

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1510
Wednesday, June 20, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday June 19, 1984, at 1:10 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman C. Young called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nay"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the Minutes of June 6, 1984 (No. 1508) and June 13, 1984 (No. 1509).

REPORTS:

Report of Receipts and Deposits:

The Commission was advised this report is in order.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the report of receipts and deposits for the month ended May 31, 1984.

Committee Reports:

Comprehensive Plan Committee - Mr. Woodard advised that the committee met informally on June 6, 1984, to discuss the proposed amendments to the District 7 Plan and on June 13, 1984, to discuss the proposed District 8 Plan amendments. No formal vote was taken, however, the committee members who were present favored recommending approval of the proposed changes and amendments.

SUBDIVISIONS:

Preliminary Approval:

Fairway Park (PUD #347) (382) 6500 Block of South 28th West Avenue (RS-3)

Mohawk Park Addition (PUD #363) (1503) SE corner of East 39th Street North
and North Yale Avenue (RMH and FD)

Union Building (784) South side of East 71st Street, East of South 103rd
East Avenue (CS)

Oxford Place (383) West side of South Sheridan Road at East 66th Street (OL)

Chairman Young advised that these 4 items need to be continued until July 11, 1984.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of the above stated preliminary plats until Wednesday, July 11, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Holmes Square (2592) SW corner of East 45th Place and South Peoria Ave. (CS)

Chairman Young advised that this preliminary plat also needs to be continued until July 11, 1984, but there was an interested party present concerning this item. The interested party stated that he had no objection to a continuance.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of the Preliminary Plat of Holmes Square until Wednesday, July 11, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Final Approval and Release:

Tower Court (2392) North of the NE corner of 37th Place and Riverside Dr.
(RM-T)

Southwood Condos (PUD #320) (1783) 8200 Block of South Delaware Avenue
(RD and RS-2)

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

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent")

Tower Court and Southwood Condos Additions (continued)

to approve the final plats of Tower Court and Southwood Condos and release same as having met all conditions of approval.

Extension of Approval:

Stockton Industrial Acres (3472) NW corner of 181st Street and Okmulgee
Beeline (IL)

The Staff received a request from the applicant requesting an extension of time. The Staff has no objection to an extension of one year.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve a one-year extension for the plat of Stockton Industrial Acres.

Waiver of Plat:

Z-5478 Unplatted (2402) SE corner of East 36th Street North and Midland
Valley Railroad (CS)

Chairman Young advised that this item needs to be withdrawn, (as requested by the applicant).

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to withdraw waiver of plat for Z-5478.

BOA #13148 Mingo Valley Subdivision #1 and Unplatted (3603) South side of
East Latimer Street, at North 91st East Avenue (RS-3)

This request is to waive plat on a 15-acre tract that contains the John Ross Elementary School. The Board of Adjustment approved a request to locate a "Headstart" program in the existing school building on May 31, 1984. Since nothing will physically change there is no need for a plat and approval of the waiver is recommended.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the request to waive Plat for BOA #13148.

Change of Access:

Phillips Ponderosa #1 (894) NW corner of East 21st Street and South 129th
East Avenue (CS)

The purpose of this request is to move one access point on 21st Street approximately 30' east and eliminate one access. This results in a reduction of access points on this lot from a total of four to three. The Traffic Engineer and Staff have approved the request.

Phillips Ponderosa #1 (continued)

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the requested change of access for Phillips Ponderosa #1.

LOT SPLITS:

Lot Splits for Discussion:

L-16185 Glen Peterson (193) SW corner of 5th Place and 83rd East Avenue
(RS-1)

In the opinion of the Staff the lot split listed below meets the Subdivision and Zoning Regulations, but since the lot may be irregular in shape, notice has been given to the abutting owner(s) so that property owners in the area may be aware of the application. (Auth: Planning Commission Meeting #1505, page 1; May 9, 1984) Approval is recommended.

Mr. Wilmoth stated this lot split was on the agenda for prior approval at the last Land Division Meeting and it was continued because there was an interested party present who had a question on the lot split. The only reason that this lot split is on the agenda is for discussion because the lot has more than three sides. In accordance with the Commissions' instruction the Staff is bringing all of those lot splits before the Commission for their review.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve Lot Split #16185.

L-16200 6100 Memorial Associates (3693) NE corner of 61st Street and
Memorial Drive (CS)

Mr. Wilmoth advised that this fits the criteria which the Commission established for a lot split with more than three sides. This is an entirely commercial property and is a large tract containing 60 acres. The lot split is to do some phasing to split off the apartments and leave the other tracts. They all meet the zoning and have utility services, therefore, the Staff is recommending approval of this lot split.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve Lot Split #16200.

L-16221 Harrison Butler (1993) North and West of 37th Street and
Terwilliger Boulevard (RS-2)

In the opinion of the Staff the lot split listed above meets the Subdivision and Zoning Regulations, but since the lot may be irregular in shape, notice has been given to the abutting owner so that property owners in the area may be aware of the application. (Auth: Planning Commission Meeting #1505, page 1; May 9, 1984) Approval is recommended.

L-16221 (continued)

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve Lot Split #16221, subject to Board of Adjustment approval.

Lot Splits for Prior Approval:

L-15986	(603)	Tomey Gillum	L-16210	(1793)	Mabelle Waid
16175	(3303)	Howard Smith	16211	(1392)	Mark Patton
16202	(3392)	Gerald Wells	16213	(393)	Silverstein Inv.
16203 & 16209	(1291)	Kerr Consolidated	16214	(3214)	Allen Dunn

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") that the approved lot splits listed above be ratified.

Lot Splits for Waiver:

L-16182 Robert Buchanan (3091) West of the NW corner of West 51st Street and South 161st West Avenue (AG)

This is a request to split a 125.5' x 347.5' lot from a 2.68 acre tract that is zoned AG. This split will require a variance of the bulk and area requirements from the County Board of Adjustment. The Staff notes that there is a similar sized lot to the west of the subject tract. Sand Springs has indicated water service can be provided. They further requested a 15' utility easement parallel to the 51st Street frontage. Fifty-first Street is on the Major Street Plan as a collector which indicates a minimum width of 30' from the centerline. (The applicant has not requested waiver of the Major Street Plan requirement.) Approval will be subject to:

- (a) County Board of Adjustment approval,
- (b) Health Department approval of septic systems, and
- (c) 15' utility easement parallel to 51st Street.

The applicant was not represented.

The Technical Advisory Committee and Staff recommended approval of the Lot Split #16182, subject to the conditions outlined by the Staff.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the request to waive the lot split requirements for Lot Split #16182, subject to the above stated conditions.

L-16183 Beverly Hart (1482) West of the NW corner of 91st Street and Elwood Ave.
(AG)

Request to split off a 145' x 225' lot from a 2 1/2 acre tract. This tract is zoned AG and it will require a variance from the Board of Adjustment. (AG zoning requires a 2.2 acre tract minimum.) Upon researching the surrounding area, the Staff found no similar sized lots in the immediate area. Excluding the Major Street Plan right-of-way (50' from centerline) the net lot size will be 145' x 225.31', or .58 acre. The Staff notes that the remainder of the 2 1/2 acre tract is to be attached to the larger parcel, originally being the SW/4, SE/4 containing 40 acres. With this much land available, the applicant was advised that there were two other alternatives, one being to enlarge the minimum size of the lot to be split to meet the AG zoning. (200' width and 2 acres) or leave it as a 2 1/2 acre tract and withdraw the lot split application. The applicant has not requested waiver of the Major Street Plan requirements. If approved as submitted, it will be subject to Board of Adjustment approval, Health Department approval of septic system and any utility easements and/or extensions required.

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

Since there were other alternatives, the T.A.C. felt those would be adequate due to the size of the tract involved.

The Technical Advisory Committee and Staff recommended DENIAL of L-16183 since there were two other alternatives and there were no lots this small nearby.

Mr. Steve Horn, 4410 South 33rd West Avenue, attorney representing the applicant addressed two issues which the Commission raised. Mr. Horn stated there was originally a 40-acre tract which the subject tract was carved out of, however, as a condition of receipt for the original tract the applicant is contractually obligated to convey a portion of the tract back. The applicant must convey a portion of it back, otherwise, a rite of specific performance arises. The transaction was conducted in this manner, but due to a misunderstanding the applicant was advised when the application was first made that this was the proper procedure to build a house on the 2 1/2 acre tract. She would then receive a lot split. The applicant has the alternative to either enlarge the lot size to meet the minimum (2.2 AG acres) or to leave it as is. As a contractual standpoint these are not options to the applicant.

