-of-way and the South 305' thereof, Section 5, Township 21 North, Range 14 East; and

RS: The NE/4 of the NW/4, LESS right-of-way and the South 305' and the North 530' thereof, Section 5, Township 21 North, Range 14 East, ALL in the County of Tulsa, Oklahoma.

PUD #253-A Johnsen (Sanditen Inv., Ltd.) East of the SE corner of 51st  
Street and Harvard Avenue

Mr. Roy Johnsen was present and requested a one-week continuance.

TMAPC Action: 6 members present.

On MOTION of DRAUGHON, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Flick, Hinkle, C. Young, "aye"; no "nays"; no "abstentions"; Higgins, Kempe, Woodard, T. Young, Inhofe, "absent") to continue consideration of PUD #253-A until October 5, 1983, at 1:30 p.m. in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. PUD 341 Present Zoning: RM-2  
Applicant: Sisemore-Sack-Sisemore (Homecraft Land Dev., Inc.)  
Location: SW corner of 66th Place South and South Peoria Avenue

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Date of Application: August 16, 1983  
Date of Hearing: September 28, 1983  
Size of Tract: 5.98 acres

Presentation to TMAPC by: Mike Taylor  
Address: 5359 South Sheridan Road Phone: 622-0151

STAFF RECOMMENDATION: (PUD #341)

The subject tract is 5.634 acres in size located at the SW corner of 66th Place and South Peoria Avenue, and zoned RM-2. The applicant is now requesting to place the remaining portion of the developing multifamily project under the control of a PUD to allow several development lots and access provided through mutual access easements.

The Staff has reviewed the Outline Development Plan and find the proposal to be (a) consistent with the Comprehensive Plan; (b) in harmony with the existing and expected development of the area; (c) a unified treatment of the development possibilities of the site; and (d) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #341, subject to the following conditions:

(1) That the applicant's Outline Development Plan be made a condition of approval.

(2) General Development Standards:

Land Area (Gross):	5.981 acres
(Net):	5.634 acres
Permitted Use:	Multifamily Residential
Maximum Number of Dwelling Units:	204 units
Maximum Building Height:	41 feet
Minimum Livability Space:	80,100 sq. ft.
Minimum Off-Street Parking:	342 spaces
Minimum Building Setbacks:	
From Peoria Ave. Boundary Line;	35 feet
from 66th Pl. Boundary Line;	10 feet
from West & South Boundary Lines;	17.5 feet
from Tract "A";	5 feet
from Internal Lot Lines;	2 feet
between buildings.	10 feet

(3) Specific Development Standards:

LOT 1

Lot Width:	302 feet
Gross:	60,382.606/1.38619 acre
Net:	45,282.606/1.03955 acre
Paving:	15,231.123/0.34966
Buildings:	11,935.773/0.27401
Livability Space:	18,115.710/0.41588 acre
Number of Dwelling Units:	34 units (13 under)
Number of Parking Spaces:	58 spaces

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PUD #341 (continued)

LOT 2

Lot Width: 100 feet average  
Gross: (same as Net)  
Net: 40,404,557/0.92756 acre  
Paving: 15,353.457/0.35247  
Buildings: 11,935.773/0.27401  
Livability Space: 13,115.327/0.30108 acre  
Number of Dwelling Units: 34 units (2 over)  
Number of Parking Spaces: 58 spaces

LOT 3

Lot Width: 95 feet average  
Gross: (Same as Net)  
Net: 23,168.338/0.53187 acre  
Livability Space: 6,338.362/0.14550 acre  
Number of Dwelling Units: 22 units (4 over)  
Number of Parking Spaces: 36 spaces

LOT 4

Lot Width: 90 feet average  
Gross: (Same as Net)  
Net: 24,398.500/0.56011 acre  
Livability Space: 6,736.979/0.15465 acre  
Number of Dwelling Units: 22 units (3 over)  
Number of Parking Spaces: 36 spaces

LOT 5

Lot Width: 76 feet average  
Gross: (Same as Net)  
Net: 18,174.982/0.41724 acre  
Livability Space: 7,993.785 acres  
Number of Dwelling Units: 12 units (2 under)  
Number of Parking Spaces: 22 spaces

LOT 6

Lot Width: 150 feet average  
Gross: (Same as Net)  
Net: 23,016.808/0.52839 acre  
Livability Space: 5,951.674/0.13663  
Number of Dwelling Units: 22 units (4 over)  
Number of Parking Spaces: 36 spaces

LOT 7

Lot Width: 117 feet average  
Gross: (Same as Net)  
Net: 14,832.000/0.34050 acre  
Livability Space: 4,827.523/0.11082 acre  
Number of Dwelling Units: 12 units (1 over)  
Number of Parking Spaces: 20 spaces

PUD #341 (continued)

