

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1489
Wednesday, January 11, 1984, 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 Rice Woodard	Flick C. Young Inhofe	Compton Gardner Lasker 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 January 10, 1984, at 11:45 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to approve the Minutes of December 21, 1983 (No. 1487).

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5893 Present Zoning: CS, RS-3, CH, RM-1, IM & IL
Applicant: Bybee (T.U.R.A., et al) Proposed Zoning: RS-3, IL, CS, CH, RM-2
& RM-1

Location: Various tracts located between Peoria Avenue and Cincinnati Avenue
and Apache Street and Archer Street.

Date of Application: October 11, 1983
Date of Hearing: January 11, 1984
Size of Tract: Various sizes

Presentation to TMAPC by: Don Bybee
Address: 707 South Houston Avenue

Phone: 587-4114

Relationship to the Comprehensive Plan: Z-5893

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Neighborhood Development Plan #1; plans prepared by T.U.R.A. and implemented through use of federal funds, emphasis placed on providing housing and business rehabilitation through loans, grants, and counseling.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-3, IL, CS, CH, RM-2 and RM-3 Districts may be found in accordance with the Plan Map.

Staff Recommendation:

Site and Surrounding Area Analysis -- The subject tracts are generally located within or adjacent to an area bounded by the Inner Dispersal Loop on the east and south, Cincinnati Avenue on the west and Pine Street on the north. The area contains a variety of uses zoned in a variety of ways; however, the majority use within the subject area as well as around it is residential.

Zoning and BOA Historical Summary -- Past zoning actions have zoned a majority of the area to an intensity greater than existing or proposed use would require.

Conclusion -- The Staff reviewed Neighborhood Development Plan #1 and found the applicant's request to be consistent with this adopted plan, except for the triangle-shaped area of CH between Greenwood Avenue and Sand Springs Railroad. The Plan designates this area for RM-2 zoning. The Staff feels the Plan is correct in its designation and cannot support the CH request. Since the Legal Notice will not allow the Planning Commission to consider RM-2, the Staff recommends OM. Medium Intensity Office would allow the area to develop as either office or RM-2 by exception, but not allow retail commercial.

Therefore, the Staff recommends approval of the requested zoning changes, less the triangle-shaped area between Greenwood Avenue and the Sand Springs Railroad which shall be OM.

Mr. Gardner advised that the portion in the southwest corner of the tract was continued for the benefit of the property owner to the north who owns the apartment project. The Staff Recommendation on the southwest portion of the tract was for approval as submitted.

Application No. Z-5893 (continued)

Applicant's Comments:

Mr. Don Bybee stated he was unable to contact the protestant about the property in question. Mr. Bybee made several attempts to contact Mr. Davis who is one of the partners who owns the Sunset Plaza Apartment project. The objection expressed by Mr. Davis was that he was not aware that this area was to be zoned and used as commercial area when it was purchased for the apartment site. This land use has been planned for commercial since 1971. The T.U.R.A. Plan a part of the Comprehensive Plan has this area designated for commercial use. Mr. Bybee stated he talked with Mr. Davis' leasing agent who stated he does not feel any great objection would exist because of the proposed zoning and does not feel it will affect the value of the apartment project.

He requested that the Commission take action on this case today, but he was not in objection to a continuance if the Commission felt it necessary.

The Commission felt that the applicant had made every effort to contact the protestant. It was also noted that the protestant was aware of the continuance date, but was not present for the hearing today.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to recommend to the Mayor and Board of City Commissioners that the following described property be rezoned as requested, less the triangle-shaped area between Greenwood Avenue and the Sand Springs Railroad which shall be OM:

<u>Rezone to RS-3</u>	<u>Current Zoning</u>
Lots 1-16, Block 9, INVESTORS ADDITION	CS
Lots 11-22, Block 8, INVESTORS ADDITION	CS
Lots 11-16, Block 7, INVESTORS ADDITION	CS
Lots 7-12, Block 4, HARDING ADDITION	CS
Lots 7-12, Block 5, HARDING ADDITION	CS
All of Blocks 8, 9, 11, 12, 13, 14, 15, and 16, GREENWOOD ADDITION	CH, OL, CS, RM-1
All Block 15, FAIRVIEW ADDITION	RM-1
All Blocks 1 & 2, WASHINGTON ADDN.	OL, CH, RM-1
Lots 1-23, Block 3, WASHINGTON ADDN.	CH, RM-1
All Blocks 1 & 2, GURLEY HILL ADDN.	OL, CH, RM-1
Lots 1-6 and Lots 29-34 and Lots 35-46, Block 3, GURLEY HILL ADDN.	CH, RM-1
All Blocks 3, 4, & 5, DOUGLAS PLACE ADDN.	RM-1
All Blocks 1 & 2, DOUGLAS ADDITION	RM-1
All Blocks 1, 2, & 3, LINCOLN PARK ADDN.	RM-1

Rezone to IL

South 100 ft. of Lot 1, and all of Lots 2 & 3, Block 4, ROSEDALE ADDITION	CS, RM-1
Lots 5-20, Block 3, ROSEDALE ADDITION	RM-1

Application Z-5893 (continued)

Rezone to IL (continued)