Mr. Horn stated that there are several small lots in the immediate area. The applicant has submitted a letter from the surrounding property owners stating that they are not opposed to development of the lot on the 2 1/2 acre tract. He did not feel that this would set a precedent for smaller lots because there are presently smaller lots in this area. He concluded by stating that a denial of the waiver would create a great financial hardship for the applicant.

Ms. Beverly Hart submitted photographs of neighborhood houses which are located on lots containing less than 2 1/2 acres and a photograph of the back portion of the 40-acre subject tract and the Harts' house which is located on the front portion of the tract (Exhibit "A-1"). Ms. Hart stated that she was advised that the house could be built, the application for a lot split could be made.

L-16183 (continued)

Mr. Gardner felt that the applicant had been advised that a lot split was needed if it was less than 2 1/2 acres or if it was more than 2 1/2 acres a lot split was not necessary. A legal description for a larger piece of property could have been submitted to the Building Inspector, which possibly could have been done. Mr. Wilmoth advised if you make application for a Building Permit in the County and a description of the 2 1/2 acre tract was submitted the Building Inspector looks up the record at the Court House to see if it is on record in their name. The City does not use that procedure to assure that it is a separate parcel. This property is in the Tulsa City Limits with Jenks just across the street to the south and the property is just inside the City Limits to the north.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the request to waive the lot split requirements for L-16183, subject to Board of Adjustment approval and Health Department approval of the septic system and any utility easements and/or extensions required.

L-16187 and L-16190 Dennis Hall (3492) North and West of the NW corner of 58th Street and Union Avenue (RD)

This is a request to split eight (8) duplexes into sixteen (16) individual units. (Duplexes are under construction). This split would require a variance of the Bulk and Area requirements in the RD District. The Staff recommends approval of this request based on the size of the lots in the area, and because no increase in density would occur in the splitting of these duplexes. This recommendation to the TMAPC would be subject to the approval of the Board of Adjustment, a common wall and utility agreement, and any utility easements that may be necessary to better service the subject tracts. Stem wall surveys have been furnished showing the actual foundations as built.

The applicant was represented.

In review, it was noted that it would be easier from a standpoint of paper work to just replat this subdivision to provide the individual lots for each side of the duplexes. However, the structures are not all being built at one time and the applicant must furnish "as built" stem wall surveys before the lots could be split. This is the reason it is being done a few lots at a time, as they are constructed and the surveys are available.

Portions of some of the tracts do not abut the sewer. A redesign of the lot and/or a common sewer and/or utility maintenance agreement will be necessary.

The Technical Advisory Committee and Staff recommended approval of the L-16187 and L-16190 Lot Splits, subject to the conditions outline by the Staff, including:

- (a) Board of Adjustment approval;
- (b) expand existing easements to standard widths 11' or 17½';
- (c) new utility easement 5' on each side of tracts A and B;
- (d) common wall and utility maintenance agreement; and
- (e) provide access to sewer for tracts B, F, G & H.

L-16187 and L-16190 (continued)

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to approve the request to waive the lot split requirements for L-16187 and L-16190, subject to the above stated conditions.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE TULSA COUNTY ZONING CODE, SECTION 1690.1

Commissioner Rice suggested that this item be continued to the next public hearing due to the interest of time today. There was an interested party present who had no objection to the continuance.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of the Public Hearing on Proposed Amendments to the Tulsa County Zoning Code, Section 1690.1 until Wednesday, June 27, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

CONTINUED ZONING PUBLIC HEARING:

PUD #359 Bob Latch 77th Street and East side of South Memorial Drive (AG)

Chairman Young advised that this zoning matter needs to be continued to July 11, 1984. A letter requesting the continuance was submitted by the applicant (Exhibit "B-1").

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of PUD #359 until Wednesday, July 11, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Applications No. Z-5945 and PUD 365

Applicant: Jones (Thieman)

Location: Between 18th and 19th Streets at Riverside Drive

Present Zoning: RM-2

Proposed Zoning: RM-3, FD

Date of Application: May 2, 1984

Date of Hearing: June 20, 1984

Size of Tract: 1.847 acre

Presentation to TMAPC by: Bill Jones

Address: 201 West 5th Street - 74103

Phone: 581-8200

STAFF RECOMMENDATION: Z-5945

Relationship to the Comprehensive Plan:

The District 7 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Residential.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RM-3 District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.847 acres in size and located at the SW corner of 18th Street and South Carson Ave. It is partially wooded, sloping, contains two single-family structures and zoned RM-2.

Surrounding Area Analysis -- The tract is abutted on the north, east and south by a mixture of single-family and multifamily uses zoned RM-2, on the northwest by a multifamily complex zoned RM-3 (PUD), and on the west by Riverside Drive and the River Park zoned RM-2.

Zoning and BOA Historical Summary -- Past zoning actions have maintained the area south of 17th Place and east of Denver Avenue and extending to Boulder Park as medium intensity.

Conclusion -- Based upon the Comprehensive Plan, existing land uses and surrounding zoning patterns the Staff recommends DENIAL of the requested RM-3.

STAFF RECOMMENDATION: PUD #365

The subject tract is located at the NE corner of Denver Avenue and Riverside Drive. It is approximately 1.8 (net) acres in size and zoned RM-2. The applicant is also requesting a change in zoning from RM-2 to RM-3 which the Staff cannot support because of the Comprehensive Plan's medium intensity designation. However, the Comprehensive Plan for District 7 is under review and the proposed revised plan indicates that this intersection should be an activity center and would be appropriate for higher intensity uses, given public review of the project to insure that the infrastructure is adequate to serve the project.

The applicant is proposing a 120 unit residential development and the present zoning will support 104 units, a difference of 16 units. If the Planning Commission can support zoning a small portion of the tract RM-3 based upon the above stated facts and a revised District Comprehensive Plan, the Staff could find the proposed PUD to be consistent with the PUD Chapter of the Zoning Code. Otherwise we cannot support the 120 unit

Z-5945 and PUD #365 (continued)

density and recommend APPROVAL of a density no greater than 104 units.

Therefore, the Staff recommends APPROVAL of PUD #365, 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):	125,428 square feet
(Net):	80,455 square feet
Permitted Uses:	Multifamily Dwellings and Accessory Uses
Maximum No. of Dwelling Units:	104 units (120 units)
Maximum Building Height:	3 stories/48 feet*
Minimum Livability Space:	20,800 sq. ft. (26% of net site)
Minimum Off-Street Parking:	1.5 spaces per one bedroom or less 2 spaces per 2 bedrooms or more.

*Minimum Building Setbacks:

From Right-of-Way of Riverside Drive:	20 feet**
From Centerline of West 18th:	48 feet
From Centerline of West 19th:	55 feet
From Right-of-Way of S. Denver Avenue:	35 feet**
From Centerline of South Carson Avenue:	55 feet

(3) Signs for the project shall meet the residential sign standards of the PUD Ordinances of the City of Tulsa.

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

(5) That a Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy, including all landscaping as shown and discussed in the Outline Development Plan.

(6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

*These setbacks reference only those portions of the building above grade. The basement portion of the building extends to the property line for a substantial distance along the north and east sides of the building and north and east boundaries of the property as shown on the site plan of the project.

**These setbacks are consistent with the setbacks of PUD #330 to the west.

Applicant's Comments:

Mr. Bill Jones represented Lincoln Property Company of Dallas and submitted to the Commission copies of the PUD Text (Exhibit "B-1"). Mr. Jones pointed out some of the unique features of the subject tract and stated that it is one of the few tracts under common ownership that is completely surrounded by streets with Riverside Drive to the southwest, Denver Avenue on the west, 18th Street on the north, South Carson on the east and 19th Street on the southeast.

The highest point on the subject tract is located at the northeast corner at the intersection of 18th and Carson which is approximately 672' in elevation and drops off rather abruptly to its lowest point which is 640' at the southwest corner. There is presently a 2-story residential structure with a 2-story garage and quarters on the property which will be removed upon the development of the proposed project. Mr. Jones then pointed out the surrounding uses in the area. It was advised that the District 7 Plan is in the process of being revised to accommodate for the activity center and that at least a portion of the proposed project is located within that designated area.

