

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1484  
Wednesday, November 30, 1983, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Beckstrom Connery Higgins Hinkle, Secretary Kempe, Chairman Woodard C. Young, 1st Vice- Chairman T. Young	Draughon Flick Inhofe	Compton Gardner Martin	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 29, 1983, at 10:20 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 7-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, T. Young, Inhofe, "absent") to approve the Minutes of November 16, 1983 (No. 1482).

REPORTS:

Chairman's Report:

Chairman Kempe reminded the Commission of the continued public hearing concerning the Comprehensive Plan for Tulsa County Fairgrounds which will be held on Wednesday, December 7, 1983. Mrs. Dane Matthews submitted copies of the statement from the Planning Team members.

Rules and Regulations Committee:

Mr. Gardner advised that this Committee will hold a meeting at 2:30 p.m., on Wednesday, December 7, 1983, in Langenheim Auditorium, City Hall, Tulsa Civic Center to discuss spacing for outdoor advertising signs.

ZONING PUBLIC HEARING:

Z-5864-SP-1 Tannehill (Fail) West side of Mingo Road at 64th Street South  
(CO) Site Plan Review

Chairman Kempe read a letter from Mr. Tom Tannehill, attorney representing the applicant, requesting that the Site Plan Review be withdrawn (Exhibit "A-1").

TMAPC Action: 7 members present.

On MOTION of C. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, T. Young, Inhofe, "absent") to withdraw consideration of Site Plan Review for Z-5864.

Application No. Z-5894

Present Zoning: OL

Applicant: Wilborn (Best Electric Hardware)

Proposed Zoning: CH

Location: NE corner of 37th Street and Peoria Avenue

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Date of Application: October 12, 1983

Date of Hearing: November 30, 1983

Size of Tract: .16 acre

Presentation to TMAPC by: Bill Elliott

Address: 3647 South Peoria Avenue

Phone: 743-3763

Relationship to the Comprehensive Plan: Z-5894

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 Zoning Districts", the requested CH District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately .16 acre in size and located just east of the NE corner of 36th Place and South Peoria Avenue. It is partially wooded, flat, vacant and zoned OL.

Surrounding Area Analysis -- The tract is abutted on the north by commercial uses zoned CG and CH and a single-family dwelling zoned RS-3, on the east by a duplex and single-family neighborhood zoned RS-3, on the south by a TV and radio station and parking zoned CH and OL, and on the west by a hardware store zoned CH.

Zoning and BOA Historical Summary -- Past zoning actions have established no extension of the CH zoning district into the residential area. Lesser intense transitional zoning districts have been approved abutting the older unrestricted CH.

Conclusion -- The subject tract is a part of the recent Brookside Study which calls for the "P" Parking District to be used adjacent to the CH in order to provide the parking necessary for the high intensity commercial uses along Peoria Avenue. CH zoning does not require off-street parking; therefore, CH zoning would serve to set a precedent and further compound the on-street parking problems in the area.

Based upon the Comprehensive Plan, past zoning actions of the TMAPC and the recent Brookside Special Study, the Staff can support only the existing OL or a proposed "P" zoning.

Therefore, the Staff recommends DENIAL of either CH, CG or CS zoning.

For the record, if the propose of the zoning application is to expand the existing CH use to the west, the Staff would recommend a PUD. There is ample square-footage allowed in the existing CH and the PUD could place restrictions on land uses, adequate off-street parking, screening, etc.

Applicant's Comments:

Mr. Bill Elliott represented the applicant who wishes to enlarge his business which possibly encroaches into the present parking area.

11.30.83:1484(3)

Application No. Z-5894 (continued)

Mr. Elliott outlined the proposal on the subject lot for the Commission's review.

Commissioner C. Young asked what alternatives were available for the applicant to construct the additional building to serve the commercial use. Mr. Elliott advised that the existing use of the structure is strictly retail. Mr. Gardner advised that the existing CS zoning would permit retail use under a PUD if the intensity is spread to the east and if adequate parking is provided.

The Commission suggested that the applicant file a new application for a PUD.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Inhofe, "absent") to DENY the requested CH zoning request and that any fees paid be made applicable toward a PUD application, on the following described property:

The East 50' of Lot 6, Block 1, Lee Dell Addition, City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5895 & PUD #345  
Applicant: Scott (TTCU)  
Location: 3720 East 31st Street

Present Zoning: RS-3 & P  
Proposed Zoning: OL

Date of Application: October 18, 1983  
Date of Hearing: November 30, 1983  
Size of Tract: 3.10 acres

Presentation to TMAPC by: Fred Chadsey  
Address: 4606 South Garnett Road

Phone: 584-3391

Relationship to the Comprehensive Plan: Z-5895

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use and Low Intensity -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the proposed OL District is not in accordance with the Plan Map on the south 75 feet which is designated residential and may be found in accordance on the remainder of the tract.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.75 acres in size and located just west of the southwest corner of 31st Street and South New Haven Avenue. It is partially wooded, flat, contains a single-family dwelling and is zoned a combination of RS-3 and P.

Surrounding Area Analysis -- The tract is abutted on the north and east by single-family structures converted to office use zoned OL and RS-3, on the south by single-family neighborhood zoned RS-3, and on the west by a credit union zoned OM and a single-family dwelling zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have established nonresidential uses on the northern portion of the tract with a minimum of 75 feet of residential designation on the southern portion.

Conclusion -- The subject tract basically consists of three 150-foot by 300-foot lots. The easternmost lot is presently zoned OL, P and RS-3. It is abutted on the north by 31st Street and on the east by New Haven. Across New Haven from the southern portion of this lot is single-family and the Staff cannot support office zoning at this location. We feel the existing OL, P and 75 feet of RS-3 is the appropriate zoning pattern.

The northwest corner of the remaining two lots is zoned OM and neither are abutted by residential zoning except along their southern boundary. In addition, access to these tracts is only from 31st Street. For these reasons, the Staff can support OL zoning on these tracts except for the established 75 feet and RS-3 along the southern portion.

