

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1482
Wednesday, November 16, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

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

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

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:30 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, C. Young, T. Young, Inhofe, "absent") to approve the Minutes of November 2, 1983 (No. 1480).

REPORTS:

Report of Receipts and Deposits:

The Commission was advised that this report is in order.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Flick, C. Young, T. Young, Inhofe, "absent") to approve the Report of Receipts and Deposits for the month ending October 31, 1983.

Comprehensive Plan Committee Report:

The Chairman reminded the members of the Comprehensive Plan Committee of the meeting on November 23, 1983, at 12:30 p.m. in Room 213, City Hall, Tulsa Civic Center to discuss the special study concerning the Fairgrounds.

SUBDIVISIONS:

Preliminary Plat:

Strawberry Creek (PUD #131-C) (794) NW corner of 14th Street and South Garnett Road (RM-1, OL and CS)

Mr. Wilmoth advised that consideration of this preliminary plat approval needs to be continued because of some problems involved with the PUD. The Staff suggested that it be continued to December 7, 1983.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to continue consideration of Strawberry Creek Preliminary Plat until December 7, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Victoria Station Addition (PUD #166-B and #336) (2383) SW corner of 91st Street and South 69th East Avenue (RM-1, RS-3)

The Staff presented the plat.

This plat has a REVISED SKETCH PLAT approval, subject to conditions. A copy of the Minutes of September 29, 1983, was provided, with the Staff comments as applicable.

Mr. Wilmoth advised the T.A.C. recommended approval of this plat, subject to the listed conditions and it was recommended that the two stub streets be closed and that one of the streets be used for emergency access only.

The Technical Advisory Committee and Staff recommended approval of the PRELIMINARY PLAT of Victoria Station Addition, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the PRELIMINARY PLAT for Victoria Station (PUD #131-C, subject to the following conditions:

1. All conditions of PUDs #166-B and #336 shall be met prior to the release of the 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 the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall 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 the final plat.

Victoria Station 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 the final plat. (RMUA approval required. Include language in covenants regarding Haikey Creek plant.)
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 the City Commission.
7. A topo map shall be submitted for review by the T.A.C. (Subdivision Regulations) (Submit with drainage plans)
8. Access points shall be approved by the City and/or Traffic Engineer, (on 91st Street).
9. Identify which stub street is to be for "emergency access". Care must be taken to provide emergency access and landscaping that would not interfere with an emergency vehicle, such as a fire truck. Condition 5(b) of PUD #336 required a 4' offset in fencing at the ends of the stub streets for landscaping.
10. Show building lines on the plat in accordance with PUD conditions. (Some easements may exceed building line requirement.)
11. Make corrections to covenants as follows:
 - Page 3 - paragraph "A" -- add, "Minimum setback between buildings is 10 feet".
 - Page 4 - paragraph "B i" -- change parking spaces to 1 1/2 for 1 bedroom unit.
 - Page 5 - paragraph "C" -- omit references to "Creekwood".
12. A "letter of assurance" regarding installation of improvements shall be submitted prior to the release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
13. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Echelon Centre Addition (PUD #343) (1483) SW corner of 81st Street and
South Memorial Drive (CS, RM-1, RS-3)

The Staff presented the plat.

This plat has a SKETCH PLAT approval, subject to conditions. A copy of the Minutes of September 29, 1983, was provided, with the Staff comments as applicable.

The Technical Advisory Committee and Staff recommended approval of the PRELIMINARY PLAT of Echelon Centre Addition, subject to the conditions.