		<u>Current Zoning</u>
Lots 5-20, Block 2,	ROSEDALE ADDITION	CH, RM-1
Lots 5-12, Block 1,	ROSEDALE ADDITION	CH
All Blocks 5, 6, 7, and 8,	ROSEDALE ADDITION	CH, RM-1
Lots 5-20, Block 2,	LIBERTY ADDITION	RM-1
Lots 5-20, Block 1,	LIBERTY ADDITION	RM-1
All Blocks 3 & 4, (Less Expressway Right-of-Way)	LIBERTY ADDITION,	RM-1
Lots 7-20, Block 2,	SUNNYBROOK ADDITION	RM-1
Lots 13-16, Block 1, (Less Right-of-Way)	SUNNYBROOK ADDITION,	RM-1
Lots 1-5 and Lots 19-24, Block 3, (Less Right-of-Way)	SUNNYBROOK ADDITION	RM-1
All Blocks 1-4,	FAIRVIEW ADDITION	RM-1
Lots 1-6, Block 8,	FAIRVIEW ADDITION	CS, RM-1
Lots 1-4, Block 3,	MAGNOLIA ADDITION	RM-1
Lots 2-4, Block 4,	MAGNOLIA ADDITION	RM-1
Lot 15, Block 4, (Less Right- of-Way)	SUNNYBROOK ADDITION	RM-1

Rezone to CS

Lots 1-8, Block 2,	STROBEL ADDITION	RM-1
Lots 6-12, Block 3,	STROBEL ADDITION	CH
Lots 3, 4, 21 & 22, Block 3,	ROSEDALE ADDITION	RM-1
Lots 21 & 22, Block 2,	ROSEDALE ADDITION	RM-1
Lots 3, 4, 21 & 22, Block 2,	LIBERTY ADDITION	OL, RM-1
Lots 3, 4, 21 & 22, Block 1,	LIBERTY ADDITION	OL, RM-1
Lots 21 & 22, Block 2,	SUNNYBROOK ADDITION	OL, RM-1

Rezone to OM

Lots 27-44, Block 3,	WASHINGTON ADDITION	RM-1
Lots 1-16 and Lots 23-34, Block 4,	WASHINGTON ADDITION	OL
Lots 1-10, Block 5,	WASHINGTON ADDITION	OL

Rezone to CH

All Block 1,	HARTFORD ADDITION	IL
Lots 1-26, Block 2,	HARTFORD ADDITION	IL
All Block 1,	NORTHSIDE ADDITION	IL
Lots 1-9, Block 3,	TURLEY ADDITION	IL
Lots 1-9, Block 4,	TURLEY ADDITION	IL
Lots 1, 2, 3, 5, & 6, Block 53,	ORIGINAL TOWNSITE	IL
Lots 3 & 4, Block 23, (Less Expressway R/W)	ORIGINAL TOWNSITE	IL
Lots 1-4, Block 24, (Less Expressway R/W)	ORIGINAL TOWNSITE	IL

Application Z-5893 (continued)

Rezone to CH (continued)

Current Zoning

The Southerly 35' of Lot 1, Block 46, <u>LESS</u> the Sand Springs Rail- way, & the Northerly 25' of Lot 2, Block 46,	ORIGINAL TOWNSITE	IL
Lots 9-16, Block 7, (Less Street Right-of-Way)	DAVIS WILSON ADDN.	RM-1
Lots 1, 2, 3, 4, & 5, Block 1, (Less Street Right-of-Way)	NORTH TULSA ADDITION	RM-1
Lots 1, 2, 13, & 14, Block 13, (Less Street Right-of- Way)	NORTH TULSA ADDITION	RM-1
Lots 1-13, Block 14, (Less Street Right-of-Way)	NORTH TULSA ADDITION	RM-1

Rezone to RM-2

Lots 7-28, Block 3,	GURLEY HILL ADDITION	CH, RM-1
All Block 4,	GURLEY HILL ADDITION	RM-1
All Block 5,	GURLEY HILL ADDITION	CH, RM-1
All of the Subdivision of the North 190 feet of Block 6,	GURLEY HILL ADDITION	RM-1
Lots 4-10, Block 1,	ROMONA ADDITION	RM-1
All Blocks 1 and 2,	SUNSET HILL ADDITION	RM-1
All Blocks 3 and 4,	FAIRVIEW ADDITION	RM-1
All Blocks 15 and 16, Block 17, (Less Right-of- Way),	NORTH TULSA ADDITION	RM-1
All Blocks 3-6,	NORTH TULSA ADDITION	CH, RM-1
	NORTHSIDE ADDITION	CH, RM-1

Rezone to RM-1

Lots 10-15, Block 5,	GREENWOOD ADDITION	OL, CH
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Rezone to RM-2

Currently RM-1

South 155 feet, Block 6, GURLEY HILL ADDITION,
said South 155 feet being a depth of 155 feet running
north and south and a distance of 300 feet running east
and west.

Rezone to RM-2

Currently IM

Commencing at the Northwest corner of Northwest Quarter, South-
east Quarter, Southwest Quarter of Section 36, Township 20 North,
Range 12 East; thence East on the North line of the Northwest
Quarter, Southeast Quarter, Southwest Quarter to the Westerly
line of GREENWOOD AVENUE; thence Southeasterly on Westerly line
of GREENWOOD AVENUE to a point where the West line of GREENWOOD
AVENUE intersects the South line of the Northeast Quarter,
Southeast Quarter, Southwest Quarter, Section 36; thence West
on the South line of the Northeast Quarter, Southeast Quarter,
Southwest Quarter and on the South line of the Northwest Quarter,

Application Z-5893 (continued)

Rezone to RM-2 (continued)

Southeast Quarter, Southwest Quarter of Section 36 to the Southwest corner of Northwest Quarter, Southeast Quarter, Southwest Quarter; thence North on the West line of Northwest Quarter, Southeast Quarter, Southwest Quarter 660 feet to the Point of Beginning; LESS, commencing at a point 498.5 feet South of the Northwest corner of the Northwest Quarter, Southeast Quarter, Southwest Quarter of Section 36; thence South 165 feet, East 170 feet, North 165 feet; thence West 170 feet to the point of Beginning and also except a strip of Land 2.5 feet wide lying West and abutting the West line of GREENWOOD AVENUE as follows: Beginning at the Northeast corner of Block 3, NORTH SIDE ADDITION; thence North 5⁰-14' West 660.7 feet to the Southeast corner of Block 5, GURLEY HILL ADDITION; thence West on the South line of Block 5, GURLEY HILL ADDITION 2.5 feet to a point; thence South 5⁰-14' East to a point on the North line of Block 3, NORTH SIDE ADDITION, said point being 2.5 feet West of the Northeast corner of Block 3; thence East on the North line of Block 3 to the Point of Beginning.