We would note that there is a fourth lot west of the subject tract that has access to Louisville Avenue, but protection of existing residential uses to the west such as provided on the easternmost lot on this tract, would be necessary.

Therefore, the Staff recommends APPROVAL of OL on the western two lots, except the south 75 feet to remain RS-3.

Application No. Z-5895 & PUD #345 (continued)

PUD #345 - Staff Recommendation:

The subject tract is located at the SW corner of 31st Street and South New Haven Avenue. It is approximately 3.10 acres in size and contains a single-family structure, Teacher's Credit Union and parking lot. The applicant has filed a companion Zoning Case (Z-5895) and is proposing to develop the subject tract into the main office for the Tulsa Teacher's Credit Union with an underlying zoning of OM, OL, P and RS-3.

The Staff has reviewed the submitted Outline Development Plan and has identified a concern about the location of the southernmost access drive onto New Haven Avenue. We cannot support any access to New Haven within the southern 75 feet that is zoned RS-3. We feel that the access shown on the plan can be moved north into the portion already zoned for parking and access.

With this change we find the proposal to be; (1) consistent with the Comprehensive Plan, (2) in harmony with the existing and expected development of the surrounding area, (3) a unified treatment of the development possibilities of the project site, and (4) consistent with the stated purposes and standards of the PUD Chapter.

Therefore, the Staff recommends APPROVAL of PUD #345, subject to the following conditions:

- (1) That the applicant's Outline Development Plan, as amended above, be made a condition of approval.
- (2) Development Standards:

Land Area (Gross):	3.636 acres
(Net):	2.893 acres

Permitted Uses: Those uses permitted by right in an OL District.

Maximum Floor Area (Existing Building):	13,400 sq. ft.
(Proposed Building):	33,460 sq. ft.
(Total):	46,860 sq. ft.

Maximum Height:	39 feet to eave & 3 stories.
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Minimum Building Setbacks:

From Centerline of New Haven:	150 feet*
From Centerline of Thirty-First:	60 feet
From South Property Line:	150 feet
From West Property Line:	30 feet

Minimum Off-Street Parking: 1 space per 300 sq. ft. of floor area

Minimum Open Space:	20,000 sq. ft.
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- (3) That all signs shall be consistent with the conditions and requirements of Section 1130.2 (b) and that ground signs shall be constructed of brick to match building materials.
- (4) That a Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy; including 3-to 4-foot high berming, with landscaping along the east boundary line, the completion

of a 6-foot high brick fence along the south boundary line,  
and a 6-foot wood screening fence along the west boundary  
line\*\*

- (5) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied 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.

\*A 24-hour automated teller facility can be located to within 60' of the centerline.

\*\*Can be waived if building to west is not used as a residence, but in fact is an office.

Applicant's Comments:

Mr. Fred Chadsey represented the owner of the Tulsa Teachers Credit Union and stated the applicant is in concurrence with the Staff Recommendation. Mr. Chadsey submitted 7 photographs to the Commission members indicating that the property adjacent to the subject tract to the west is a nonconforming office use (Exhibit "B-1"). The applicant does not feel there should be a screening fence between those two pieces of property and it was requested that the Commission acknowledge the use to the west of the subject tract as a nonconforming office use and not require a fence as identified in the Staff Recommendations by the double asterisks.

Mr. Connery was greatly concerned with the traffic which would be generated from the use and suggested that a redesign of the facility be considered to alleviate some of the traffic congestion.

Commissioner C. Young asked why the Staff recommended OL zoning on the western two lots to a greater depth than other lots in the area. Mr. Gardner stated the two interior lots have access only to 31st Street so if developed independently, the rear of the lot would merely serve as a buffer. He advised that the depth of the lots and access to the side streets is unique to these properties.

Commissioners C. and T. Young stated that they would prefer to see no ingress or egress on New Haven. They did not feel that the traffic generated from the proposed facility should be dispersed into New Haven.

The Staff preferred that the applicant include two points of ingress and egress from the property.

Commissioner T. Young felt that ingress and egress should be solely from 31st Street.

Commissioner Connery felt that the proposed project represented poor engineering and traffic design and was strongly opposed to the PUD application and any access onto New Haven.

Application No. Z-5895 & PUD #345 (continued)

Commissioner Beckstrom advised he was in concurrence with the Staff Recommendation.

Commissioner C. Young suggested that the PUD be approved as recommended by the Staff with the exception that there be no access points along New Haven. Commissioner T. Young stated he was supportive of that suggestion because this Commission has attempted to protect the residential streets and channel traffic out to 31st Street. The design as presently shown indicates that all entrances are to be on New Haven and all exits are on 31st Street. If the plan, as proposed, is constructed it will cause all cars to be directed toward New Haven which is residential. He once again stated that all ingress and egress should be from 31st Street.

Mr. Chadsey stated he would consider relocating the structure to meet any guidelines specified by the Commission, but wishes to retain some means of ingress and egress from New Haven. The point of entering the property would be subject to any redesign consideration. Mr. Chadsey advised that all other properties zoned OL on neighboring streets adjacent to 31st presently have access from neighborhood streets. All the streets on 31st between Harvard and Yale that has any use other than residential and including the residential ones have access to the secondary streets, which are nonarterial streets. He then stated that evidence. One example stated was that all four corners on Louisville have access not on 31st Street, but a secondary street.

Commissioner T. Young stated that all the streets that come off of New Haven, between 31st and 36th Streets are strictly residential streets with a lot of young children and he felt it would be a bad decision to have more traffic onto New Haven whether it is the drive-in or parking lot. That decision would not be consistent with that neighborhood and 31st Street, could handle it.

Interested Party: Angie Crisner      Address: 3905 East 32nd Street

Interested Party's Comments:

Ms. Crisner stated that the house located directly south of the proposed site would be greatly affected by the increase in traffic and the family who lives there has small children. There is also an elementary school in the immediate area. The proposed zoning change would cause a traffic hazard to those children who attend that elementary school.