LOT 8

Lot Width:	180 feet average
Gross:	32,656.072/0.74969 acre
Net:	28,205.176/0.64750 acre
Livability Space:	6,927.506/0.15903 acre
Number of Dwelling Units:	22 units (4 under)
Number of Parking Spaces:	36 spaces

LOT 9

Lot Width:	100 feet average
Gross:	17,623.854/0.40459 acre
Net:	14,853.521/0.34099 acre
Livability Space:	7,118.66/0.16342 acre
Number of Dwelling Units:	12 units (1 under)
Number of Parking Spaces:	20 spaces

LOT 10

Lot Width:	80 feet average
Gross:	N/A
Net:	13,110.856/0.30098 acre
Livability Space:	3,727.173/1.62355 acre
Number of Dwelling Units:	12 units (2 over)
Number of Parking Spaces:	20 spaces

- (4) That a Detail Site Plan, by Lot or group of Lots, be submitted to and approved by the TMAPC prior to the issuance of a building permit.
- (5) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy, including sign and fence design and locations. However, signage shall not exceed the requirement of Section 420.2 (d).
- (6) That a mutual access agreement providing access to all lots within the PUD and Tract "A", be approved by the TMAPC and filed of record.
- (7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and 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. Mike Taylor was in concurrence with the Staff Recommendation. He advised all driveways and pavements are half completed and utility easements have been approved by the utility companies.

Mr. Ted Sack stated he was in agreement with the Staff Recommendation, but was concerned with the 10' setback between buildings. Originally the PUD reflected a 5' setback and Mr. Sack was unsure if a 10' setback could be maintained between the buildings. He added that overall on the site an average of 10' setbacks could be maintained.

Mr. Gardner suggested that the PUD be approved as recommended by the Staff and if relief is needed concerning the 10' setback between buildings the applicant can file a minor amendment concerning that aspect.

PUD #341 (continued)

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, Kempe, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, per Staff Recommendation:

A tract containing 5.6347 acres that is part of Lot 1 in Block 1 of "Raintree II", a subdivision of part of Lot 7 of Section 1, Township 18 North, Range 12 East, City of Tulsa, Tulsa County, Oklahoma, said tract being described as follows, to wit: "Beginning at a point that is the Northwest corner of said Lot 1; thence South  $88^{\circ}-50'-59''$  East along the Northerly line of Lot 1 for 288.85'; thence due South for 196.46'; thence due West for 16.29'; thence due South for 60.00'; thence due East for 43.59'; thence due South for 56.56'; thence due East for 54.00' thence due North for 67.06'; thence North  $55^{\circ}-23'-45''$  West for 5.54'; thence North  $68^{\circ}-38'-03''$  East for 210.00'; thence South  $68^{\circ}-20'-31''$  East for 3.12'; thence due East for 146.00' to a point on the Easterly line of said Lot 1; thence due South along said Easterly line for 302.00' to the Southeast corner of Lot 1; thence due West along the Southerly line of Lot 1 for 710.00' to the Southwest corner of Lot 1; thence due North along the Westerly line of Lot 1 for 475.26' to the "Point of Beginning" of said tract of land.

OTHER BUSINESS:

PUD #306-1 Jones (Grupe Development Co.) East 91st Street and South Delaware Avenue

Mr. Gardner stated the Staff had advised the applicant that they had not had time to fully review the minor amendment at this time.

The Chair, without objection, tabled consideration of PUD #306-1 until October 5, 1983, at 1:30 p.m., in Langenheim Auditorium, Tulsa Civic Center, City Hall.

PUD #257-1 Swanson SE corner of 51st Street and Columbia Place

Staff Recommendation - Minor Amendment - Detail Site Plan Review

The subject tract is located at the southeast corner of 51st Street South and Columbia Place. It is 3.3 acres in area, vacant, and has an underlying zoning of OM. PUD #257 is abutted on the north and east by OM and RM-2 zoning, on the south by RM-T zoning and PUD #295, and on the west by RS-2 zoning. Apartments and office buildings are situated north and east of the property with single-family residences lying to the south and west. The applicant is now requesting a Detail Site Plan Review and a Minor Amendment to (a) permit a 49-foot building setback requirement from the abutting RM-T District and (b) reduce the number of required parking spaces from 153 to 143.

The Staff has reviewed the Plan submitted and find the following:

Item	Approved	Submitted
Floor Area:	40,850 sq. ft.	Not to exceed 40,850 sq. ft.
Setback From Centerline of 51st Street:	100 feet	100 feet
Setback From Centerline of Columbia Place:	150 feet	150 feet
Setback From Abutting RM-T Dis.:	60 feet	49 feet
Building Height:	4-story	4-story
Ratio of Parking to Floor Area:	1 per 267 sq. ft.	1 per 286 sq. ft.
Off-Street Parking Spaces:	153	143
Ground Floor Area of Buildings:	9,670 sq. ft., 11%	9,670 sq. ft., 11%
Paved Off-Street Parking:	50,450 - 59%	50,450 - 59%
Open Landscape and Walkways:	16,200 - 19%	16,200 - 19%

By reducing the required off-street parking spaces from 153 to 143 spaces, the applicant still exceeds the minimum parking space requirement of 136 spaces as calculated by the Bulk and Area Statistics. The minimum parking requirement is 1 per 300 sq. ft. of floor area and the revised parking calculations are 1 per 286 sq. ft. of floor area.