Rezone to RM-2

Currently IM

All that part of DAVIS-WILSON HEIGHTS lying East of a straight line drawn from the Northwest corner of Lot 7, Block 1, South to a point located on the South line of Lot 6, Block 3, 9.4 feet West of the Southeast corner of Lot 6; ALL part of the Southwest Quarter, Section 36, Township 20 North, Range 12 East and also described as:

BEGINNING 30 feet East of the Northeast corner of the Southeast Quarter, Northwest Quarter, Southwest Quarter; thence West on the East extension of the North line of the last described 10-acre tract and on the North line for 360 feet; thence South at right angle for 863.3 feet; thence East at right angle for 330 feet; thence North at right angle for 198.5 feet; thence East at right angle for 30 feet; thence North at right angle for 664.8 feet to the Point of Beginning.

Application No. PUD 342

Present Zoning: CS & OL

Applicant: Johnsen (Letney)

Location: Southwest corner of 71st Street South & Mingo Road

Date of Application: August 18, 1983

Date of Hearing: January 11, 1984

Size of Tract: 7.51 acres

Presentation to TMAPC by: Roy Johnsen

Address: 324 Main Mall

Phone: 585-5641

Staff Recommendation:

The subject tract is 7.51 acres (gross) in size and located at the southwest corner of 71st Street and South Mingo Road. It is zoned a combination of CS and OL and the applicant is requesting PUD supplemental zoning to spread some of the allowable commercial floor area into that portion of the tract zoned office.

The Staff reviewed the applicant's Outline Development Plan and identified several problems concerning maximum allowable floor area, bulk and area requirements and land use compatibilities. Based upon suggestions by the Staff, the applicant submitted a revised Illustrative Site Plan, which after review and minor modification the Staff find 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 #342, subject to the following conditions:

- (1) That the applicant's Outline Development Plan, as amended, be made a condition of approval.
- (2) That the 200-foot by 200-foot tract at the southwest corner of 71st Street and Mingo Road is not a part of the PUD.
- (3) Development Standards:

Land Area (Gross):	7.51 acres
(Net):	6.33 acres

Permitted Uses:	As permitted by right in a CS District, except south 250 feet shall be restricted to Use Unit 11 and accessory uses.
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Maximum Floor Area:	111,885 sq. ft.
Commercial Uses:	59,885 sq. ft.
Office Uses:	52,000 sq. ft.

Maximum Building Height:	
Commercial Area:	28 feet/2 stories
Office Area:	5 stories

PUD #342 (continued):

Minimum Building Setbacks:	
From Centerline of Mingo Road:	120 feet*
From Centerline of 71st Street:	270 feet
From West property line:	
Commercial Building:	20 feet
Office Building:	70 feet
From south property line:	50 feet
Minimum Off-Street Parking:	
Commercial Uses:	1 space per 225 sq. ft. of floor area
Office Uses:	1 space per 300 sq. ft. of floor area
Minimum Open Space:	10% of net area

*The end or side of the southernmost commercial building may encroach into the required setback 10' provided there are no overhang or canopies.

- (4) That signs shall comply with the restrictions of the Planned Unit Development Ordinances and the following additional restrictions:

Ground Signs: Ground signs shall be limited to one (1) sign on 71st Street and two (2) on Mingo Road identifying the project and/or tenants therein. No ground sign shall exceed 20 feet in height nor exceed a display surface area of 200 square feet.

Wall or Canopy Signs: The aggregate display surface area of the wall or canopy signs shall be limited to 1-1/2 square feet per each lineal foot of building wall to which the sign or signs are affixed. Wall or canopy signs shall not exceed the height of the building.

- (5) That a Detail Landscape Plan be approved by the TMAPC and installed prior to the occupancy of any principal building; including 3-to 4-foot high berming, with landscaping along the east boundary line, the completion of a 6-foot high screening fence along the west boundary line and that at least one pedestrian access opening be provided to the residential area abutting on the west.
- (6) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit, including elevations that shall show the architectural design of the west sides of all commercial buildings to insure that they will be compatible with the residential uses abutting the proposal on the west.
- (7) 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.

Applicant's Comments:

Mr. Roy Johnsen explained the background of the property and advised that the initial proposal was for all of the property to be retail use. After reviewing the plans with the Staff the applicant has now modified the request, and a revised site plan was presented to the Commission which establishes along the southern portion of the tract an area limited to office use. Mr. Johnsen stated the applicant is in concurrence with the Staff Recommendation.

Mr. Johnsen then directed the Commission's attention to an exhibit showing the surrounding land use and zoning patterns. The surrounding land uses are of a nonresidential category and are either a multifamily or of a commercial classification.