Commissioner Beckstrom suggested that the Commission approve the Staff Recommendation except that access be from New Haven only and that the drive-in be sealed off from the parking.

Commissioner Connery suggested that the design be changed on the interior of the plan. Commissioner T. Young stated that a redesign might possibly be in order and the proposed three-story structure could be moved to the south side of the existing building with a possible horse shoe drive or any other concept that could keep additional traffic off of New Haven. Commissioner C. Young also concurred with that suggestion and suggested that the Commission allow the drive-in facility and parking lot to be located to the best design with no access or egress to New Haven.

Instruments Submitted: 7 photographs (Exhibit "B-1")



Application No. Z-5895 & PUD #345 (continued)

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OL on the western two lots, except the south 75 feet to remain RS-3 as recommended by the Staff:

LEGAL PER NOTICE

The South 150' of the East 1/2 of Lot 3, and the West 1/2 of Lot 3, and the South 150' of the East 1/2 of Lot 4, Albert Pike Subdivision, an addition in Tulsa County, State of Oklahoma, according to the recorded plat thereof.

LEGAL PER PLANNING COMMISSION ACTION

The North 225' of the West 1/2 of Lot 3 and the North 65' of the South 140' of the East 1/2 of Lot 4, Albert Pike Subdivision, an addition to Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Additional Discussion:

There was limited discussion concerning the amount of traffic generated from the drive-in facility and Mr. Chadsey stated the drive-in facility for the Teachers' Credit Union is completely unique for the Tulsa School District. There is no accurate way to calculate the membership because it is not a banking facility, but rather a savings and loan facility. In the Tulsa area there are approximately 20,000 members of the Teachers' Credit Union.

Commissioner Higgins suggested that the Commission allow the PUD as drafted with the exception of sealing off the south parking lot from New Haven.

Discussion ensued concerning the proper ingress and egress for the subject property. Mr. Chadsey explained if there was a drive-in access off of New Haven to take care of the facilities as planned, there would be no opportunities whatsoever to come off 31st through that drive-in. They have no other access except on the west side of the existing building which is only 20' wide and insufficient for 2-way traffic.

Commissioner C. Young suggested that a redesign of the PUD be completed to get the traffic out of the parking lot up to 31st Street. Mr. Chadsey explained some of the planning problems that necessitated the design as proposed. One of those problems is that the applicant is faced with a setback on all directions on the property limiting a small area to locate the building.

There was limited discussion as to a motion and several recommendations were made for motions and amendments to the original motion.

On MOTION of C. YOUNG, the Planning Commission voted 2-5-1 (C. Young, T. Young, "aye"; Beckstrom, Higgins, Hinkle, Kempe, Woodard, "nay";

Application No. Z-5895 & PUD #345 (continued)

Connery, "abstaining"; Draughon, Flick, Inhofe, "absent") to approve the PUD as recommended by the Staff with no access on New Haven.

The Chair welcomed another motion for a recommendation to the City Commission.

On MOTION of BECKSTROM, the Planning Commission voted 5-3-0 (Beckstrom, Higgins, Hinkle, Kempe, Woodard, "aye"; Connery, C. Young, T. Young, "nay"; no "abstentions"; Draughon, Flick, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for a Planned Unit Development, with ingress only from New Haven and that all traffic exit on 31st Street.

PUD #345: Lot 3 and the E/2 of Lot 4, Albert Pike Addition to Tulsa County, State of Oklahoma.

Application No. Z-5620-SP-2 Site Plan Review Present Zoning: C0  
Applicant: Carr (Swab-Fox Corp.) Proposed Zoning:  
Location: SE corner of 91st Street South and Memorial Drive

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Date of Application: October 19, 1983  
Date of Hearing: November 30, 1983  
Size of Tract: .69 acre

Presentation to TMAPC by: Steve Carr  
Address: 5110 South Yale Avenue

Phone: 494-9800

Staff Recommendation:

The subject tract is located at the SE corner of 91st Street and South Memorial Drive. It is approximately .69 acre in size, vacant, and zoned C0. The applicant is now requesting Site Plan review.

The applicant has submitted a Text and Site Plan which the Staff has reviewed 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; d) designed in a manner that provides proper accessibility, circulation and function relationship of uses; and e) consistent with stated purposes and standards of the Corridor Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan and Text, subject to the following conditions:

- (1) That the applicant's Plans and Text be made conditions of approval.
- (2) Development Standards:

Land Area:	.69 acres
Permitted Uses:	Automotive service station and food mart facilities with a separate car wash, storage and restroom facility.
Maximum Floor Area:	
Service Area/Food Mart:	528 sq. ft.
Carwash/Storage Room/Restrooms.	918 sq. ft.
Maximum Building and Canopy Coverage:	17%
Maximum Building Height:	15 feet
Maximum Canopy Height:	20 feet
Maximum Building Setbacks:	
From centerline of Memorial:	110 feet
From centerline of 91st Street:	100 feet
From East property line:	6 feet
From South property line:	60 feet
Minimum Off-Street Parking:	1 space for Food Mart floor area, 1 space for attendant.

Z-5620-SP-2 (continued)

(3) That signs will be as follows:

- a) Two identification signs will be provided, one 8' x 10' trademark sign located at the SW corner of the site and one 8' x 10' trademark sign located at the NE corner of the site. Both signs will be a maximum of 30 feet in height.
- b) Canopy signs will be provided along the south, east and north sides of the canopy as depicted on the Site Plan.

(4) That Landscaping as depicted in the Text and on the Site Plan shall be installed prior to operations.

(5) That no Building Permit shall be issued until the property has been included within a subdivision plat approved by the TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the CO conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Steve Carr stated he was in concurrent with the Staff Recommendation, but made a clarification concerning the sign limitation. In regard to the maximum sign height the recommendation limits the height to 30 feet in height. Mr. Carr explained that the signs can be placed on the property line not exceeding 30 feet in height, but if the sign is set back one-foot for each additional foot above the 30-foot maximum height limitation they would be in conformance with the standards set forth in the CO zoning district.