The zoning in the area is of a mixed nature. The RM-3 zoning request is being sought primarily to accommodate for the proposed project. The RM-2 zoning presently in place would accommodate 104 dwelling units, but the RM-3 zoning would accommodate the proposed 120 units. A second reason that the RM-3 zoning was requested was the need for a 48' maximum height elevation because of a proposed parking structure. The structured underground parking will extend to the property line with no setbacks, and the applicant was unsure if it could be extended to the edge of the property line under RM-2 zoning. Another consideration in the requested zoning was that of density. The applicant feels that 120 units are needed to make the project economically feasible and to build a high quality project. The Staff is recommending a strip 50' along the west side to be zoned RM-3 and the remainder to keep its present zoning of RM-2 which would permit the project with minor modifications. The applicant would be willing to accept that but would rather have the tract entirely zoned RM-3 in lieu of the above stated features and facts concerning the subject property.

The proposed development consists of a 3-story apartment building with basement parking. The structure will contain 120 units with sloped roofs and brick exterior. The three-story building will begin at a height of 34' at one end and will extend to a 48' height maximum because of the slope on the tract. There will be 2 controlled entrances one from 18th Street and one from Carson Avenue. There are no entrances onto Riverside Drive because of the traffic conditions in that area. Mr. Jones described the controlled access to the property and advised that the structured parking will all be contained underground underneath the building. The interior circulation will be a 24' drive curbed and guttered that will provide entrance to the underground parking.

The project will consist of 93 one-bedroom units and 27 two-bedroom units. There will be 200 parking spaces provided for the project which is 6 spaces over that required by the Zoning Code. At the time the application was filed the applicant was requested by the City to grant additional right-of-way on Riverside Drive and since the filing that right-of-way has been given for the purposes of widening. They are in the process of making street improvements for Riverside Drive, but that does not affect the density question, based on what the City calculated.

Z-5945 and PUD #365 (continued)

Mr. Jones then reviewed the development standards and soil analysis and briefly discussed the landscaping plan. There is a requirement under the PUD which will require that the Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy. Mr. Jones stated that the applicant does not object to submitting a Detail Landscape Plan but would object to installing the landscaping prior to occupancy.

<u>Protestants:</u>	Norman Turnbo	Addresses:	1822 South Cheyenne Avenue
	John Bringenberg		1803 South Carson Avenue
	David Reynolds		1823 South Carson Avenue
	Joe Snell		1811 South Carson Avenue
	Peter Childs		1819 South Carson Avenue
	Betty Bolton		213 West 19th Street
	Meg Gormley		1823 South Carson Avenue
	Pat Bringenberg		1803 South Carson Avenue
	James Thomas		1318 South Carson Avenue
	Barbara Ballard		1826 South Cheyenne Avenue

Protestant's Comments:

Mrs. Norman Turnbo, District 7 representative of the Greater Tulsa Council, submitted a protest petition bearing 220 signatures of property owners who are opposed to any zoning change from RM-2 to a higher intensity (Exhibit "B-2"). She stated that the main concern of the residents in the area is the inadequate sanitary sewer system. Mrs. Turnbo stated that she would like to request the City to do a study on all of District 7 in relation to the sanitary sewer system because of the new Comprehensive Plan being proposed and the new developments which will be added to this area.

Mr. John Bringenberg advised that there are single-family homes or individual dwelling units along South Carson surrounding the subject property that have been appraised for over \$100,000 each. Mr. Jones suggested that the applicant is requesting the 120 units as opposed to 104 units because the lesser amount would not be economically feasible. It was Mr. Bringenberg's opinion that the Commission should not consider the economic feasibility of a project as being a part of a zoning request.

He felt that the term infrastructure should not only refer to the concerns of sewage but also water pressure, parking and various problems that a 104 unit structure placed on the property would encourage. He requested that the development not be allowed to increase the zoning intensity or height requirement to 48'. He stated he was also opposed to the 50' strip of RM-3 zoning which the Staff suggested. He felt that RM-2 zoning was written in the Plan for a purpose and did not feel that the Commission should alter the zoning category.

Mr. David Reynolds stated that there are and have been many older homes in the subject area. He felt that the Commission should take into consideration the nature of this neighborhood in making their decision on the zoning and PUD. He did not feel that the type of development proposed would contribute to the character of the neighborhood and would raise the property values for the people who live in the owner occupied houses in the area.

Mr. Joe Snell stated that he is extremely concerned with the sewage in the area because of the problems experienced as a result of sewage going through the sewer line and up through the manholes and in peoples yards. He was

Z-5945 and PUD #365 (continued)

also concerned about the possibility of flooding in this area.

Mr. Peter Childs stated he was not opposed to the RM-2 zoning and the development which would be permitted under that classification but is opposed to RM-3 zoning and PUD as proposed. He advised that this area is one of the few areas that is a single-family residential area with the houses occupied by the owner. This area is unique and historical in nature. If the project is approved it was felt that increased traffic congestion and hazards would result. There are many children in the area which need to be considered when traffic and safety questions are addressed.

Mrs. Betty Bolton stated that her main concern was the sanitary sewer system in the area and its inadequacy.

Ms. Meg Gormley stated that the residents in this area have been very patient and generous in allowing a number of uses in this area, but we need to examine the matter to see if that is affecting the integrity of the neighborhood. Ms. Gormley felt strong that these events had affected the area and will continue to do so unless someone puts a stop to that occurring.

Mrs. Pat Bringenberg said that she has a small child and was concerned about increased traffic if the proposed project is approved. She stated that she was advised that 19th and Carson and 21st and Cheyenne will eventually be cul-de-saced. She felt that this matter should be taken into consideration before any construction is started in terms of access into the neighborhood.

Mr. James Thomas felt that the concentration of the individuals who would be living in the proposed project would damage the River Parks area. He felt that the character of the neighborhood should be preserved.

Mrs. Barbara Ballard stated that she is a member of the Comprehensive Plan Update Committee. She advised that the cul-de-sacing of 19th and Carson and 21st and Cheyenne is a part of the new plan which this Commission will act on next week. She again stressed the problems encountered with the sanitary sewer system in the area and advised that her house has backed up 4 times in the past four years.

Applicant's Rebuttal:

Mr. Jones first addressed the sanitary sewer problem and felt that this issue is a part of the platting and engineering stage of development of the property. He stated that he too shared the concerns of the neighborhood if indeed there is inadequate sanitary sewer. He advised there is an 8' sanitary sewer line on Riverside Drive so, therefore, the applicant would not be using the sanitary sewer and flowing it up the hill to the sanitary sewer that now serves on Cheyenne and Carson.

He advised that the storm sewer would be a direct access to the Arkansas River from the subject property, and the treatment of the storm sewer water would be handled in the platting process. He assured the Commission that a Building Permit would not be issued until those two matters were properly addressed.

Mr. Jones then addressed one of the concerns expressed which was the problem of density. The applicant is only proposing 16 more units than could be

Z-5945 and PUD #365 (continued)

placed on the tract under the existing RM-2 zoning. The proposed project would consist of 147 bedrooms. Under the present zoning with a PUD and RM-2 zoning 208 bedrooms would be permitted. By using the PUD the applicant is restricting their intensity of use considerably below that which could be developed under a PUD with the existing zoning. He stated that compared to the surrounding development the proposed project is far superior and a first quality project. There are other projects of equal or higher density in the immediate area. Because of the difference of elevation the project will not be any higher than any other project in the area with the exception of 10% of their project will be on the same level of height.

Mr. Jones stated that the applicant is amending his application to meet the Staff's Recommendation to seek RM-3 only on the west 50' with the rest of the tract to remain RM-2. It was advised that 120 units need to be granted for the development to be economically feasible and to do a quality project. The applicant will work with the neighborhood on the landscaping.

Comments:

Mr. Connery asked that the Staff comment on the sewage impact this development would have on the other two lines. Mr. Gardner felt that this area is developing at a greater intensity than when it was first developed. The sewer system built on this property was not designed to accommodate the higher intensity development by zoning or by plan. In this instance the applicant may be required to do something that would allow the property to sewer at those higher densities. There was some discussion if there is replacement of those sewers. The Staff was unsure if that was a consideration on the capital improvement list. It was advised that the off-site improvement issue would be dealt with at the time of platting.