Mr. Johnsen then asked the Staff and the Commission various questions concerning the conditions placed on the PUD for clarity purposes. When the plan was first submitted one ground sign on 71st Street and one on Mingo were proposed. When the site plan was changed to accommodate office use on the southern boundary, the Staff allowed for 2 signs on Mingo. The applicant wishes to include an additional sign on the office tract as it will develop separately. The revised text allows the office area to have one sign 64 square feet in surface area which will be ground or wall mounted, and if it is ground mounted it could not exceed 8' in height. Mr. Johnsen asked that the Staff consider the 64 square foot, 8' high sign for the office portion of the project and the Staff stated they had no objections.

Mr. Johnsen requested that the requirement of the landscaping concerning the 3-to 4-foot high berming on Mingo be deleted. The text submitted includes a standard which requires 10% of the net site to be landscaped. The subject tract is a narrow site and if the berming could be done on unpaved right-of-way the applicant would do so. The berming requirement was requested to be removed because Mr. Johnsen did not feel they could berm the net site but only in the right-of-way. Given the surrounding land use and the nature of the project, it was not felt the berming is essential on the front and has not been imposed on other properties in the area.

The last concern expressed by Mr. Johnsen was the sixth condition. The language for this condition is difficult to come up with but he wanted to be sure that the record reflected the Staff's intention. He was in concurrence in allowing the Staff to review the architectural treatment of the buildings, but he did not feel that the back of the structures should appear identical to the front of the structures. He felt that the rear should achieve a compatibility with the adjoining property.

The Staff advised that the property to the east is required to have landscaping but was not required to have berming, therefore, the Staff had no objection to the berming portion being deleted from this request.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no

PUD #342 (continued):

"nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, per Staff Recommendation except for:

- (a) One sign for the Office Area 64 square feet in surface area which will be ground or wall mounted and if it is ground mounted it shall not exceed 8 feet in height,
- (b) Deletion of the berming requirement as stated in Condition #5, and
- (c) Classification of Condition #6 that similar architectural character does not mean identical.

The E/2 of the NE/4 of the NE/4 of the NE/4 and the North 528 feet of the E/2 of the SE/4 of the NE/4 of the NE/4 of Section 12, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

ZONING PUBLIC HEARING:

Z-5908 Kouri (Adamson, Murphy) SE corner of 62nd Street and Mingo Road
RS-3 to CO

Chairman Kempe advised that the applicant for this zoning case has requested that the matter be continued to February 1, 1984.

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to continue consideration of Z-5908 until Wednesday, February 1, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5909 Present Zoning: AG
Applicant: Jones (Carnes, Hitt, Latch) Proposed Zoning: CS
Location: East side of South Memorial Drive at 76th Street

Date of Application: November 22, 1983
Date of Hearing: January 11, 1984
Size of Tract: 3.1 acres

Presentation to TMAPC by: Thomas Creekmore
Address: 201 West 5th Street Phone: 581-8200

Relationship to the Comprehensive Plan: Z-5909

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 3.1 acres in size and located south of the SE corner of Memorial Drive and East 75th Street South. It is non-wooded, flat, vacant, and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property which is currently under construction zoned AG, on the east by vacant property approved by the Board of Adjustment for a nursing home, but zoned AG, on the south by vacant property zoned AG and on the west across Memorial Drive by a developed single-family subdivision zoned RS-3.

Zoning and BOA Historical Summary -- There has been no zoning approvals in the immediate area that would support any zoning change other than residential.

Conclusion -- The subject zoning is a classic case of "spot zoning" which if approved, will lead to commercial stripping south to 101st Street and possibly beyond. The requested change in zoning is inconsistent with the District 18 Comprehensive Plan and is in direct conflict with the Development Guidelines, which were adopted in 1974 as a part of the Comprehensive Plan update for the City of Tulsa and Tulsa County.

Commercial stripping works to the detriment of the Community in many ways. Decreased property values to nearby residences because of increased traffic noise, lights, late activity, etc., is a major concern to the Staff. The community pride and progress made since 1974, in avoiding the pitfalls of the past should not be sacrificed for one property owner.

Therefore, the Staff recommends DENIAL of the requested zoning change.

For the record, the specific zoning requested does not include notice for any residential classifications.

Application No. Z-5909 (continued)

Applicant's Comments:

Mr. Tom Creekmore, attorney, represented the applicant. Mr. Creekmore agreed that the proposed zoning is not in literal compliance with the Master Plan, but he felt this to be a good case in which to deviate from the Plan. A description of the area surrounding the subject property was again reiterated. The frontage on Memorial is under construction as a 4-lane divided highway. It was believed that the proposed use is not or does not violate the spirit of the Master Plan. It was also suggested that the proposed use will help lessen the density of the use in the surrounding area.

The property is under contract to a buyer who proposes to construct a carpet showroom and retail carpet facility which would not generate excessive traffic and is not a high volume retail trade. Mr. Creekmore felt that the density proposed would be less than could have been proposed in a multifamily category.

Protestants: None.

Chairman Kempe advised the Commission that a letter was received from Bill and Barry Retherford who are in support of the proposed zoning (Exhibit "A-1").

Commissioner Beckstrom asked what the appropriate zoning for the subject tract would be and the Staff suggested that a low density multifamily zoning would be most appropriate, but it is not properly advertised for that classification. Mr. Gardner advised there are many uses which would be permitted on the tract without zoning the area commercial.

TMAPC Action: 8 members present

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to DENY the request for CS zoning on the following described property:

The East 297.00 feet of the West 412.00 feet of the N/2, NW/4, SW/4 of Section 12, Township 18 North, Range 13 East, Tulsa County, Oklahoma, LESS and EXCEPT the North 207.00 feet thereof.