Echelon Centre Addition (continued)

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the Preliminary Plat for Echelon Centre Addition (PUD #343), subject to the following conditions:

1. All conditions of PUD #343 shall be met prior to release of the 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 building lines in accordance with the PUD. Show PUD number on the face of the plat.
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines. (Show existing sewer easement.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
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 the final plat. (RMUA approval required.)
6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable, subject to criteria approved by the City Commission).
7. A topo map shall be submitted for review by the T.A.C. (Subdivision Regulations) (Submit with drainage plans)
8. Access points shall be approved by the City and/or Traffic Engineer. (Two access points may be "R.T.O.") On common access points a "mutual access agreement" is needed to allow two different owners to use a common driveway.
9. Covenants need to be revised or corrected as follows:
 - (a) Section A (e) -- Signs -- expand to include details in PUD Minutes.
 - (b) Section B (g) -- Signs -- This conflicts with the PUD. (2 signs to a lot.)
 - (c) Section C (a) -- Change "OM" to "OL".
C (c) -- Maximum Height = 35 feet.
Add sign information to this Section.
 - (d) Section E -- next to last paragraph -- 1st line, refer to Sections "A, B and C".

Echelon Centre Addition (continued)

10. The Zoning Application (Z-5885) shall be approved before the final plat is released.
11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
12. All Subdivision Regulations shall be met prior to release of the final plat.

Gleneagles North Addition (183) West side of South Mingo Road, at East 63rd
Street (CO)

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

Mr. Wilmoth advised that this plat originally came before the Planning Commission and City Commission and was approved for Corridor zoning with mini-storage located on the property. During that time the applicant submitted a plat. The T.A.C. gave their approval of the plat and site plan and the Board of Adjustment approved the mini-storage use on the property. The Ordinance will not be published for CO zoning, but will remain AG with Board of Adjustment approval for mini-storage. The T.A.C. would recommend approval of the preliminary plat, subject to the following conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the Preliminary Plat of Gleneagles North Addition, subject to the following conditions:

1. Covenants should include all conditions outlined in the Board of Adjustment requirements.
2. Sections 1.1 and 1.2 of the Covenants could probably be combined. Sections 1.1.4 and 1.2.4 have an extra sentence added. Utilities want this item removed or modified.
3. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines.
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 the City Commission. (Check Item #1.5 in the Covenants. Change to meet the City Engineer's approval.)
5. Access points shall be approved by the City and/or Traffic Engineer.
6. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department

Gleneagles North Addition (continued)

- for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
7. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
 8. A "letter of assurance" regarding installation of improvements shall be submitted prior to the release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
 9. All Subdivision Regulations shall be met prior to release of the final plat.

Rockford Circle Amended (PUD #296) (793) 17th Place and South Rockford Avenue
(RS-3, RD)

This plat was processed and released on March 16, 1983, and filed of record as Plat #4332. Protestants to the PUD appealed to District Court and the Court ordered a reduction in the number of dwelling units. Therefore, the owner had to revise the plat in accordance with the District Court order. Release letters have been received from all agencies on the previous plat. If there are no objections from the utilities, City Engineer, and other agencies, the previous approvals can be used with all former conditions still applicable to the revised plat.

In discussion various T.A.C. members advised that the changes in the plat would require some revisions in their original plans, and other information would be required on the face of the plat, or in the covenants. New release letters would be a requirement.

The Technical Advisory Committee and Staff recommended approval of the Revised Preliminary Plat of Rockford Circle Amended Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the Preliminary Plat for Rockford Circle Amended (PUD #296), subject to the condition listed below and subject to review of the PUD and in accordance with the findings in District Court:

- (a) Release letters from utilities, including Water and Sewer Department and from the City Engineering Department.

REQUEST TO WAIVE PLAT:

BOA Case No. 12881 (East 11th Park) and (Unplatted) (694) NW corner of
7th Street and Garnett Road (RS-3)

This is a request to waive plat on three platted lots (Lots 1, 2, and 3, Block 1, East 11th Park) and an unplatted tract of 3.85 acres. The existing church is on the unplatted tract and was approved by the Board of Adjustment prior to a platting requirement. Additional land has been acquired and a new building is proposed as well as adjacent parking and recreational grounds. Plot plan and topography has been submitted as exhibits. Since the tract is already mostly platted and this is only an expansion of an existing facility, the Staff sees no objections provided the following conditions apply:

- (a) Dedication of additional right-of-way on Garnett Road to total 50' from the centerline.
- (b) Utility easements and/or extensions as necessary (17½' utility easement on the west).
- (c) Grading and drainage plans through the permit process (including detention facilities).
- (d) Access limitations as recommended by the traffic Engineering Department.