Mayor Young stated that although the sewer review would occur at the time of platting it was suggested that if the PUD is approved that we require that there will be a special review of those sewer concerns at that time. Mr. Gardner suggested that the Commission might require a report from the City Water and Sewer Department addressed to the Mayor and Board of City Commissioners prior to the City's action.

The height of the proposed project was discussed, and the Staff stated they did not have a problem with the height request because encroachment would occur only at the bottom of the hill and they are maintaining less than 35' at the top of the hill. The height closest to the houses meet the Code for RM-2.

Mayor Young asked a direct question to Mr. Childs who raised the concern of height restrictions. Mr. Childs stated he was opposed to the RM-3 height but in support of RM-2 height restriction. Mayor Young advised that the height would be 35' on the north end and 48' down at 19th Street with a gradual height increase as it goes down the hill. Mr. Childs stated that that fact does not detour his opinion about the height overall and still feels that 35' in RM-2 zoning should be the maximum permitted.

Mr. Gardner advised that the present structure is located at the top of the hill and he felt that the structure at its highest point on the downward slope is much greater than 35'. Mr. Gardner advised that these drawings and plans are a part of the PUD and this applicant would have to meet the intent of what is shown. Chairman C. Young stated that assuming that

Z-5945 and PUD #365 (continued)

none of this property is rezoned RM-3 could the PUD be approved with the additional height with the lesser number of units, and the Staff answered in the affirmative. The way the Staff Recommendation is written it was to utilize the 48' height per their drawings but with the reduced density.

Instruments Submitted: PUD Text (Exhibit "B-1")
Protest Petition bearing 220 signatures (Exhibit "B-2")

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-1 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; Higgins, "abstaining"; Beckstrom, Draughon, Flick, Hinkle, "absent") to DENY the request for RM-3 zoning on the following described property:

Z-5945 Legal Description:

A tract of land containing 1.847 acres that is a part of Block 4 of Buena Vista Park, an Addition to the City of Tulsa, Tulsa County, Oklahoma, and also that part of West 18th Street vacated by Ordinance Number 1831, said tract of land being described as follows, to wit: Beginning at the Southeast corner of Lot 16 of said Block 4; thence South 57°-43'-02" West and along the Southerly line of Block 4 for 55.32 feet; thence North 31°-23'-51" West for 427.00 feet; thence North 01°-44'-35" West for 87.58 feet to a point 7.00 feet Northerly of the North line of Lot 7 of Block 4; thence North 89°-51'-58" East and parallel to the Northerly line of Block 4 for 270.90 feet to a point 7.00 feet Northerly of the Northeast corner of Lot 1; thence South 00°-08'-02" East and along the Easterly line of Block 4 for 423.10 feet to the Point of Beginning of Said Tract of Land.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-1 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; Higgins, "abstaining"; Beckstrom, Draughon, Flick, Hinkle, "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 forth in the Plan Text as recommended by the Staff, and that a full and complete report as to the adequacies and inadequacies of all sanitary sewer lines in the immediate area be provided by the Water and Sewer Department with any recommendation on how to improve that sewer system prior to the action on the PUD by the City Commission:

PUD #365 Legal Description:

A tract of land containing 1.847 acres that is a part of Block 4 of Buena Vista Park, an Addition in the City of Tulsa, Tulsa County, Oklahoma, and also that part of West 18th Street vacated by Ordinance Number 1831, said tract of land being described as follows, to wit: Beginning at the Southeast corner of Lot 16 of said Block 4; thence South 57°-43'-02" West and along the Southerly line of Block 4 for 55.32 feet; thence North 31°-23'-51" West for 427.00 feet; thence North 01°-44'-35" West for 87.58 feet to a point 7.00 feet Northerly of the North line of Lot 7 of Block 4; thence North 89°-51'-58" East and parallel to the Northerly line of Block 4 for 270.90 feet to a point 7.00 feet Northerly of the Northeast corner of Lot 1; thence South 00°-08'-02" East and along the Easterly line of Block 4 for 423.10 feet to the Point of Beginning of Said Tract of Land.

PUD #361 Jackson (Taylor) NE corner of Frankfort Avenue and 46th Street
North (CS, OL, P, and RS-3)

The Staff advised that this PUD needs to be continued to the July 11, 1984, hearing to allow the applicant time to submit all the information needed by the Staff to proceed with the final stages of the application process.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of PUD #361 until Wednesday, July 11, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

PUD #360 Poe & Associates (Tri-Angle) NW corner of 91st Street and Memorial
Drive (CS and RM-0)

Chairman Young stated that there was a request to continue this PUD for one week.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of PUD #360 until Wednesday, June 27, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5950 Union Properties (Richardson, Dryden) East 61st Street South and 99th
East Avenue (OL to IL)

Chairman Young explained that consideration of this zoning matter needs to be continued to July 18, 1984, as the Staff was in receipt of a letter of continuance (Exhibit "C-1").

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of Z-5950 until Wednesday, July 18, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5954 and PUD #364
Applicant: Johnsen (Reppe Dev. Co.)

Present Zoning: AG
Proposed Zoning: CS, RM-2, RS-3
and FD

Location: NE corner of 101st Street and Mingo Road

Date of Application: April 12, 1984
Date of Hearing: June 20, 1984
Size of Tract: 114.77 acres

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall - 74103

Phone: 585-5641

STAFF RECOMMENDATION: Z-5954

Relationship to the Comprehensive Plan:

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 at the intersection of 101st Street and Mingo Road, potential for Corridor at the extreme northwest corner, and Low Intensity -- No Specific Land Use on the remainder.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested CS, RM-2, and RS-3 Districts are in accordance with the Plan Map within the Medium Intensity designation, while the CS and RM-2 are not in accordance with the Low Intensity designation outside the node.

Staff Recommendation:

Site Analysis -- The subject tract is 114.77 acres in size and located at the northeast corner of 101st Street and South Mingo Road. It is partially wooded, rolling, contains one single-family dwelling and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land which has been approved but not published for CO, RM-0 and FD zoning, on the east by vacant land zoned AG, on the south by mostly vacant land and two single-family dwellings zoned AG, and on the west by vacant land and farther to the west a developing single-family area zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have established a 5-acre CS node with a 300-foot wrap-around buffer of RM-0 at the intersection of 101st and Mingo. Also, the northwest corner of the subject tract has the potential for CO zoning with a 300-foot RM-0 buffer.

Conclusion -- Given the surrounding zoning patterns, the tract would be suitable for only a 5-acre node of CS; however, the Comprehensive Plan designates a 10-acre node. The difference between this corner and the northwest corner which is zoned for only 5 acres of CS is that the area west of Mingo has the potential to be zoned Corridor. If there is a potential for Corridor, the Development Guidelines restrict the node at freeway access arterial streets to 5 acres. Given the Comprehensive Plan designation, the Staff can support a 10-acre node of CS with a wrap-around buffer of RM-0 at the northeast corner of 101st Street and South Mingo Road. In addition, since past zoning

Z-5954 and PUD #364 (continued)

actions would support some CO and RM-0 in the northwest corner and there is the potential for CO zoning or at least higher intensity residential along the west side of Mingo Road, the Staff can support a 300-foot buffer strip of RM-0 along the east side of Mingo Road as outlined in the Development Guidelines. Finally, a large portion of the land in the eastern portion of the tract is within the Floodway and should be zoned FD.

Therefore, the Staff recommends APPROVAL of a 660' by 660' (10 acres) node of CS at the intersection of 101st and Mingo and a 300-foot wide buffer of RM-0 wrapping around the CS node and extending north along the east side of Mingo to the north property line. We would also recommend that the remainder of the property be zoned RS-3, LESS and EXCEPT that portion in the designated Floodway which shall be zoned FD.

For the record, there are single-family plats pending on the west side of Mingo Road which, if approved and filed of record, would present a physical fact that could reduce the zoning and proposed intensity of the subject application.