Application No. PUD 348

Present Zoning: (RMH/RE)

Applicant: Tannehill (Gerber)

Location: SE corner of 136th Street North and Proposed Highway #169

Date of Application: November 29, 1983

Date of Hearing: January 11, 1984

Size of Tract: 13.46 acres

Presentation to TMAPC by: Tom Tannehill

Address: 1918 East 51st Street

Phone: 749-4694

Staff Recommendation: PUD #348

The subject tract is 13.46 acres in size, located at the southeast corner of 136th Street North and the proposed Mingo Valley Expressway, and is zoned a combination of RMH on the north 7 acres and RE on the south 6.46 acres. The applicant is now requesting PUD supplemental zoning to develop a mobile home park on RS size lots over the entire tract.

The Staff has reviewed the applicant's Outline Development Plan and have identified one major concern, access to the first phase of the development. The first phase as shown on the submitted Plan would be served by a 1,200-foot long dead-end cul-de-sac street until such time as the second phase is developed which is dependent upon sewer. We feel this is inappropriate for safety purposes, and therefore, recommend that a temporary gravel road be constructed along the east side of the southernmost sewage lagoon that would connect with the southern two stub streets forming a temporary access loop.

Based upon our review and proposed modification, the Staff finds the proposal to be: (1) consistent with the Comprehensive Plan, (2) in harmony with the existing and expected development of the area, (3) a unified treatment of development possibilities of the site, and (4) consistent with the stated purposes and standards of the PUD Chapter.

Therefore, the Staff recommends APPROVAL of PUD #348, subject to the following conditions:

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

(2) Development Standards:

Land Area (Gross): 13.46 acres

Phase I (East Portion): 7.46 acres

Phase II (West Portion): 6.00 acres

Permitted Uses: Residential single-family dwelling units and accessory uses as permitted as a matter of right in the RMH District.

Maximum Dwelling Units: 68 units

Phase I: 37 units

Phase II: 31 units

Maximum Height: 1-story

Application No. PUD 348 (continued)

Minimum Livability Space:	4,000 sq. ft. per unit
Minimum Lot Area:	6,900 sq. ft.
Typical Lot Size:	60 feet by 115 feet
Minimum Off-Street Parking:	2 spaces per unit
Minimum Building Setbacks:	

Units placed parallel to streets
(double-wide, 50-foot units or
less):

From Centerline of Streets:	40 feet
Side Yards:	5 feet
Rear Yard:	20 feet

Units Placed Perpendicular to
Streets:

From Centerline of Streets:	35 feet
One Side Yard:	5 feet
Other Side Yard:	20 feet
Rear Yard:	10 feet

- (3) That a temporary graveled loop road be constructed along the east side of the southernmost sewage lagoon connecting the southern two stub streets providing additional access to the southern portion of the tract until Phase II is constructed.
- (4) That one identification sign may be erected at the 136th Street entry. The sign shall not exceed 32 square feet of display surface area, nor 15 feet in height and illuminations, if any, shall be constant light.
- (5) That internal streets shall be 26 feet in width and paved with an all-weather, dust-free surface.
- (6) That all mobile home units shall be completely skirted with materials that are architecturally compatible with the unit being skirted and installed in a manner that the unit appears to be placed on-grade.
- (7) That tie-down facilities shall be incorporated into concrete anchors so that guy lines can be installed under each mobile home at sufficient intervals to prevent upheaval of the unit during strong winds.
- (8) That an improved playground or tot-lot be provided within the development.
- (9) That a six-foot security fence shall be erected and maintained on the perimeters of the lagoons.
- (10) That each mobile home space shall have a minimum of 100 square feet of paved outdoor living area (patio).

Application PUD #348 (continued)

- (11) That each mobile home space shall have an enclosed storage accessory building not less than 36 square feet in size nor greater than 100 square feet.
- (12) That a Detail Site Plan, including space configuration and street alignments, shall be submitted to and approved by the TMAPC, prior to the issuance of a building permit; Final Plat may satisfy this requirement.
- (13) That a Detail Landscape Plan, including location and design of sign and landscaping along north perimeter, shall be submitted to and approved by the TMAPC prior to the occupancy of any units.
- (14) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied, including the incorporation within the restrictive covenants the PUD conditions of approval, making the County of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Tom Tannehill, attorney, represented Mr. Dan Gerber who is the property owner. Mr. Tannehill stated he is in concurrence with the Staff Recommendation and wished to save any comments for a rebuttal.

<u>Protestants:</u>	Ray Coons	Addresses:	Rt. 2, Box 887, Collinsville, Ok.
	David Hamlin		Rt. 2, Box 897, Collinsville, Ok.
	Paula Hamlin		Rt. 2, Box 897, Collinsville, Ok.
	Melvin Flannery		Rt. 2, Box 939, Collinsville, Ok.

Protestant's Comments:

Mr. Ray Coons advised that this zoning was previously before the Planning Commission. Because of density problems this type of zoning should not be allowed and a recommendation for RE zoning on the whole property was made. The County Commission then reversed that recommendation, therefore, Mr. Coons asked for the original recommendation which came out of this Commission. Mr. Coons expressed some real concerns with the proposed lagoon system which will be located on the west side of the property. There was concern expressed that the lagoon system would not be replaced with a sanitary sewer system for at least three years, if at all possible, in trying to cross sewer lines over existing rural water lines.

Chairman Kempe advised that this Commission merely makes the recommendation and the County Commission is the one who makes the final decision concerning the zoning of a piece of property. She stated with them making the zoning decision we may not reverse their decision. Commissioner Mel Rice stated that the PUD was presented to the County Commission for a change in zoning and the County approved the zoning as indicated on the request. At the time the County Commission considered the zoning matter they supported the proposal which was presented today.