Mr. Gardner stated the Staff would be in agreement with that amendment.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Inhofe, "absent") to recommend to the Board of City Commissioners that the Detail Site Plan and Text be approved in accordance with the Staff Recommendation and to include the sign amendment to allow a sign to be located on the property line if it does not exceed 30 feet in height and if a sign exceeds the 30-foot height limitation it must be setback one additional foot for each foot exceeding the 30-foot sign height, on the following described property:

A part of the NW/4 of the NW/4 of the NW/4 of Section 24, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma, being more particularly described as follows to wit:

Commencing at the NW corner of Section 24, T-18-N, R-13-E., said point being the centerline intersection of South Memorial Drive and East 91st Street South; thence Due South along said centerline and the West line of Section 24 a distance of 89.61'; thence Due East perpendicular to the West line of Section 24, a distance of 60.00' to the POINT OF BEGINNING; thence North 44°-48'-52" East a

Z-5620-SP-2 (continued)

distance of 42.56' to a point on the South Right-of-Way line of East 91st Street South, said point being 89.61' East and 60.00' South of the NW corner of Section 24; thence North  $89^{\circ}-37'-44''$  East along the South Right-of-Way line of East 91st Street South a distance of 145.00'; thence Due South, parallel to the West line of Section 24, a distance of 175.00'; thence South  $89^{\circ}-37'-44''$  West parallel to the North line of Section 24, a distance of 175.00' to a point on the East Right-of-Way line of South Memorial Drive, said point being 234.61' South and 60.00' East of the NW corner of Section 24; thence Due North along the East Right-of-Way line of South Memorial Drive a distance of 145.00' to the POINT OF BEGINNING and Containing 30,174.38 square feet, or 0.6927 acres, more or less.

Application No. CZ-99  
Applicant: Walker (Emery)  
Location: North of the NW corner of 66th Street North and Peoria Avenue

Present Zoning: CG, IL  
Proposed Zoning: IH

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Date of Application: October 19, 1983  
Date of Hearing: November 30, 1983  
Size of Tract: 5.18 acres

Presentation to TMAPC by: Don Walker  
Address: 2610 East 33rd Street

Phone: 742-2955

Relationship to the Comprehensive Plan: CZ-99

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District -- Commercial Development.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5.18 acres in size and located just north of the NW corner of 66th Street and North Peoria Avenue. It is non-wooded, flat, vacant and zoned a combination of IL and CG.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling and business zoned RS, on the east by some commercial uses zoned CS, on the south by some vacant land and a single-family dwelling zoned RS, and on the west by single-family neighborhood zoned RS.

Zoning and BOA Historical Summary -- Past zoning actions have established the area between Peoria and the railroad tracks to be appropriate for an intensity no greater than IL.

Conclusion -- Based upon past zoning actions, the Comprehensive Plan, and the need to protect the remaining single-family dwellings in the area, the Staff recommends DENIAL of either IH or IM. We can support IL on the eastern portion of the tract that is now zoned CG.

We would note that the Zoning Code established the IM and IH Zoning Districts in order to group those uses that have moderately or substantial objectional environmental influences by reason of the emission of odor, heat, smoke, noise or vibration into areas where they would not be harmful to surrounding uses. In this case, the subject tract is not only abutted by single-family dwellings, but the surrounding area also contains significant existing single-family development, all of which are deserving of protection from the uses allowed in either IM or IH.

Applicant's Comments:

Mr. Gardner advised that there was a previous application in this area on the same side of the street and the decision of the Commission was to zone the property IL and allow the applicant to make application to the County Board of Adjustment. The Staff has reviewed the subject area and found some illegal uses on surrounding properties. The Staff

CZ-99 (continued)

felt if the proposed use is permitted it would develop into a salvage operation. The Comprehensive Plan indicates that the area is not appropriate for the salvage use or similar uses as there are many residences in the surrounding area.

Mr. Don Walker who is the proposed purchaser of the property stated that there are many other auto salvages in the area and felt this use would be compatible at that location. He then submitted advertisements advertising auto salvage on North Peoria and also submitted photographs of those locations (Exhibit "C-1") and an aerial photograph of the property (Exhibit "C-2").

Instruments Submitted: Advertisements and Photographs of surrounding properties (Exhibit "C-1")  
Aerial Photograph (Exhibit "C-2")

TMAPC Action: 8 members present.

On MOTION of C. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Inhofe, "absent") to approve the Staff Recommendation for DENIAL of IH or IM zoning.

On MOTION of C. Young, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, Inhofe, "absent") to direct the Staff to forward a letter to the County Building Inspector itemizing each of the photographs to enforce the zoning in the immediate area, on the following described property:

Beginning on the North line of the SE/4 of the SE/4 of Section 36, Township 21 North, Range 12 East, in Tulsa County, State of Oklahoma, at a point 50' West of the Northeast corner of said tract; thence West along said North line a distance of 481' to a point in the East right-of-way line of the Midland Valley Railway; thence Southwesterly along said East right-of-way line a distance of 445' to a point; thence East and parallel to the North line of said tract a distance of 545' to a point; thence Northwardly a distance of 440' to the place of beginning, consisting of 5.18 acres, more or less, according to the Government Survey thereof.

Commissioner T. Young requested that the Staff review the area to see if there might be a recommendation for an amendment to the Plan for more appropriate use in the area.

PUD #128-C Chadsey (Ramsey) South of the SE corner of East 71st Street  
South and Trenton Avenue (PUD #128/RM-1)

Chairman Kempe stated that the application needs to be continued to December 21, 1983, because the advertising was incorrect.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Draughon, Flick, T. Young, Inhofe, "absent") to continue consideration of PUD #218-C until December 21, 1983, at 1:30 p.m., in Langenheimer Auditorium, City Hall, Tulsa Civic Center.