STAFF RECOMMENDATION: PUD #364

The subject tract is 114.77 acres in size and located at the northeast corner of 101st Street and South Mingo Road. The applicant is proposing a major development consisting of Shopping/Office, Multifamily Apartments, Townhouses, and Detached Single-Family. The application has been continued several times and major revisions have been made. The Staff is now supportive of the revised development concept but cannot support the proposed dwelling unit intensity. With the revised development plan and the recommended number of dwelling units (778), 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 the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #364, subject to the following conditions:

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

Common Open Area

Land Area (Gross):	20.20 acres
Permitted Uses:	Drainageway/Passive and Active Recreation

Major Mingo Entry Area

Land Area (Gross):	1.60 acres
Permitted Uses:	Landscaped Boulevard Entryway

Z-5954 and PUD #364 (continued)

Detached Single-Family Areas

Land Area (Gross):	45.71 acres
Permitted Uses:	Single-Family Detached Residences and Accessory Uses.
Maximum Number of Lots:	242 Lots
Minimum Lot Width:	40 feet
Minimum Lot Size:	4,400 square feet
Livability Space Per Lot:	2,600 square feet
Maximum Building Height:	35 feet
Maximum Number of Stories:	3 stories
Minimum Setbacks from Abutting (nonarterial) Public Street:	20 feet
Minimum Setbacks from Abutting Private Street:	
If garage opening:	20 feet
Other building walls:	15 feet
Minimum Side Yard:	5 feet
If Zero Lot Line Site Plan Approved:	
One side yard:	0 feet
Other side yard:	10 feet
Minimum Setback Between Buildings:	10 feet
Minimum Rear Yard:	15 feet
Minimum Off-Street Parking:	2 enclosed spaces per lot

Townhome Area (Applicants M. F. "C")

Land Area (Gross):	7.54 acres
Permitted Uses:	Single unit, duplex, triplex, fourplex, sixplex, or eightplex residential structures.
Maximum Number of Units:	88 units
Minimum Lot Size:	1,600 square feet
Livability Space per Dwelling Unit:	1,200 square feet
Maximum Building Height:	35 feet
Maximum Number of Stories:	3 stories
Minimum Setback from Abutting Arterial Street:	35 feet
Minimum Setback from Abutting Nonarterial Street:	20 feet
Minimum Side Yard:	0 feet
Minimum Setback Between Buildings:	10 feet
Minimum Rear Yard:	15 feet
Minimum Off-Street Parking:	2 spaces per unit

Z-5954 and PUD #364 (continued)

Multifamily Areas

Land Area (Gross):	17.94 acres
Permitted Uses:	Multifamily Dwellings
Maximum Number of Units:	448 units
Livability Space Per Dwelling Unit:	800 square feet
Maximum Building Height:	35 feet
Maximum Number of Stories:	3 stories
Minimum Setback of Building from Abutting Nonarterial Street:	25 feet
Minimum Setback of Building from Abutting Arterial Street:	35 feet
Minimum Setback of Building from Boundary of Multifamily Development Area:	20 feet
Minimum Landscaped Open Space Adjacent to Arterial Right-of-Way:	25 feet
Minimum Off-Street Parking:	Per Code for Multifamily Use

Office Areas

Office Area "A"

Gross Area:	1.5 acres
Maximum Floor Area:	16,000 square feet

Office Area "B"

Gross Area:	4.3 acres
Maximum Floor Area:	31,800 square feet

Office Areas "A & B"

Permitted Uses:	As Permitted Within an OL District
Maximum Stories:	2 stories
Maximum Height:	45 feet
Maximum Internal Landscaped Open Space:*	
Area "A"	25%
Area "B"**	40%

*(Internal required landscaped open space shall include the perimeter landscape area, parking islands and plazas, but excludes walkways which solely provide minimum pedestrian circulation.)

** (Includes Open Area "B")

Z-5954 and PUD #364 (continued)

Minimum Setback of Building:

From Arterial Street: 50 feet
From Nonarterial Street: 25 feet
From Development Area Boundaries: 10 feet

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

Shopping/Office Area

Land Area (Gross): 15.98 acres
Permitted Uses: As Permitted Within a CS District
Maximum Floor Area: 170,000 square feet
Maximum Stories: 2 stories
Maximum Height: 45 feet
Minimum Internal Landscaped Open Space: 15%

Minimum Setback of Building:

From Arterial Street: 50 feet
From Nonarterial Street: 25 feet

Minimum Setback of Building from Boundary of Shopping Area: 25 feet

Minimum Off-Street Parking: Per the Code for each use unit

- (3) That signs at a minimum, shall meet the requirement of the PUD Ordinance and the additional restrictions stated in the applicant's text.
- (4) That a Detail Site Plan for each area be approved by the TMAPC prior to the issuance of a Building Permit, except that the Final Plat for all but zero-lot-line single-family development shall serve as the Detail Site Plan.
- (5) That a Detail Landscape Plan for each non-single-family development area be approved by the TMAPC and installed prior to occupancy of any units in that area.
- (6) That after Platting or Detail Site Plan approval unallocated floor area or dwelling units can be transferred by minor amendment approval by the TMAPC, if the resulting intensity or density within such area does not exceed 20% and it is consistent with good planning principles, and further provided the single-family areas on the east and south which abut AG properties shall not exceed 5 dwelling units per acre.
- (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.

NOTE: The most recent Development Plan reflects a continuous, non-stop, collector street from Mingo Road to 101st Street. We prefer the off-set collector street which will discourage thru-traffic wanting

to avoid the intersection of 101st and Mingo Road.

Applicant's Comments:

Mr. Roy Johnsen represented Reppe Development Company and submitted an exhibit consisting of an aerial photograph, the development plan and a surrounding land use plan of the subject property (Exhibit "D-1") and photographs (Exhibit "D-2"). Under the Zoning Code the Staff's Recommendation on the zoning would permit the number of dwelling units and the type of office and shopping facility proposed in the PUD that the applicant is seeking. The Staff has reduced the amount of density to a figure of 778 dwelling units, but the applicant proposes 908 dwelling units. The zoning pattern is not really an issue, but it is more a review by the Commission as to the appropriateness of the site plan and the rationale of the application for a density higher than recommended by the Staff.

It was advised that the surrounding land use facts are unusual in this area. 101st Street is a primary arterial which forms the south boundary of the subject property, and Mingo Road is a secondary arterial which forms the west boundary. The tract is approximately 115 acres in size and is L-shaped. There is a floodplain along the east boundary of the property which encompasses about 20 acres. This is relevant for the appropriateness of the density which the applicant is seeking along with the fact that the proposed extension of the Mingo Valley Expressway has established a zoning pattern precedent for CO paralleling that proposed expressway to a depth of 660' and adjacent to the CO 300' of RM-0 buffer. If that same pattern were followed it would extend into the subject property and this would be a good argument to seek that amount of CO and RM-0 that would extend into the subject property. This would have a dramatic effect on the density. Mr. Johnsen restated that the CO zoning has been approved to the north of the property. There is CO to the north of the floodplain along the east boundary with a primary arterial forming the south boundary and a zoning pattern that would permit 940 dwelling units. The applicant is only proposing 908 units. The aerial photo was shown to indicate the topography of the land.

Reppe Development Company has met with an adjoining property owner whose property is to the east of the subject property, and their main concern was the drainage. Mr. Johnsen advised that the applicant did a more detailed drainage analysis of the property than is usually done. He then described that analysis for the Commission to consider and identified that there are three defined points of discharge along the north boundary as well as toward the southeast point.

There is a sanitary sewer along the east boundary with a substantial main as well as a substantial water main along Mingo, therefore, this property is served by these essential elements.

Mr. Johnsen stated that the Staff has been very helpful in the development process of the plans for the project. As a result of the meetings with the Staff and applicant the applicant has revised his plans substantially. They feel that the new plan is a good one and one that reflects better planning principles. Mr. Johnsen then compared the two plans. The first formal submittal depicted the project with varying housing types including single-family, townhomes, multifamily and shopping and office at the corner and multifamily at the southeast quadrant. An

essential factor of the plan was that it recognized the physical fact of the floodplain. Under the new plan the floodplain has been reserved plus some adjoining property totalling about 20 acres for common open space. The initial plan was reviewed by the adjoining property owners, Mr. and Mrs. Watts, and they had some concern with the multifamily area proposed adjacent to their property as did the Staff. As a result of the meetings with the Staff and the Watts, the developers recognized that this is a critical area along the southeast boundary. The change that was made was to identify this area adjoining the southeast boundary as a single-family area and that was the principal change on the new plan as well as a reshaping of the shopping area to provide an office transition at this location. At the request of the Staff the applicant has broadened out the single-family area and extended it west toward Mingo elongating the multifamily area along Mingo which they felt would be an appropriate land use and provide a better relationship within the project with still maintaining the concept of 20 or more acres for common open space along the floodplain.