The Staff addressed Mr. Coons' concern with the lagoon system and Mr. Gardner advised the subdivision plat will come before this Commission and will be reviewed by the County Engineer.

Application PUD #348(continued)

Mr. David Hamlin asked the Staff to explain the various steps which the applicant must go for the PUD and the Staff proceeded to do so. Mr. Gardner assured that the drainage, paving and sewer treatment would be addressed.

Mrs. Paula Hamlin addressed the Commission and raised some concern as to the access to the subject property. She stated that she was of the understanding that there would be only one access off of 136th Street. This would create a tremendous traffic problem in the area, including the residents from the proposed mobile home park and Mrs. Hamlin asked that the Commission consider that issue, as well as the sewer lagoon problem. Mrs. Hamlin suggested that the Commission reconsider the number of proposed mobile homes and requested that the number be reduced to help alleviate some of the traffic problem.

There was some discussion concerning the traffic problems created in the area because of the proposal and access from the subject area. Commissioner Rice advised that the first phase would only permit 37 mobile homes until such time that the sewage facility is in place.

Mr. Melvin Flannery stated his residence is located 270' from the subject property, and he is opposed to the requested zoning change. He was concerned with the lack of maintenance of the mobile home park if approval is granted. He also expressed concern with traffic increase and the lagoon system as proposed. Chairman Kempe advised that the PUD involves a mobile home subdivision rather than a park which will have restrictive covenants to alleviate some of his concerns. Commissioner Higgins also advised that the Health Department will review the lagoon system to make sure it would adequately handle the use and if not, the subdivision would not be permitted.

The Staff advised that the lagoon will provide for the first phase of development which includes the first 37 mobile home units. The second phase cannot be built unless a satisfactory sewer system is provided.

Applicant's Rebuttal:

Mr. Tannehill felt that the protestants are still attempting to fight the existing zoning on the subject property. The present zoning is RMH/RE which would permit 56 mobile homes as a matter of right, but the PUD request with the conditions imposed by the Staff would require that the mobile home subdivision develop at RS-3 standards. Mr. Tannehill did not feel that the traffic concern expressed by many of the neighbors was a legitimate concern.

TMAPC Action: 8 members present.

On MOTION of RICE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions set out in the Staff Recommendation:

The W/2, NW/4, NE/4 of Section 33, Township 22 North, Range 14 East, LESS and EXCEPT proposed U. S. Highway #169 Right-of-Way, Tulsa County, Oklahoma.

Application No. PUD 349
Application: Wilborn
Location: NE corner 37th Street and Peoria Avenue

Proposed Zoning: CH, OL

Date of Application: November 30, 1983
Date of Hearing: January 11, 1984
Size of Tract: 1-acre, more or less

Presentation to TMAPC by: Bill Elliott
Address: 3647 South Peoria Avenue

Phone: 743-3763

Staff Recommendation: PUD #349

The subject tract is slightly less than 1-acre (gross) in size and located at the northeast corner of 37th Street and South Peoria Avenue. It contains an existing hardware store and is zoned a combination of CH and OL. The applicant is requesting PUD supplemental zoning to allow for the construction of a two-story addition onto the existing structure which will encroach into the OL zoned portion of the tract.

The Staff finds 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 #349, 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):	42,699 sq. ft.
(Net):	29,224 sq. ft.

Permitted Uses: As permitted by right in a CS District

Maximum Floor Area: 12,192 sq. ft.

1st Floor Retail Use:	8,512 sq. ft.
2nd Floor Storage Use:	3,680 sq. ft.

Minimum Off-Street Parking: 38 spaces

All Other Bulk and Area Requirements: Per CS District

Signs: Per CS District

(3) That landscaping be installed as shown on the Site Plan, and that a 6-foot solid wood fence be constructed along the east property line prior to occupancy of the new wing.

(4) That a Detail Site Plan meeting these conditions be approved by the TMAPC prior to the issuance of a Building Permit.

(5) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and

Application PUD #349 (continued)

approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants and PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Bill Elliott represented the owner of the subject property, and stated he was in concurrence with the Staff Recommendation. Mr. Elliott questioned the third condition concerning the requirement for a 6-foot solid wood fence to be constructed along the east property line because the building will be placed on the property with a blank wall on the east side of the property to serve as a screening fence.

The Staff advised if a solid blank wall is placed on the east property line the screening fence requirement could be deleted. The Staff then questioned if the applicant would be storing anything outside on the north side of the building which would be visible from the east and Mr. Elliott answered in the negative. Mr. Gardner suggested that Condition #3 be amended to provide that the east end of the building be a solid wall and that no outside storage of supplies be permitted on the north side of the building.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, and to include the amendment to Condition #3 as follows:

- (3) That the east end of the building be a solid wall and that no outside storage of supplies on the north side of the building be permitted.

Lot 6, Block 1, Lee Dell Addition to the City of Tulsa,
Tulsa County, Oklahoma.

Z-5910 Norman (Hamilton) South and East of East 91st Street and South
Darlington Avenue (AG, RS-1 to RS-3)

PUD #350 Norman (Hamilton) South and East of East 91st Street and South
Darlington Avenue (AG, RS-1)

Chairman Kempe advised that the Commission is in receipt of letter from David Elliott requesting that the zoning and PUD be continued until February 1, 1984 (Exhibit "B-1").