Application No. Z-5897

Present Zoning: RS-1

Applicant: Cox (Mims)

Proposed Zoning: OM

Location: NE corner of East 25th Place South and South Sheridan Road

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Date of Application: October 20, 1983

Date of Hearing: November 30, 1983

Size of Tract: 1.04 acres

Presentation to TMAPC by: John Moody

Address: Bank of Oklahoma Tower

Phone: 588-2651

Relationship to the Comprehensive Plan: Z-5897

The District 5 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 Zoning Districts", the requested OM District is not in accordance with the Plan Map.

Staff Recommendation:

Site Area Analysis -- The subject tract is approximately 1.04 acres in size and located at the NE corner of 25th Place and South Sheridan Rd. It is partially wooded, flat, contains a single-family structure and is zoned RS-1.

Surrounding Area Analysis -- The tract is abutted on the north and east by a single-family neighborhood zoned RS-1, on the south by a Goodyear Tire Center and Meeks Furniture Store zoned CS and on the west by a single-family neighborhood zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions north of the tract have allowed OM zoning, however, the subject tract was previously zoned OL and was rezoned RS-1 in 1979.

Conclusion -- Based upon the fact that the area is designated to develop in a low intensity manner and that single-family dwellings would be fronting into this tract, the Staff could support OL zoning on the tract.

Therefore, the Staff recommends DENIAL of OM and APPROVAL of OL and we also recommend APPROVAL of a Comprehensive Plan amendment from Low Intensity -- Residential to Low Intensity -- No Specific Land Use.

In making this recommendation the Staff would note that the OM zoning north of the subject tract is inconsistent with the Plan, inconsistent with the surrounding land uses, creates poor planning relationships, and should not set a precedent for the area. If additional square-footage is needed in the future, the Board of Adjustment can permit up to .40 floor area ratio by Special Exception.

Applicant's Comments:

Mr. John Moody represented Mr. Mims who owns Mims Landscaping and Design Services. Mr. Mims designs and installs landscaping. The applicant, Mr. Mims, purchased the subject property to live in as his permanent residence and also wishes to use the house as an office for his drafting and design business. There are no retail sales or retail activities conducted at the Mims' residence.

Application No. Z-5897 (continued)

Mr. Moody stated he was in concurrence with the Staff Recommendation to zone the property OL and would amend his application. Mr. Moody briefly explained the surrounding property zoning classifications and presented a zoning map from 21st Street to 31st Street and South Sheridan Road for the Commission to review (Exhibit "D-1"). The OL zoning request would serve as a buffer zoning against commercial to prevent the strip zoning of retail zoning uses along the street. Mr. Moody believed this zoning proposal to be consistent with the Land Use Plan.

The history of the subject tract was briefly discussed and it was advised that the property was previously zoned OL from 1971 to 1979. Mr. Moody then submitted 9 photographs of the subject property and surrounding properties (Exhibit "D-2"). It was pointed out that the subject property has been greatly improved and upgraded since Mr. Mins purchased the property.

Johansen Acres was platted before the area was annexed into the City of Tulsa as a large-lot subdivision. The remainder of the single-family development in the surrounding area is to typical RS-3 standards.

The subject property which is on Sheridan was specifically excluded from the original residential restrictive covenants and is not subject to those covenants. The property owner to the east and the property owner immediately north of the tract is not opposed to the proposed OL zoning.

The requested zoning is consistent with the Comprehensive Plan, prior zoning and physical facts. Mr. Moody felt the protestants oppose the zoning request because of fear of losing the large lot rural atmosphere of Johansen Acres. This property is not located in a rural atmosphere.

Commissioner T. Young inquired about the business and desired more information as to the operation and Mr. Moody advised that it is a complete landscaping and design service. The subject property is where Mr. Mims would perform bookkeeping services, drafting designs, where his employees would come for instruction, for clients to come and a place to receive payment for the services rendered. It is also Mr. Mims' residence as well as being used for an office use.

Commissioner T. Young asked if there would be any storage on the property within the fence area north of the residence. Mr. Moody advised the driveway is for purposes of access to the rear of the house and the fence was erected to provide screening from Sheridan and to allow room to park the trucks used in the business. Mr. Mims advised the Commission that the reason he constructed the fence was to maintain the property as residential in nature and to conceal the trucks and employees vehicles.

<u>Protestants:</u>	Charles Bradley	Addresses:	6715 East 24th Street
	Dan Butchee		6520 East 24th Street
	Ed Reyes		6750 East 24th Street
	Don Rudy		6559 East 25th Place
	H. W. Mosley		7360 East 25th Place
	Dr. R. D. Hanson		6747 East 24th Street
	Sam Lewis		6725 East 24th Street
	John Von Gonten		6548 East 25th Place
	Robert Parish		7330 East 25th Place
	Ron Starnes		7315 East 24th Street
	Jack English		6730 East 24th Street

Application No. Z-5897 (continued)

Protestants' Comments:

Chairman Kempe read a letter of protest from Mr. Jim Wheaton who resides at 6715 East 25th Place and is opposed to any change in zoning from single-family residential to commercial as it would set a precedent (Exhibit "D-3").

Mr. Charles Bradley stated he was strongly opposed to the zoning request and asked that the Johansen Acre residents stand and there were approximately 50 individuals represented from the immediate area. Mr. Bradley submitted a protest petition containing 144 signatures of the property owners in the surrounding area who oppose the zoning request (Exhibit "D-4"). His main objection to the request is because residents do not wish to have any commercial encroachment in the area. Johansen Acres is unique in that it is developed into large lots for single-family residences. This area is bordered by three schools and the subject area is an access point for children of all ages onto Sheridan Road.

Mr. Dan Boutchee and Mr. Ed Reyes stated they were opposed to the OL zoning request and felt that if this commercial use were approved it would only set a precedent for other businesses in the area. Mr. Reyes stated he has a business located in his residence and he did not feel that a zoning change should be made to permit Mr. Mims' business.

Mr. Don Rudy, Mr. H. W. Mosley, Dr. R. D. Hanson and Mr. Sam Lewis voiced their opposition to any zoning change and stated they merely want to protect and preserve the residential nature of Johansen Acres.