Mr. Johnsen stated that what is proposed as compared to what the Staff is recommending is essentially the same as to the land use relationships and street arrangement.

The Staff suggested that the loop street have an offset to avoid a straight shot through movement. The plan does not show that but the record may reflect that the applicant will make that correction at the time of platting because they felt that was a valid suggestion.

The underlying zoning of this property establishes the theoretical maximum density permitted in the PUD under the Zoning Code. There is a formula used to calculate the density and under that formula, because duplexes are a permitted use by exception in the RS-3 area, the overall permitted density under the existing zoning would allow 929 dwelling units excluding any credit for the FD area. The Staff has arrived at a figure of 778 dwelling units as a density that they feel would be appropriate which is a conservative view. Under their approach they take 8,400 square feet per dwelling unit for the RS-3 for an overall basis including the FD but do not recognize as a matter of policy computing on the basis of 5,000 square feet. Mr. Johnsen felt that the Commission has the authority to approve the requested amount of density because of the good land use relationships which are sound and the appropriate physical facts that support the density.

There are several facts which can support the request such as the CO zoning to the north and 101st which is a primary arterial to the south. There is substantial common open space being provided along the east boundary and the recognition of the floodplain with single-family buffer adjacent to their neighbors. The requested zoning and PUD meets the Plan and has sewer and water. It seems that this area would be an area where higher densities would be appropriate and would let a development be responsive to changes in the market. Mr. Johnsen then explained the reason that the CO zoning was not applied for. This is a PUD that has been revised and the applicant is seeking a density factor higher than what the Staff is recommending. He felt this is good land use relationship and meets the plan.

Protestants: Adrian Watts
Linda Watts

Addresses: 10205 East 101st Street
10205 East 101st Street

Protestants' Comments:

Mr. Watts submitted two exhibits of the existing single-family homes located east of the subject property (Exhibit "D-3"). Mr. Watts stated that the developer, Mr. Reppe, met with him and presented the plan as amended and it was felt that the second plan was much more desirable than the first submittal. Mr. Watts stated he had points of concern and one was the water or drainage of the subject property which Mr. Johnsen addressed. The second concern expressed by Mr. Watts was that of density. With the change of having residential abutting their property they feel that is much more preferable than the multifamily. He inquired as to the number of homes that would be built and the quality and price range of the homes which are proposed under the requested RS-3 zoning. Mr. Watts stated he would prefer RS-2 zoning be approved and would prefer that single-family back up to his property rather than multifamily.

Mrs. Linda Watts stated that she appreciated Mr. Reppe in his cooperation and helpfulness in reviewing the proposed plans with her and her husband prior to the hearing before the Commission. She stated she shares the same two concerns as her husband. She was supportive of the lesser density.

Applicant's Comments:

Mr. Johnsen stated that the applicant's PUD Outline Development Plan commits them to single-family detached for that area adjacent to the Watts.

Mayor Young stated that one of the interesting features of these projects that are near the City Limits boundaries is a dilemma that there has not been the proper coordination between the City of Tulsa and the County in terms of coordinating access points and traffic impact... He suggested that there be a provision added that there be a full review by the County Engineer of their access points and the other points raised prior to the matter coming before the City Commission.

The Commission did not feel that they could accept the PUD as requested but felt that a compromise might be appropriate. Mr. Johnsen suggested that the single-family area include 319 units and the 500 multifamily units making a total of 819 units plus the commercial and office designations.

Mayor Young made a MOTION and HIGGINS SECOND the motion to approve the PUD as recommended by the Staff with additional review by the County Engineer, but after additional discussion a substitute motion was made and Mayor Young withdrew his motion.

Instruments Submitted: Exhibit consisting of an Aerial Photograph, Development Plan, and surrounding Land Use Plan (Exhibit "D-1")
Photographs (Exhibit "D-2")
2 Exhibits showing existing single-family homes in the area (Exhibit "D-3")

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned 660' x 660' (10 acres) node of CS at the intersection of 101st and Mingo and 330' wide buffer of RM-1 wrapping around the CS node and extending north along the east side of Mingo to the north property line and that the remainder of the property be zoned RS-3, LESS and EXCEPT that portion in the designated floodway which shall be zoned FD.

Z-5954 and PUD #364 (continued)

Z-5954 Legal Description:

The West-Half of the SW/4 and the NE/4 of the SW/4 of Section 19, Township 18 North, Range 14 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof.

ON MOTION of HIGGINS, the Planning Commission voted 5-1-0 (Connery, Higgins, Rice, Woodard, C. Young, "aye"; T. Young, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development provided that there be a maximum of 319 single-family units and 500 multifamily units with a total number of dwelling units on the entire tract not to exceed 819:

PUD #364 Legal Description:

The West-Half of the SW/4 and the NE/4 of the SW/4 of Section 19, Township 18 North, Range 14 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government thereof.

Application No. Z-5956 Present Zoning: AG
Applicant: Richardson (Williams) Propsoed Zoning: CO, FD
Location: East 61st Street and South Garnett Road (10920 East 61st Street)

Date of Application: April 25, 1984
Date of Hearing: June 20, 1984
Size of Tract: 10 acres

Presentation to TMAPC by: Russell Richardson
Address: 12221 East 51st Street - 74146 Phone: 250-9632

Relationship to the Comprehensive Plan:

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 CO District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 10 acres in size and located just east of the southeast corner of 107th East Avenue and 61st Street South. It is partially wooded, rolling, contains a single-family dwelling and accessory buildings and is zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by two single-family dwellings on large lots zoned IL, on the east by an apartment complex zoned RM-1 and the storm water detention facility for a single-family neighborhood zoned RS-3, on the south by a detention pond and a multi-dwelling type residential development zoned CO, on the west by mostly vacant land and a single-family dwelling zoned AG and CO.

Zoning and BOA Historical Summary -- Past zoning actions have allowed the Corridor zoning to extend slightly farther east than designated by the Comprehensive Plan based upon; (1) 107th East Avenue serving as the primary access for the Corridor area; (2) proposed intensities being no greater than medium and transitioning to lower intensities the farther east a project extends; and (3) the Development Guidelines would support the total area between the proposed expressway and Garnett Road for Corridor.

Conclusion -- Given the above history of the area and the fact that it aligns with CO zoning to the south, the Staff can support CO zoning on the subject tract. However, higher intensity development of the tract through the Corridor Site Plan process cannot be supported by the Staff because; (1) a portion of the tract may be within a designated floodway; (2) it has no immediate access to 107th East Avenue as does all other CO zoned tracts in the area have; and (3) it is adjacent to low intensity RM-1 to the east.

We do feel that because of the problems identified the tract should be developed under a site plan review process. Therefore, the Staff recommends APPROVAL of CO zoning on the subject tract, LESS and EXCEPT any portion of the tract found to be within a designated floodway to be zoned FD.

Z-5956 (continued)

Applicant's Comments: :

The applicant was present but had no comments.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CO, LESS and EXCEPT any portion of the tract found to be with a designated floodway to be zoned FD:

The East 1/2 of the East 1/2 of Lot 2, Section 6, Township 18 North, Range 14 East, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof and containing 10.0578 acres, more or less.

Z-5957 Jackson (Taylor) NW corner of Frankfort Avenue and 46th Street North
RS-3, P to OL

The Staff advised that this PUD needs to be continued to the July 11, 1984, hearing to allow the applicant time to submit all the information needed by the Staff to proceed with the final stages of the application process.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of Z-5957 until Wednesday, July 11, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center

Application No. Z-5958 Present Zoning: RS-3
Applicant: Arrowhead Builders, Inc. Proposed Zoning: IL & FD
Location: East of the NE corner of 61st Street and South 107th East Avenue

Date of Application: April 27, 1984
Date of Hearing: June 20, 1984
Size of Tract: .76 acre

Presentation to TMAPC by: Ronald Perceful
Address: 10733 East 61st Street, Tulsa, 74147 Phone: 254-1666

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District I-- Industrial Development encouraged.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately .76 acres in size and located east of the northeast corner of 61st Street and 107th East Avenue. It is partially wooded, rolling, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north and east by single-family dwellings on large lots zoned RS-3, on the south by scattered single-family dwellings on large tracts of ground zoned AG, on the west by a single-family dwelling and landscape nursery zoned IL.