The applicant was represented by Bill Weir. O.N.G. advised the applicant to check with service department regarding the two meters shown. The Water and Sewer Department advised that sewer tie-in must be downstream from man-hole.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on BOA Case No. 12881, subject to the conditions outlined by the Staff.

Mr. Wilmoth advised that the Board of Adjustment will hear Case No. 12881 at their regularly scheduled meeting tomorrow. Normally the Planning Commission would act on the plat waiver after it is acted upon by the Board of Adjustment, but because of time restraints the Staff recommended approval of the waiver subject to Board of Adjustment approval.

On MOTION of HINKLE, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the requested waiver of plat for BOA Case No. 12881, subject to the above listed conditions and subject to Board of Adjustment approval.

Z-5778 (Kensington II Addition, Block 2) (783) SE corner of 71st Street
and South Trenton Avenue (CS, OL)

This is a request to waive the plat on all of Block 2, except approximately the south 123 feet. A plat was working on this at one time titled "Cambridge Place" which would have divided the area into 8 lots for separate ownership and development. That plan did not materialize and the plat expired. The property was subsequently rezoned and a new PUD filed. The use now is for one building on one lot, utilizing the existing platted block and easements. The existing access point is also being used. Therefore, the applicant is

Z-5778 (continued)

asking for waiver of the plat on the zoning application. PUD requirements will be filed by separate instrument to comply with Section 260 of the Zoning Code (PUD #304).

The applicant was not represented at the T.A.C. meeting.

O.N.G. advised that no grading should be done along the creek bank that would interfere with the gas line. The Traffic Engineer advised that access to 71st is "R.T.O." Only one lane in and one lane out will be allowed. The Water and Sewer Department advised against tying into the sewer line along the creek.

There were no objections to the concept plan subject to the foregoing comments.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on Z-5778.

Mr. Wilmoth advised that the Staff would recommend approval of the waiver of plat for Z-5778. The applicant has prepared an amended declaration of covenants included with the PUD conditions. The Staff has reviewed those covenants and minor changes in the document and would recommend approval of the waiver of plat on Z-5778 and approval of the amended covenants under a separate item on this agenda.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the requested Waiver of Plat for Z-5778 as recommended by the Staff.

LOT-SPLITS:

For Ratification of Prior Approval:

L-16028	(1082)	Bernice Parker
16029	(2093)	Birmingham Properties
16031	(1182)	William Bevins
16033	(2393)	Landmark Land Company
16035	(793)	1st National Bank of Oklahoma
16036	(694)	Wagon Wheel Trade Center
16039	(3602)	T.U.R.A.

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

LOT SPLITS FOR WAIVER:

L-15923 Stacy and Tracy Stevenson (2674) East of South 161st East Avenue,
on U. S. Highway #64 (Leonard) (AG)

The Health Department has not had time to thoroughly review this request, it was suggested that it be tabled pending recommendation from that Department. The applicant was not represented.

L-15923 (continued)

When the Health Department approves the application it can then be forwarded to the TMAPC and to the Board of Adjustment for approvals.

The Chair, without objection, tabled this item until Health Department approval is received.

L-16004 Leonard United Methodist Church (2776) South and West of the
SW corner of Highway #64 and 161st East Avenue (AG)

This is a request to split a 3.44 acre tract into a vacant 1.78 acre tract that has 210' of frontage on 161st Street and a 1.66 acre tract that contains a church and a parsonage. The 1.66 acre tract's only access is on 3rd Street. This tract is zoned AG and an approval will be required for a variance of lot area and use from the Board of Adjustment. The Staff recommends APPROVAL of the proposed split because there are other similar sized lots in the area (to the north zoned RS), subject to the Board of Adjustment approval.