Mr. John Von Gonten and Mr. Robert Parish stated they were opposed to any zoning change as proposed. Mr. Von Gonten and Mr. Parish both expressed their concern with the traffic in the area and the hazard imposed on the school children in the area.

Mr. Ron Starnes and Mr. Jack English stated they were not opposed to the business being conducted out of the residence, but were concerned with the zoning change. Mr. English did not feel the OL zoning would serve as a buffer to the residential area and felt if this were approved for OL it would set a precedent in the area.

Applicant's Rebuttal:

Mr. Moody again reminded the Commission of the improvement made to the subject property by Mr. Mims. The Commission was reformed of the previous OL zoning of the tract from 1971 to 1979. The property is excluded from the restrictive covenants of Johansen Acres and it was felt that this plan is consistent with the surrounding area. Mr. Moody stated he felt the OL zoning would indeed serve as a buffer and has been done so in other instances.

Commissioner Carl Young inquired as to the size of the lot in comparison to the square footage allowed for the office use and Mr. Gardner advised that there is approximately 45,000 square foot of lot area which would permit 11,300 square feet for office use under the OL zoning and the applicant's office would be slightly over 11,000.

<u>Instruments Submitted:</u>	Zoning Map	(Exhibit "D-1")
	9 Photographs	(Exhibit "D-2")
	Letter from Jim Wheaton	(Exhibit "D-3")
	Protest Petition	(Exhibit "D-4")

Application No. Z-5897 (continued)

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 4-3-0 (Connery, Woodard, C. Young, T. Young, "aye"; Higgins, Hinkle, Kempe, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, Inhofe, "absent") to DENY the request for OL zoning on the following described property:

Lot 16, Block 4, of the Amended Plat of Johanson Acres, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Application No. Z-5898

Present Zoning: AG

Applicant: Moody (Smith)

Proposed Zoning: CS, CO & RM-0

Location: South and East of the Intersection of Mingo Road and 91st Street

Date of Application: October 20, 1983

Date of Hearing: November 30, 1983

Size of Tract: 25 acres

Presentation to TMAPC by: John Moody

Address: Bank of Oklahoma Tower

Phone: 588-2651

Relationship to the Comprehensive Plan: Z-5898

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, Low Intensity -- No Specific Land Use and a potential for Corridor Zoning.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning District", the requested CS District is not, the CO is, and the RM-0 may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 25 acres in size and located 1/4 mile south of the SE corner of 91st Street and South Mingo Road. It is partially wooded, rolling, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north, east and south by vacant land zoned AG, and on the west by vacant land zoned RM-1/PUD and the proposed expressway zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions have established that Corridor Zoning to a depth of 660 feet and paralleling the proposed expressway is appropriate. In addition, there can be an RM-0 strip to a depth of 300 feet abutting the Corridor Zoning.

Conclusion -- Based upon past zoning decisions and subsequent Comprehensive Plan Map amendments, the Staff recommends APPROVAL of CO on that part of the tract north of the proposed expressway and CO on that portion south of the expressway to a depth of 660 feet with the remaining portion south of that to be RM-0, less and except any portion determined to be floodway potential which shall remain AG.

Applicant's Comments:

Mr. Moody represented Mr. Smith who has owned the subject property since 1977. The subject tract is approximately 40 acres in size if the proposed expressway delineation is calculated. If the right-of-way for the proposed expressway is deleted the two remaining tracts would be approximately 25 acres as stated in the Staff Recommendation.

The Comprehensive Plan and prior zoning was examined and it was found that the Planning Commission has adopted a policy on a previous zoning application concerning the south side of the expressway along the curve. The policy as established is for a depth of 660' for CO along the expressway and RM-0 abutting the CO for a depth of 300'.

Mr. Moody continued by describing the irregular shape of the property on the north side of the expressway and stated he was in agreement with the

Application No. Z-5898 (continued)

Staff Recommendation, but that if the Commission voted to support the CO zoning it was requested that the Commission recognize the building setback lines might be modified by the Board of Adjustment in order to utilize the property.

Mr. Gardner stated that Mr. Moody accurately described the property. The Ordinance has been amended concerning the 300' depth to 200'. Mr. Moody has a legitimate request for some relief, but he did not feel the shape of the tract justifies rezoning to CS. The Commission should zone the property as is appropriate and the Board of Adjustment can grant the relief needed.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 3-3-0 (Hinkle, Woodard, T. Young, "aye"; Connery, Higgins, Kempe, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS on the peculiar shaped tract and CS and RM-0, less and except that portion determined to be in the floodway which shall remain AG.

Chairman Kempe advised that because of the tie vote the zoning would go before the City Commission with no recommendation unless another motion is made.

On MOTION of CONNERY, the Planning Commission voted 4-2-0 (Connery, Higgins, Kempe, Woodard, "aye"; Hinkle, T. Young, "nay"; no "abstentions"; Beckstrom Draughon, Flick, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be zoned CO on that part of the tract north of the proposed expressway and CO on that portion south of the expressway to a depth of 660' with the remaining portion to be RM-1, less and except any portion determined to be floodway potential:

AG to CO Zoned Tract: A tract of land lying in Government Lot 2 (SW/4 NW/4) of Section 19, Township 18 North, Range 14 East of the Indian Base and Meridian, according to the U. S. Government Survey thereof in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at the Southwest corner of Said Lot 2; thence North along the West line thereof a distance of 30 feet to a point; thence East and parallel to the South line of Said Lot 2 a distance of 50 feet to a point; thence Northerly to a point lying 140 feet East of Said West line and 470 feet North of the Said South line; thence Northeasterly to a point lying 625 feet East of the Said West line and 695 feet North of the Said South line; thence Northeasterly to a point lying on the East line of Said Lot 2, Said point lying 1,130 feet North of the Southeast corner thereof; thence South along Said East line a distance of 813.35 feet to a point; thence Southwesterly to a point lying 959.74 feet East of the Said West line and 122.73 feet North of the Said South line; thence Southwesterly to a point on the Said South line; thence along Said South line a distance of 695.2 feet to the point of Beginning, containing 18.0 acres, more or less.