Zoning and BOA Historical Summary -- Several IL rezonings have been approved along 107th East Avenue, north of 61st Street.

Conclusion -- Based on the Comprehensive Plan and existing zoning and land use patterns in the area, the Staff can support IL zoning on the subject tract and recommend APPROVAL of the request, LESS and EXCEPT any portion that may be located in a designated floodway to be zoned FD.

Applicant's Comments:

The applicant was present and had no comments.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connerly, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL, LESS and EXCEPT any portion that may be located in a designated floodway to be zoned FD:

The East 88 feet of the South 376.95 feet of Lot 15, Block 1, Golden Valley Addition, Tulsa, Oklahoma.

Application No. Z-5844 Present Zoning: RS-3
Applicant: Baker, Shirley Proposed Zoning: CS
Location: West of the NW corner of 36th Street North and Sheridan Road

Date of Application: May 11, 1983
Date of Hearing: June 20, 1984
Size of Tract: Less than 5 acres

Presentation to TMAPC by: Shirley Baker
Address: 6405 East 36th Street North Phone: 838-8536

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity-- No Specific Land Use.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.5 acres in size and located on the north side of 36th Street North, west of Sheridan Road. It is non-wooded, flat, vacant, and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by Mohawk Park zoned RS-3, on the east by Port Road zoned RS-3, on the south by scattered single-family dwellings on large tracts and vacant property zoned IL, and on the west by vacant property zoned RS-3.

Zoning and BOA Historical Summary -- As noted in the zoning background the subject tract was recently denied IL zoning and is on appeal to the District Court.

Conclusion -- As stated in the earlier recommendation, the Staff feels that the best use of this tract is commercial since it is the front door to the Park and that we can support light commercial uses that do not have or allow unsightly outside storage.

Therefore, based on the above mentioned facts, the Staff recommends APPROVAL of the requested CS zoning.

Applicant's Comments:

The applicant was present and had no comments.

Protestants: none.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS:

Part of the SE/4, SE/4, Beginning 60' North of the SW corner of the SE/4, SE/4; thence NE 397.44'; NE 415.98'; Southwesterly on the South

Z-5844 (continued)

line of Railroad Right-of-Way to the West line of the SE/4, SE/4;
thence South to the Point of Beginning, Section 15, Township 20
North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5960 Present Zoning: OL & RS-1
Applicant: Workman (Seawright) Proposed Zoning: CS
Location: NW corner of 85th East Avenue and 21st Street

Date of Application: May 1, 1984
Date of Hearing: June 20, 1984
Size of Tract: 2.25 acres

Presentation to TMAPC by: Clinton Workman
Address: 7988 Pensacola Drive, Broken Arrow - 74104 Phone: 258-5455

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 2.25 acres in size and located at the northwest corner of the intersection of South 85th East Avenue and 21st Street. It is non-wooded, flat, contains one single-family dwelling and is zoned OL.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling zoned RS-1, on the east by two single-family dwellings under application for OL but zoned RS-1, on the south by two single-family dwellings zoned CS, and on the west by vacant land zoned CS.

Zoning and BOA Historical Summary -- Past zoning actions have established 85th East Avenue as the boundary line between (commercial (CS and office (OL) zoning).

Conclusion -- Given the Comprehensive Plan designation and the surrounding zoning patterns, the Staff recommends APPROVAL of the requested CS zoning.

Caution: No Building Permit or Zoning Clearance Permit should be issued until the property is platted and proper storm water drainage and access controls are imposed.

Applicant's Comments:

Mr. Workman was present and stated he was in concurrence with the Staff Recommendation.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 5-1-0 (Connery, Higgins, Rice, Woodard, C. Young, "aye"; T. Young, "nay"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be re-zoned CS:

Z-5959 Hinkle (Independent School District #1) SW corner of 45th Place and
Peoria Avenue (RS-3 to CS)

Chairman Young advised that this zoning matter needs to be continued for a period of one week.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of Z-5959 until Wednesday, June 27, 1984, at 1:30 p.m. in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

Z-5960 (continued)

The East 150 feet of the S/2 of Block 9, O'Connor Park and the West 150 feet of the East 300 feet of the S/2 of Block 9, O'Connor Park, City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5961
Applicant: Halstead
Location: East 21st Street and 85th East Avenue

Present Zoning: RS-1
Proposed Zoning: OL

Date of Application: May 1, 1984
Date of Hearing: June 20, 1984
Size of Tract: 2.05 acres

Presentation to TMAPC by: Charles J. Halstead
Address: 1929 South 85th East Avenue

Phone: 627-5144

Relationship to the Comprehensive Plan:

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

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 2.05 acres in size and located at the northeast corner of the intersection of South 85th East Avenue and 21st Street. It is non-wooded, flat, contains two single-family dwellings and accessory structures and zoned RS-1.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling zoned RS-1, on the east by vacant land zoned OL, on the south by a project under construction zoned OL, and the west by one single-family dwelling under application for CS but zoned OL.

Zoning and BOA Historical Summary -- Past zoning actions have established 85th East Avenue as the boundary line between commercial (CS) and office (OL) zoning.

Conclusion -- Given the Comprehensive Plan designation, the surrounding zoning patterns, and existing land uses, the Staff recommends APPROVAL of the requested OL zoning.

Caution: No Building Permits or Zoning Clearance Permits should be issued until platting of both properties is completed including review of storm water drainage and access controls.

Applicant's Comments:

The applicant was present and had no comments.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughton, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OL:

The South 146.5 feet of the West 305 feet, Block 10, O'Connor Park
AND THE North 146.5 feet of the South 293 feet of the West 305 feet,
Block 10, O'Connor Park, City of Tulsa, Tulsa County, Oklahoma.

Z-5962 Ragsdale North and West of South 119th East Avenue and Skelly Drive
OL to CS, FD

Mr. Ragsdale was present and requested that this zoning matter be continued until the second week in August.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of Z-5962 until Wednesday, August 8, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.



Application No. Z-5963 & PUD #366 Present Zoning: RS-3
Applicant: Wiles (Randall Green/Elvin Barrier) Proposed Zoning: RD
Location: 58th Street, between South Quincy Avenue and Quincy Place

Date of Application: May 3, 1984
Date of Hearing: June 20, 1984
Size of Tract: 1 acre

Presentation to TMAPC by: Bill Wiles
Address: 3010 South Harvard Avenue - 74114 Phone: 749-2411

Relationship to the Comprehensive Plan: Z-5963

The District 18 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 RD District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1-acre in size and located at the southeast corner of 58th Street and South Quincy Avenue. It is partially wooded, flat, contains two single-family dwellings and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by a children's nursery and three single-family dwellings zoned RS-3, on the east by a church and parking lot zoned RS-3, on the south by a duplex development and a multifamily complex zoned RS-3 and RM-1, and on the west by a townhouse development zoned RM-2.

Zoning and BOA Historical Summary -- Past zoning actions have established a transition of density as you move east away from Peoria Avenue.

Conclusion -- Based upon the zoning patterns that exist and the surrounding land use, the Staff feels that RD Duplex zoning as a "may-be-found" zoning category can be supported. Therefore, the Staff recommends APPROVAL of the requested RD zoning.

Staff Recommendation: PUD #366

The subject tract is located at the SW corner of 58th Street and South Quincy Place. It is approximately 1-acre in size and has a Staff recommendation for an underlying zoning of RD. The applicant is proposing an 8 lot detached single-family development served by a private street.

The Staff has reviewed the applicant's Outline Development Plan and find 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 the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #366, subject to the following conditions:

6.20.84:1510(38)

Application No. Z-5963 and PUD #366 (continued)

- (1) That the applicant's Outline Development Plan be made a condition of approval.
- (2) Development Standards:
 - Land Area (Gross): 49,560 square feet
 - (Net): 45,060 square feet
 - Permitted Uses: Detached Single-Family and Accessory Uses
 - Maximum Number of Lots: 8 lots
 - Maximum Building Height: 2 stories/30 feet
 - Minimum Lot Width: 35 feet
 - Minimum Livability Space: 2,200 sq. ft./unit
 - Minimum Width of Private Street: 20 feet
 - Minimum Building Setbacks:
 - From Centerline of 58th Street: 45 feet
 - From East Boundary Line: 65 feet
 - From South Boundary Line: 10 feet
 - From West Boundary Line: 20 feet
 - Between Garage & Edge of Private Drive: 20 feet
 - *Between Buildings: 6 feet
 - Minimum Off-Street Parking: 2 spaces per unit
- (3) One development sign located at the entry on 58th Street shall be allowed. This sign shall not exceed 8 feet in height or 32 square feet of display surface area, and illumination, if any, shall be by constant light. Standard real estate signs not exceeding seven (7) square feet of area will also be allowed.
- (4) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
- (5) That a Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy of any units, including any screening fences.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

*Units may have one zero-lot side yard, however, at no time shall the separations between buildings be less than 6 feet, including eaves.