The applicant was not represented at the T.A.C., meeting, but Steve Watkins was present for the Planning Commission meeting.

The Technical Advisory Committee and Staff recommended approval of L-16004, subject to the condition:

Mr. Wilmoth advised that the applicant has already received Health Department approval and the only condition is Board of Adjustment approval.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to waive the area requirements for L-16004, subject to the following condition:

- (a) Board of Adjustment approval.

L-16009 Tom Leatherwood (3073) West of the SW corner of 161st Street and
South Lewis Avenue (AG)

This is a request to split a 5-acre tract into a 1.1 acre tract which is 165' wide and a 3.9 acre remainder that has 165' frontage and width varying from 165' to 330'. A variance of the lot size on the 1.1 acre tract and frontage (width) on both will be required from the County Board of Adjustment. The Staff sees no objection to the request, since air photos show numerous other dwellings along 161st Street that may have larger areas, but still have the houses along the section line road on lesser frontages. The Health Department approval will be required also. Water service is provided by Creek County RWD #2. The applicant has not requested waiver of the additional 25.25' of right-of-way needed to meet the Major Street and Highway Plan.

The Health Department advised that the split must contain a minimum of 1-acre net area not counting right-of-way. If this is a problem, the legal description could be amended and a "roadway easement" in lieu of dedication would be acceptable.

L-16009 (continued)

The applicant was not represented at the T.A.C. meeting, but was present at the Planning Commission meeting.

The Technical Advisory Committee and Staff recommended approval of L-16009, subject to the condition.

Mr. Wilmoth advised that Health Department approval has been obtained, but the application would be subject to Board of Adjustment approval.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to waive the lot split requirements, subject to the following condition:

- (a) Board of Adjustment approval.

L-16021 Douglas Techanchuk (2383) North of the NW corner of East 98th Street and South 72nd East Avenue (RS-3)

This is a request to split 3½' from Lot 12, Block 3 (SPRING VALLEY) and add it to the abutting lot to the south (Lot 11). The resulting split is to correct an existing encroaching residence on the south lot (Lot 11). This creates a 56½' lot and a 63½' lot which will require Board of Adjustment approval on the smaller lot. In addition to the encroachment into the side yard, a 5' utility easement exists on each side of this lot line. If the easement is not being used, the Staff had no objection to the request. However, the applicant must make application through other Departments and channels to close and/or vacate the encroachment into the easement.

The applicant was not represented.

In discussion P.S.O. advised that they have an existing primary cable in the easement and could not recommend approval. (If the cable is moved, it would be at the owner's expense.)

The Technical Advisory Committee recommends DENIAL of L-16021, since the utility easement is in use and arrangements to move the cables have not been made.

Mr. Wilmoth stated the Staff recommended approval of the waiver, but the T.A.C. recommended denial due to an encroachment on an easement and the applicant had not yet made application to the City Engineer or other channels to vacate or close the easement. There are electrical cables in that easement. The Staff would have no objection to approval, subject to the conditions, since the applicant has now initiated proceedings to close the easement.

Mrs. Higgins suggested that the approval be subject to allowing the applicant to move the line and Legal Counsel Linker suggested that the vacation be processed and completed before a lot split is released. Mr. Wilmoth advised that is the Staff's intention.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye";

L-16021 (continued)

no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to approve the waiver of lot split, subject to the following conditions.

- (a) Board of Adjustment approval of lot width and area on the smaller lot,
- (b) City Commission action to close the easement where encroached, and
- (c) District Court action to vacate the easement or portion thereof that is closed by City Ordinance.

L-16018 Owen-Collinson (2792) South of the SE corner of 48th Street and
Vancouver Avenue (RS-3)

This is a request to split a 150' x 139.3' tract into a 55' x 139.3' and a 95' x 139.3' tract. (Lot split #15600 permitted three 50' lots on the subject tract.) The Staff recommends approval of the split based on the fact that there has already been a previous split approved for three 50' lots and approved by the Board of Adjustment on November 18, 1982. (L-15600 and BOA #12269) Utility easement of 11' on the back (east) was required on previous split and still applies.