Application No. Z-5898 (continued)

AG to RM-0 Zoned Tract: A tract of land lying in Government Lot 2 (SW/4 NW/4) of Section 19, Township 18 North, Range 14 East of the Indian Base and Meridian, according to the U. S. Government Survey thereof in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at a point on the South line of Said Lot 2, Said point lying 695.2 feet East of the Southwest corner thereof; thence Northeasterly to a point lying 959.74 feet East of the West line of Said Lot 2 and 122.73 feet North of the Said South line; thence Northeasterly to a point lying on the East line of Said Lot 2; thence South along Said East line a distance of 316.65 feet to the Southeast corner of Said Lot 2; thence West along the South line thereof to the Point of Beginning, containing 1.7 acres, more or less.

AG to C0 Zoned Tract: A tract of land lying in Government Lot 2 (SW/4 NW/4) of Section 19, Township 18 North, Range 14 East of the Indian Base and Meridian, according to the U. S. Government Survey thereof in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at a point on the North line of Said Lot 2, Said point lying 85 feet East of the Northwest corner thereof; thence Southerly to a point lying 135 feet East of the West line and 525 feet South of the North line of Said Lot 2; thence Northeasterly to a point lying 835 feet East of the Said West line and 85 feet South of the Said North line; thence Northeasterly to a point on the Said North line; Said point lying 310 feet West of the Northeast corner of Said Lot 2; thence West along Said North line a distance of 830 feet, more or less, to the Point of Beginning, containing 5.3 acres, more or less.





Application No. PUD 346  
Applicant: Wallace & Bates  
Location: SE/c of 88th Street and Lewis

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Present Zoning: (CS)

Date of Application: October 20, 1983  
Date of Hearing: November 30, 1983  
Size of Tract: 4.7 acres

Presentation to TMAPC by: Ed Bates  
Address: 6911 So. 66th E. Avenue, Suite 301

Phone: 493-2800

Staff Recommendation:

The subject tract is approximately 4.7 acres in size and located 1/4 mile north of the northeast corner of 91st Street and South Lewis Avenue. It is zoned CS and the applicant is proposing a ten-story elderly residence apartment project with separate 1-story accessory activities, amenities and restaurant building.

When converting the CS zoning to RM-2 and developing a residential project, the 171 units requested can be supported by the underlying zoning and the restaurant floor area can be supported as being accessory to the residential units. Therefore, the requested project meets the test of not being developed to an intensity greater than allowed by the underlying zoning. However, if the restaurant is to be accessory and permitted under that Section of the Code, the Code doesn't allow an accessory commercial use to be developed separate of the principal residential use unless it is located 300 feet from all boundaries. The subject request is for a separate, free-standing, restaurant building.

If the restaurant were developed under the CS Commercial and not as an accessory use, then only a 160 unit apartment project would be permitted. On the other hand, if the tract were developed totally commercial its intensity would far exceed the present proposal, which again demonstrates that the proposal is not being developed at a greater intensity than the Code would allow even though the restaurant is not strictly accessory in nature and not a part of the principal building.

Using the above findings as our base, the Staff reasoned that whether the restaurant is accessory to the residential had nothing to do with the commercial nature of the restaurant, but rather to the type of residential use being proposed, elderly housing as opposed to conventional housing. Our conclusion was that if conventional apartments were allowed the restaurant was not accessory but since meals would be provided by the restaurant to an elderly apartment project it was accessory to some extent. In addition, a care facility, which by definition includes housing for the aged, would permit the additional 11 units. Therefore, in order to remain within the spirit and intent of the Code, the additional 11 units can only be supported provided it remains as housing for the elderly. Any conversion to general apartments in the future would require the elimination of 11 units making a total of 160 units.

Based upon the above review and modifications addressing the future conversion to conventional apartments, the Staff 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 (c) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #346, subject to the following conditions:

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

- (2) Development Standards:

Land Area (Gross):	4.70 acres
(Net):	4.22 acres
Permitted Uses:	Elderly housing as defined in the Text and accessory uses, including Activities Building, Amenities Building and Restaurant.
Maximum Number of Units:	171 units
Maximum Floor Area:	
Activities Building,	6,000 square feet
Amenities Building,	700 square feet
Restaurant Building,	6,581 square feet
Maximum Building Heights:	
Residential Building,	10 stories/120 feet
Activities Building,	1-story/30 feet
Amenities Building,	1-story/20 feet
Restaurant Building,	1-story/30 feet
Minimum Building Setbacks:	
From centerline of Lewis,	110 feet
From north boundary line,	10 feet
From east boundary line,	80 feet
From south boundary line.	80 feet
Minimum Livability Space:	34,200 square feet
Minimum Off-Street Parking:	
Residential Complex,	139 spaces*
Restaurant,	30 spaces
Total	169 spaces

- (3) That future conversion to conventional multifamily apartments will require a major amendment hearing before the TMAPC with the maximum number of dwelling units not to exceed 160 units and that the parking and livability requirement of the Code shall be met. \*Conventional housing will require increased parking and the contingency Parking Plan demonstrates that there is sufficient open space area which could be converted to parking to satisfy the Code or provide additional parking for the elderly if demand warrants.

- (4) That signs shall be as follows:

Sign "A", as located on the Site Plan, shall have a display surface area of not greater than 120 square feet and a maximum height of 6 feet and a maximum length of 30 feet.

Sign "B", as located on the Site Plan, shall have a display surface area of not greater than 120 square feet and a maximum height of 25 feet and a maximum length of 15 feet.

Restaurant Wall Sign, located on the west wall of the restaurant, shall have a display surface area of not greater than 208 square feet with a maximum height of 8 feet and a maximum length of 26 feet.

All signs, if illuminated, shall be by constant light.