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to continue consideration of Z-5910 and PUD #350 until Wednesday, February 1, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5911 Present Zoning: RM-T
Applicant: Lindsey, C. H. Proposed Zoning: OL
Location: East of the SE corner of 71st Street and Memorial Drive

Date of Application: December 1, 1983
Date of Hearing: January 11, 1984
Size of Tract: 2.5 acres

Presentation to TMAPC by: C. H. Lindsey
Address: 4303 South Lewis Avenue Phone: 747-4475

Relationship to the Comprehensive Plan: Z-5911

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.5 acres in size and located east of Memorial Drive and north of 76th Street. It is partially wooded, gently sloping, vacant, and zoned RM-T.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land zoned RM-T, on the east and south by a developed single-family neighborhood zoned RS-3/PUD, and on the west by vacant land zoned OL.

Zoning and BOA Historical Summary -- Past zoning actions in the surrounding area have allowed the subject tract to be zoned residential, but at an intensity greater than the RS-3 identified by the Development Guidelines.

Conclusion -- Because of the interior location and no frontage on a major street, the Staff believes the appropriate land use on the subject tract is residential. The existing RM-T District which permits single-family attached housing is more compatible with the existing single-family east of the subject tract, and is an appropriate transitional use between the single-family and the commercial and office zoning pattern west of the subject tract.

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

For the record, if the Commission is inclined to compromise the established land use relationship in the area, be convinced the applicant has a buildable project. The office market is weak at this time and additional retail zoning or Board of Adjustment approval for apartments in an OL zoning may be forthcoming if the case is developed as offices.

Applicant's Comments:

Mr. Lindsey requested that the zoning be changed to allow one-story office buildings rather than two-story townhouses. The 27 townhouses on the property will be sold individually. Mr. Lindsey stated he talked with several of the property owners in the area who would rather have the one-story office buildings than the two-story townhouses.

Application No. Z-5911 (continued)

Mr. Beckstrom felt that Mr. Lindsey's property is literally landlocked with the exception of access to 74th and Mr. Lindsey was in agreement. Mr. Beckstrom was concerned with access from the subject property and Mr. Lindsey advised he owns a 50-foot strip of land which could be a private street.

Interested Party: Joe Willis

Address: 8513 East 75th Street

Interested Party's Comments:

Mr. Willis stated he was not opposed to the proposed zoning change, but was concerned with the drainage of the subject property across his property. He stated he would rather have the one-story office buildings constructed as proposed rather than townhouse units which would be permitted under the present zoning. The Staff addressed the drainage concerns and advised that the plans would have to be approved by the City Hydrology Department. There was also some discussion concerning access from the subject property. Mr. Gardner advised if the subject tract is developed the property must be platted and the public street will have to be extended out to Memorial Drive.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Flick, C. Young, Inhofe, "absent") to DENY the request for OL zoning on the following described property:

The SE/4, NE/4, SW/4, NW/4 of Section 12, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

Application No. Z-5912
Applicant: Hollinger (McHoll)
Location: 74th Street and Memorial Drive

Present Zoning: CS, RM-T
Proposed Zoning: OL

Date of Application: December 1, 1983
Date of Hearing: January 11, 1984
Size of Tract: 5 acres, more or less

Presentation to TMAPC by: Kenny Smith
Address: 7920 East 55th Street

Phone: 622-0194

Relationship to the Comprehensive Plan: Z-5912

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5 acres in size and located 660' east of Memorial Drive both north and south of 74th Place South. It is partially wooded, gently sloping, vacant, and zoned RM-T.

Surrounding Area Analysis -- The tract is abutted on the north by a developing commercial and office complex zoned CS/OL/PUD, on the east by a developed single-family neighborhood zoned RS-3/PUD, on the south by vacant land zoned OL and RM-T, and on the west by vacant land zoned CS.

Zoning and BOA Historical Summary -- Past zoning actions in the surrounding area have allowed the subject tract to be zoned to a residential intensity greater than the RS-3 identified by the Development Guidelines. In addition, the western 330 feet of the subject tract was previously zoned OL.

Conclusion -- The Staff believes the appropriate land use on the subject tract is residential; however, given the past zoning actions approved on the subject tract and abutting zoning patterns, we could support OL on the west 330 feet. Keeping the existing RM-T zoning on the eastern portion of the tract will provide an appropriate residential transition between the single-family neighborhood east of the tract and the commercial and office zoning pattern to the west.

Therefore, the Staff recommends APPROVAL of OL on the west 330 feet and DENIAL on the remainder.

For the record, if the Commission is inclined to compromise the established land use relationships in the area, be convinced the applicant has a buildable project. The office market is weak at this time and additional retail zoning or Board of Adjustment approval for apartments in an OL District may be forthcoming if the entire area is not developed as offices.

Application No. PUD 271-A

Present Zoning: RS-3, RM-0

Applicant: Riddle (Sheridan-Pond Condominiums)

Location: SW corner of 81st Street and South Sheridan Road

Date of Application: December 1, 1983

Date of Hearing: January 11, 1984

Size of Tract: 20 acres

Presentation to TMAPC by: Richard Riddle

Address: 5314 South Yale Avenue, Suite 200

Phone: 494-3770

Staff Recommendation: PUD #271-A

Planned Unit Development #271-A is located south and west of the southwest corner of 81st Street and South Sheridan Road. It is zoned a combination of RS-3, RM-0 and PUD and it is approved for 202 residential dwelling units and accessory recreational uses. The applicant has recently had approval for a minor amendment to the Development Plan in order to change building configurations and locations. He is now requesting a major amendment to increase his maximum number of units from 202 to 240.

The Staff has reviewed the applicant's Outline Development Plan and find that the additional 38 units requested can be supported by using the 5,000 square feet of land area per dwelling unit required by Section 440.3 of the Zoning Code that addresses duplex use in an RS-3 zoned district.

Since the duplex use would be an appropriate use in this area, the Staff can support the density allowed with this use under the protection of the PUD. In addition, the Staff feels that 38 more units added to the existing 202 units will not significantly impact the project or the surrounding area.