The applicant was not represented.

The Technical Advisory Committee and Staff recommended approval of L-16018, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to approve the waiver of lot split, subject to the following conditions:

- (a) Board of Adjustment approval, and
- (b) Utility easement of 11' if not previously granted.

Miscellaneous Plat Correction:

Interchange Center Addition (2393) SW corner of 31st Street and Memorial Drive

Mr. Wilmoth advised that previously if an error such as a scribners error or some omission in a plat was found one had to go to the original surveyor or the original owners. Sometimes those individuals are not available. There was a new House Bill (#1356) passed that allows any licensed land surveyor to make those corrections, subject to approval of the Planning Commission and City Commission before it is filed of record. The Staff has received the first plat correction from Mansur-Daubert Engineers who have asked that the Staff and Planning Commission guide them through the process. The Staff has received the original and would recommend approval, subject to having the format reviewed by the Legal Department before it is forwarded to the City Commission. The actual change on the plat was a call for two dimensions on the plat. The dimensions were incorrect by a few feet and was corrected on the survey.

Commissioner C. Young suggested that a form be submitted for the Commission's review after the Legal Department has made their

Interchange Center Addition (continued)

recommendation and review.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-1 (Beckstrom, Connery, Draughon, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; Higgins, "abstaining"; Flick, T. Young, Inhofe, "absent") to approve the plat correction of Interchange Center Addition (2393), subject to review by the Legal Department.

OTHER BUSINESS:

PUD #324-2 (Development Area "B")

Staff Recommendation - Minor Amendment:

The subject tract is approximately 3 acres in size and located south and west of the intersection of 62nd Street and South Trenton Avenue. It has been approved for two development areas. The first, Development "A", is restricted to one single-family detached dwelling and the second, Development Area "B", is restricted to 20 single-family detached dwellings. The applicant is now requesting to amend various setback requirements since his project has become detached single-family instead of the originally proposed attached single-family.

The Staff feels that the minimum side yard setback between a building and dedicated public street should be a 15-foot minimum and, therefore, cannot support the requested 10-foot side yard setback from a public street. In an RS-3 development without a PUD, a 25-foot setback is required from nonarterial streets. In the past under PUD supplemental zoning, 15-foot side yard setbacks have been allowed.

After the above review, the Staff recommends APPROVAL of the following:

Minimum Building Setbacks:

Perimeter:	20 feet, except side yards adjacent to Development Area "A", Trenton Avenue right-of-way and 62nd St., right-of-way shall be 15 ft.
Rear Yard (interior lots):	20 feet
Side Yard (interior lots):	5 feet
Front Yard:	
Public Street;	No Units will front onto public streets
Private Streets;	
Front of Building,	10 feet
Front of Garage.	20 feet

Mr. Compton stated that the application was first filed for attached townhouse units then amended to detached patio homes. Because of the use change, the applicant needs to revise the setback requirements. This item was continued from one week ago for the applicant to review the Staff Recommendations concerning setback requirements and both parties came to an agreement.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to approve the requested minor amendments to PUD #324-2, subject to the minimum building setbacks being met.

PUD #190 (Lot 1, Block 5, Minshall Park III)

Staff Recommendation - Minor Amendment:

The subject lot is located at the southeast corner of 73rd Street and South Fulton Avenue. It is within a development area approved for single-family use and is presently vacant. The applicant is proposing to construct a single-family structure on the lot, but because of the setback requirements for a corner lot, a portion of the rear corner of the dwelling will encroach 8 feet into the rear yard setback. The average rear yard setback will be 25 feet because of the opposite rear corner of the house will be setback 33 feet.

The Staff feels that the request is minor in nature and recommends APPROVAL of the requested Minor Amendment, subject to the plan submitted.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the requested minor amendment to PUD #190, as recommended by the Staff.