- (5) That a Detail Site Plan shall be approved by the TMAPC prior to the issuance of a Building Permit.
- (6) That a Detail Landscape Plan shall be approved by the TMAPC and installed prior to occupancy, including sign design.
- (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. Ed Bates who is the architect for the proposed project stated that a tremendous amount of planning and research has been conducted on this proposal. The ten-story elderly residence apartment project will provide housing for individuals above 55 years of age. The project is not a nursing home and when the residents can no longer take care of themselves they will be requested to make other living arrangements. The project also includes separate one-story activities, amenities and restaurant buildings. There will be no physical connection between the buildings but an active working relationship will exist. Food for one meal a day will be prepared in the restaurant building.

It was advised that the Outline Development Plan Text as provided by the applicant included plans for 25' high signs but the Staff has suggested that they be limited to 6' ground mounted or monument signs and if there is any change the applicant could file a minor amendment concerning the height variance. Mr. Bates stated he was in agreement with the sign conditions as imposed by the Staff.

Protestants: None

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, T. Young, "aye"; no "nays"; Beckstrom, Draughon, Flick, C. 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 conditions set forth in the Staff Recommendation:

A tract of land, containing 4.6908 acres, that is part of the S/2 of the SW/4 of Section 17, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma, said tract of land being described as follows, to wit:

"Beginning at a Point" on the northerly line of the S/2 of the SW/4 of Section 17, said point being 990.00' westerly of the northeast corner thereof, said point also being the northwest corner of "Delaware Square", City of Tulsa, Tulsa County, Oklahoma; thence southerly and parallel to the easterly line of the S/2 of the SW/4 and along the westerly line of "Delaware Square" for 401.77'; thence westerly along a deflection angle to the right of  $89^{\circ}27'39''$  for 454.92' to a point on the existing centerline of South Lewis Avenue; thence northwesterly along a deflection angle to the right of  $75^{\circ}49'24''$  and along said centerline for 349.39' to a point of curve; thence northwesterly along said centerline on a curve to the left with a central angle of  $11^{\circ}00'00''$ , and a radius of 235.04', for 45.13' to a point of tangency; thence northwesterly along said tangency and along said centerline for 23.59' to a point on the northerly line of the S/2 of the SW/4 of Section 17; thence easterly along a deflection angle to the right of  $115^{\circ}15'17''$  along said northerly line for 569.48' to the "Point of Beginning" of said tract of land.

SUBDIVISIONS:

For Final Approval and Release:

Woodniche Addition (PUD #327) (1183) NE corner of 81st Street and South  
78th East Avenue (RS-3)

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

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

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

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, C. Young, Inhofe, "absent") to approve the final plat of Woodniche, Echelon Centre and Rockford Circle Amended and release same as having met all conditions of approval.

Request to Waive Plat:

BOA #12869 and #12871: Charles Page Blvd., and South 57th West Avenue  
and 2524 West 53rd Street

These two Board Cases were exceptions for "Head Start" programs in Riley and Remington Schools. No exterior changes are being made. Approval of waiver is recommended.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, T. Young, "aye"; no "nays"; Beckstrom, Draughon, Flick, C. Young, Inhofe, "absent") to approve the request to Waive Plat for Charles Page Boulevard and South 57th West Avenue and 2524 West 53rd Street.

OTHER BUSINESS:

PUD #216 (Lot 40, Block 2, Hunters Point Addition)

Staff Recommendation: Minor Amendment

The subject tract is one lot in size and a part of a single-family development area. It is more specifically located at 4102 East 98th Street South. The applicant is requesting to build a three-car detached garage in the side yard.

The Staff has reviewed the plans and find that even though the garage is detached under a strict interpretation of the Code, it is physically attached by a breezeway roof and visually appears to be one structure.

Therefore, the Staff can support this as being minor in nature and recommends APPROVAL of the minor amendment for a detached garage in the side yard, subject to the plans submitted.

PUD #216 (continued)

TMAPC Action: 6 members present.

On MOTION of CONNERY, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, C. Young, Inhofe, "absent") to approve the requested Minor Amendment to PUD #216 for a detached garage in the side yard, subject to the plans submitted.

PUD #325 (Development Area "A")

Staff Recommendation: Detail Site Plan Review

The subject tract is 11.05 acres (gross) in size and is located south of the southeast corner of 51st Street and Harvard Avenue. The tract presently contains a portion of the Elk's Lodge and related facilities. PUD #325 Development Area "A" has been approved for a maximum of 344 attached residential dwelling units and related accessory uses. The applicant is now requesting Detail Site Plan approval.

After review, the Staff found only minor modifications to the original Site Plan. These were the reorientation of the clubhouse and the addition of a circular drive off of Harvard Avenue instead of a cul-de-sac. The statistical comparison is as follows:

	<u>Approved</u>	<u>Submitted</u>
Maximum No. of Dwelling Units:	344 units	344 units
Maximum Building Height:	39 feet	38 feet
Minimum Building Setbacks:		
From Harvard Avenue:	65 feet	74 feet
From 54th Street:	60 feet	70 feet
From Development Area "C":	60 feet	60 feet
From Development Area "D":	0 feet	0 feet
From Louisville Avenue:	200 feet	200 feet
From North Boundary of Woodland Acres:	50 feet	50 feet
From West Boundary of Woodland Acres:	Per Concept Illustration	Same
Minimum Internal Landscape Open Space Per Unit:	450 sq. ft.	500 sq. ft.
Minimum Number of Parking Spaces:	552 spaces	552 spaces

Based on the submitted Plans and Text listed above, the Staff finds the Site Plan to be in substantial compliance with the approved Outline Development Plan and, therefore, recommends APPROVAL of the Detail Site Plan, subject to the submitted Plans and Text.

TMAPC Action: 6 members present.

On MOTION of HINKLE, the Planning Commission voted 5-1-0 (Connery, Higgins, Hinkle, Kempe, Woodard, "aye"; T. Young, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, C. Young, Inhofe, "absent") to approve the Detail Site Plan, subject to the submitted Plans and Text.

There being no further business, the Chair adjourned the meeting at 4:55 p.m.

Date Approved December 14, 1983

Cherry Kempe  
Chairman

ATTEST:

Marilyn Smiles  
Secretary

11.30.83:1484(30)