Therefore, the Staff recommends APPROVAL of the increase in the maximum number of dwelling units from 202 to 240 units, subject to the Amended Outline Development Plan submitted and all other conditions as previously approved.

Applicant's Comments:

Mr. Richard Riddle, attorney, represented the Thomas J. Eckrick Corp., who owns the tract. This PUD application was before the Commission approximately 2 weeks ago for a minor amendment request to the existing PUD which currently permits 202 units in an effort to relocate the buildings. Mr. Riddle felt the subject request was a minor amendment, but felt it advisable to advertise and come before the Commission in this manner. The applicant is asking for the opportunity to use 5,000 square-foot per dwelling unit on the RS-3 zoned portion of the tract to compute the total number of dwelling units in the project. The applicant has requested an increase of 38 dwelling units which has been determined to be within the underlying zoning.

Protestants: Barbara Price

Address: 8432 South Sheridan Road

Protestant's Comments:

Mrs. Price stated she is the president of the Hope Unitarian Church located at 8432 South Sheridan Road and the Church was not aware of the PUD application as amended. She requested that the matter be continued for a period of two weeks to allow time to research the request in terms of increased traffic and the increase in density.

Application No. PUD 271-A (continued)

Applicant's Comments:

Mr. Riddle advised that the continuance request was not timely filed and felt that request is not feasible. Representatives of the Thomas Eckrick Corporation flew in from Indiana and are present for the hearing today and any delay in the action would cause enormous expense to the applicant.

Dr. Moore, abutting property owner, spoke up in support of the application.

Mrs. Higgins did not feel that the request was a major increase in density and felt the Commission should take action today. Mr. Gardner advised that the current density is approximately 10.1 dwelling units per acre and the new proposal would permit approximately 12 dwelling units per acre.

TMAPC Action: 7 members present

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Flick, C. Young, Inhofe, "absent") to DENY the request for a two-week continuance.

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

The NE/4 of the NE/4 of the NE/4, LESS and EXCEPT the North 417.42' of the East 512.77' thereof; AND ALSO the E/2 of the NW/4 of the NE/4 of the NE/4; AND ALSO the SE/4 of the NE/4 of the NE/4, ALL in Section 15, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

SUBDIVISIONS:

Final Approval and Release:

Star Center Addition (2483) SE corner of 91st Street and Memorial Drive
(CO)

Star Center II Addition (1683) NW corner of 91st Street and South Yale
Avenue (CS)

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

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Flick, C. Young, Inhofe, "absent") to approve the Final Plats of Star Center and Star Center II Additions and re-release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #216-3 Smith

Amendment to Front Setback:

Request for an amendment to front setback from 35' to 30' to allow for a porte-cochere.

Chairman Kempe advised that the Commission was in receipt of a letter from the applicant requesting a one-week continuance to meet with all of the homeowners and to work out any differences (Exhibit "C-1"). She proceeded to read the letter.

Mr. David Bagley, 2409 East Skelly Drive, attorney for the Hunter's Pointe Property Owners' Association stated that continuance at the January 4, 1984, meeting was at the request of the Commission to allow notice to be given to the surrounding property owners. Many of the homeowners in the area are present for this hearing and it was requested that the matter be acted upon by the TMAPC today. Mr. Bagley stated he received a phone call from the applicant yesterday afternoon in his response to what the Commission suggested for the applicant in contacting the homeowners to work something out.

The Commission stated it was their intent to continue the matter at the previous hearing to allow the applicant and homeowners to meet together to work out a compromise between themselves. They felt there would be an effort from both sides in working for a compromise. Mr. Beckstrom suggested that the Commission hear from the protestants concerning their efforts in contacting the applicant concerning this matter.

Mr. Roger Seamans, 4235 East 96th Place, who is a property owner in the area and a member of the Architectural Review Committee, stated his understanding of the continuance was for the neighbors to substantiate the support of the community which has been done by circulating a protest petition in the immediate area and has been endorsed by the property owners. The neighborhood and committee feel that the builder is not in compliance with the covenants.

Application PUD #216-3 (continued)

There was discussion concerning the purpose of the continuance and it was the Commission's intention for both parties to make an effort to meet together for the purpose of solving any conflicts which might exist.

Mark Johnson, 9724 South Richmond Avenue, stated he lives within 300' of the subject property and has been contacted by the applicant. Mr. Johnson stated at this point he is against the porte-cochere unless the encroachment can be worked out by the Architectural Review Committee with something that can be agreed upon. He felt that the covenants in the subdivision need to be enforced and the Committee has not approved the applicant's plans.

Richard Knoblock, 9722 South Sandusky Avenue, stated he was in complete agreement with Mr. Johnson.

On MOTION of RICE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Woodard, "aye"; no "nays"; no "abstentions"; Flick, C. Young, Inhofe, "absent") to continue consideration of PUD #216-3 until Wednesday, January 18, 1984, at 1:30 p.m., in Langenheimer Auditorium, City Hall, Tulsa Civic Center.

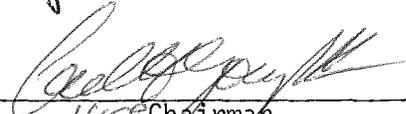
Mr. Seamans requested a copy of the January 4, 1984 Minutes concerning PUD #216-3.

Commissioner Rice apologized to all the people who were present today, however, the case was continued because there was a need for the builder and property owners to work together to solve their differences.

There being no further business, the Chair adjourned the meeting at 3:55 p.m.

Date Approved

January 25, 1984.


Vice Chairman

ATTEST:


Secretary