PUD #298-1 (Areas III & IV)

Staff Recommendation - Minor Amendment:

The subject tract is located on the north side of 91st Street and halfway between Memorial Drive and Mingo Road. It is approximately 120 acres in size and approved for a variety of housing types. The applicant is now requesting a minor amendment for both a reduction of the number of dwelling units and that the units be unattached in Area III and a reduction of the number of dwelling units in Area IV.

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

<u>Item</u>	<u>Approved</u> <u>TRACT III</u>	<u>Submitted</u>
Land Area (Gross):	31.31 acres	30.08 acres
(Net):	29.57 acres	27.69 acres
Permitted Uses:	Attached residential dwelling units and customary accessory uses.	
Maximum Number of Dwelling Units:	236 units	202 units
Maximum Building Height:	35 feet	Same
Off-Street Parking:	As required by Use Unit #8	As required by Use Unit #6
Perimeter Yards:	As required in the RM-T District	Front on Private Street 20 feet Front on Dedicated Street 15 feet Rear 15 feet One Side 0 feet Other Side 10 feet
Minimum Livability Space:	2,000 sq. ft./unit	2,000 sq. ft./unit

PUD #298-1 (Areas III & IV) continued

<u>Item</u>	<u>Approved</u> <u>TRACT IV</u>	<u>Submitted</u>
Land Area (Gross): 1,169,200 sq. ft.	26.841 acres	27.02 acres
(Net): 897,200 sq. ft.	20.59 acres	21.40 acres
Permitted Uses: Detached Single-Family Residences		Same
Maximum No. of Dwelling Units: 82 Units		80 Units
Minimum Lot Size:	6,900 square feet	Same
Maximum Building Height:	35 feet	Same
Off-Street Parking: As required by Use Unit #6		Same
Perimeter Yards: As required in the RS-3 District		Same
Minimum Livability Space Per Dwelling Unit:	4,000 square feet	Same

Based upon the above review the Staff recommends APPROVAL of the Revised Development Standards for Areas III and IV of PUD #298.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to approve the Revised Development Standards for Areas III and IV.

PUD #203 (Lot 20, Block 1, Brighton Oaks Addition)

Staff Recommendation - Minor Amendment:

The subject tract is located at 4628 East 100th Street South and is part of an approved single-family development. The applicant is now requesting to build a porte-cochere in the side yard.

The Staff has reviewed the plans and find that the detached garage will have a common roof with the house and visually appear to be one structure. It is also meeting all setback requirements.

Therefore, the Staff recommends APPROVAL of a porte-cochere, subject to the Plans submitted.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to approve the Minor Amendment, subject to the Plans submitted.

Z-5859-SP-1 - Building Elevation Review:

Staff Recommendation:

The subject tract is located at the southeast corner of 71st Street and South Mingo Road. It is approximately 3.83 acres in size, vacant, zoned CO, and has received approval of a Detail Site Plan. As a part of that approval the applicant was required to receive approval of the building elevations as they related to the land abutting the east and south sides of the tract.

Z-5859-SP-1 (continued)

The applicant has submitted these elevations and the Staff has reviewed them and find that they meet the intent of the condition of approval and recommended APPROVAL.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Flick, T. Young, Inhofe, "absent") to approve the Building Elevation Plans as recommended by the Staff.

PUD #304 Kensington II Addition (Sublett) SE corner of 71st Street and Trenton Avenue.

Approval of Second Declaration of Covenants to include PUD conditions as required by Section 260 of the Zoning Code.

Mr. Wilmoth discussed this amendment in connection with the request for plat waiver on Zoning Case No. 5778 (Kensington II Addition, Block 2) (783). The Staff has reviewed the PUD conditions and minor changes in the PUD and would recommend approval of the amendment to the covenants.

Mr. John Sublett was present, but had no comments.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, T. Young, Inhofe, "absent") to approve the Staff Recommendation concerning approving the amended Covenants of PUD #304.

There being no further business, the Chair adjourned the meeting at 2:05 p.m.

Date Approved

November 30, 1983

Cheryl Kempe
Chairman

ATTEST:

Marilyn Hinkle
Secretary