By reducing the setback requirement from the abutting RM-T Districts from 60 to 49 feet, the applicant is requesting an 18% setback change from what was originally approved under PUD #257. The underlying OM zoning would require only a 10-foot setback from the abutting RM-T Districts, however, planning principles would require as a minimum

PUD #257-L (continued)

a 1 for 1 setback which would be as the applicant is requesting.

The Staff has some concern about the location of existing trees and the possible obstructions that they may cause at points of ingress and egress and in the internal traffic flow.

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plan for PUD #257 and of Minor Amendment #257-1 to (1) reduce the parking spaces from 153 to 143 spaces and (2) permit a 49' setback from abutting R Districts on the south property line, subject to the plans submitted.

The Staff addressed some concern with the location of existing trees and advised the applicant could have designed the site by orienting the buildings differently and making the parking lot different which would normally be done, but the Staff does not feel it to be significant in nature and would be supportive of the two minor amendments and approval of the site plan.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to approve the requested minor amendments to PUD #257-1 and to approve the Detail Site Plan.

PUD #294-4 Smith - Minor Amendment - Lot 2, Block 4, Mill Creek Bridge

Staff Recommendation:

The subject tract is located south of East 95th Place on the west side of Maplewood Avenue. It currently contains one single-family dwelling under construction and is abutted to the north by a single-family dwelling under construction, on the south and east by vacant lots and on the west by unplatted property.

This request is to allow an amendment to the required 10' and 0' side yards to allow side yards of not less than 4'. After review of the request and field investigation of the site, the Staff finds the request to be minor in nature. After further review of the dwelling under construction to the north, it appears to be set back off its south property line by 5' giving approximately 9' between structures. Based on the above mentioned information, the Staff recommends APPROVAL of the requested 4' side yard with the requirement that the applicant's submitted survey be incorporated as a condition of PUD #294 and that the tract to the south (Lot 1, Block 4) not have any structure closer than 5' of its north property line, thus giving maximum spacing between structures.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to approve the Minor Amendment to PUD #294-4, subject to the applicant's submitted survey be incorporated as a condition of PUD #294 and that the tract to the south (Lot 1, Block 4) not have any structure closer than 5' of its north property line, thus giving maximum spacing between structures.

PUD #215 - Minor Amendment - Lot 8, Block 20, Chimney Hills South (Creager)

Staff Recommendation:

The subject tract is located on the NW corner of 87th Street and 73rd East Avenue and is a developing single-family subdivision. The tract is abutted on all sides by similar development. The applicant is asking for an amendment from the required 20' rear yard to 18'.

After review of the submitted plot plan, the Staff finds the request to be minor in nature and recognizes the hardship placed on the applicant due to having frontage on two streets. Based on the above findings, the Staff recommends APPROVAL of the requested 18' rear yard per plot plan submitted.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to approve the Minor Amendment to PUD #215, per plot plan submitted.

PUD #239-2 - Bob Latch - SW corner of 67th Place & Oxford Avenue

Staff Recommendation - Minor Amendment - Lot 1, Block 1, Summit Place

The subject tract is located on the SW corner of 67th Place and Oxford Avenue, is zoned RS-3 and is approved for 14 condominium units.

The applicant is requesting 12.5' side yards instead of the required 20' on the west perimeter boundary. The 12.5' side yard (west boundary) is adequate and also consistent with the approved Outline Development Plan. While reviewing the plot plan, the Staff also identified that the applicant has a wood deck encroaching into the north yard 20-foot setback a distance of 6 feet. Since this does not destroy the intent of the yard requirements by eliminating an open area, the Staff sees this as also being minor.

After review of the submitted plans, the Staff recommends APPROVAL of the requested 12.5' side yard along the entire west boundary and a 15-foot rear yard on the north of the westernmost structure with the condition the applicant's plans, as submitted, become part of and a condition to PUD #239 and subject to the porch not being covered by a roof now or in the future and that no portion of the porch be constructed over the 15-foot utility easement on the north.

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Kempe, T. Young, Inhofe, "absent") to approve the minor amendment to PUD #239-2, subject to the Plan submitted, and subject to the porch not being covered by a roof now or in the future and that no portion of the porch be constructed over the 15-foot utility easement on the north.

There being no further business, the Chair adjourned the meeting at 5:00 p.m.

Date Approved October 12, 1983

Marilyn Ginkle  
Chairman

ATTEST:

Marilyn Ginkle  
Secretary