Application No. Z-5963 & PUD #366 (continued)

Applicant's Comments:

Mr. Bill Wiles, president of Dimension Properties, stated that he was in agreement with the Staff Recommendation on the zoning but had some changes for the Commission to consider on the PUD. The figures which the Staff calculated the development standards were based upon the preliminary plat. The applicant is requesting to reduce the building height from 2 stories to 1-story, to reduce the minimum lot width from 35' to 33' and reduce the minimum building setback from the east boundary line from 65' to 50'. Mr. Wiles also stated that the applicant would be providing 4 spaces per unit rather than 2 spaces to meet the minimum off-street parking. The minimum building setback between buildings in most instances will be 7' or 8' with one exception which will be 5 feet.

Mr. Wiles then submitted a letter which was sent to the surrounding property owners and a petition bearing 7 signatures of those property owners indicating their support of the application (Exhibit "E-1"). He then requested an early transmittal of the minutes to the City Commission.

Protestants: None.

Comments:

Mr. Gardner stated that the reduction of the minimum building setback between buildings for the 5' should be accomplished through a minor amendment rather than at this time.

Instruments Submitted: Letter and Petition of Support, bearing 7 signatures (Exhibit "E-1").

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RD:

Z-5963 Legal

Lots 3 and 4, Block 1, Southlawn Addition, City of Tulsa, Tulsa County, Oklahoma.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions stated above with the following amendments:

Maximum Building Height:	1-story/30 feet
Minimum Lot Width:	33 feet
Minimum Building Setbacks:	
From East Boundary Line:	50 feet

PUD #366 Legal

Lot 3 Block 1, Southlawn Addition, City of Tulsa, Tulsa County, Oklahoma.

Application No. PUD 283-A
Applicant: Norman (Savage)
Location: SE corner of East 61st Street and South Yorktown Avenue

Present Zoning: RM-1 & OL

Date of Application: May 3, 1984
Date of Hearing: June 20, 1984
Size of Tract: 4.72 acres

Presentation to TMAPC by: Charles Norman
Address: 909 Kennedy Building-Suite 110 - 74103 Phone: 583-7571

STAFF RECOMMENDATION:

The subject tract is located at the southeast corner of 61st Street and South Yorktown Avenue. It had previously been approved for a light office complex, and the applicant is now requesting approval of a multifamily development. The tract has a combination of RM-1 and OL underlying zoning.

The Staff has reviewed the applicant's Outline Development Plan and have identified a problem with access and circulation. As shown the applicant would propose to serve the southern portion of the tract by one long dead-end parking lot (800'). Plus, three buildings have no direct paved access making proper fire protection questionable. We would recommend the following changes to the Conceptual Site Plan:

- (1) Crash-gate access to Yorktown, and
- (2) redesign of the southern portion of the project to provide better circulation and access.

Given the above modifications 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 the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #283-A, subject to the following conditions:

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

- (2) Development Standards:

Land Area (gross):	205,603 sq. ft.	4.72 acres
(net):	170,625 sq. ft.	3.197 acres

Permitted Uses: Attached residential dwelling units and related accessory uses such as off-street parking, private drives, clubhouses, recreational facilities including tennis courts and swimming pools, open space areas, and security gates.

Maximum No. of Dwelling Units: 120 units

Maximum Building Height: 39 feet*

*Three-story buildings shall be setback at least 40 feet from any south or west boundary.

PUD #283-A (continued)

Minimum Building Setbacks:

From Centerline of E. 61st St.:	112 feet
West-half of site:	112 feet
East-half of site:	116 feet
From Centerline S. Yorktown Ave:	70 feet
From South Boundary Line:	20 feet
From West (interior) Boundary Line:	20 feet
From South Corner (point):	125 feet
From E. and SE Boundary Lines:	50 feet

Minimum Livability Space: 72,000 square feet**

Minimum Off-Street Parking Ratios:

For each efficiency or one-bedroom unit:	1.5
For each two-bedroom unit:	2.0

- (3) That one identification sign may be erected on East 61st Street which shall not exceed 32 square feet in display surface area and shall not exceed 6 feet in height. Illumination, if any, shall be by constant light.
- (4) That no windows shall be permitted on the second and third stories of the north side (side facing East 61st Street) of the three-story building located in the northeast handle of the project site.
- (5) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit.
- (6) That the Detail Landscape Plans for the 61st Street and Yorktown Avenue frontage be accepted as final, except for the crash-gate provisions to Yorktown Avenue and that an additional Detail Landscape Plan be approved by the TMAPC addressing the internal project landscaping and location of all other fencing. All landscaping shall be approved and installed prior to occupancy.
- (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.

**Livability space area includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas and pedestrian areas, but it does not include parking, buildings or driveway areas.

Applicant's Comments:

Mr. Charles Norman stated that he has met with members of the Garden Park Homeowners Association which is immediately north of 61st Street and has made several amendments to the application as a result of those discussions. All of the subject property is zoned for multifamily use with the exception of a one-acre tract in the middle which is zoned OL. It was previously zoned under the PUD for an office park and this application is to revert it back to the primary underlying zoning for multifamily use which would include one-acre of office use. Mr. Norman requested that the Commission approve the Staff Recommendation. The applicant has already modified the design of the turn-around area to respond to one of the objections. The applicant does have some reservation about being required to put a crash-gate on Yorktown and requested that the Commission modify that recommendation to either a crash-gate on Yorktown or other approved emergency access by the Fire Marshal, Building Inspector or both.

There was some discussion as to the crash-gate and the Staff advised that there is only one entry onto 61st for the project and that is divided. The Staff questioned access for emergency vehicles if the entry was blocked. That is why the crash-gate was suggested for on the west. Mr. Norman did not feel that would be a problem unless it interfered with the existence of the large trees which the applicant wants to save on Yorktown.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development as recommended by the Staff with the addition for other approved emergency access to be added:

All of Lot 1 in Block 1 of "Sherwood Park", an Addition to the City of Tulsa, Tulsa County, Oklahoma; and

All of Lot 4 in "Pecan Acres", a Subdivision to Tulsa County, Oklahoma, LESS and EXCEPT that part of Lot 4 in "Pecan Acres" being described as follows, to wit: "Beginning at a Point" that is the Southwest corner of Said Lot 4; thence Northerly along the Westerly line of Lot 4 for 27.00'; thence Northeasterly along a deflection angle to the right of 62°-00'-00" for 23.72'; thence Northwesterly along a deflection angle to the left of 90°-01'-28" for 21.07'; thence Westerly along a deflection angle to the left of 61°-58'-32" for 11.04' to a point on the Westerly line of Lot 4; thence Northerly along the Westerly line of Lot 4 for 128.26'; thence Easterly at a right angle for 2.00'; thence Northerly at a right angle for 26.00'; thence Westerly at a right angle for 2.00' to a point on the Westerly line of Lot 4; thence Southerly along the Westerly line of Lot 4 for a true distance of 210.99', Said true distance being previously and erroneously shown in various instruments as 210.90'; to the "Point of Beginning" of Said LESS and EXCEPT part of Lot 4; and also

A part of Lot 3 in "Pecan Acres", a Subdivision to Tulsa County, Oklahoma, Said part of Lot 3 being described as follows, to wit:

PUD #283-A (continued)

"BEGINNING at a Point" on the Westerly line of Lot 3, Said Point being 10.00' Southerly of the Northwest corner thereof; thence Southerly along the Westerly line of Lot 3 for 391.00' to the Southwest corner of Lot 3; thence Northeasterly along a deflection angle to the left of $115^{\circ}-41'-11''$ for 77.71'; thence Northeasterly along a deflection angle to the left of $50^{\circ}-01'-30''$ for 368.26'; thence Westerly, parallel to and 10.00' Southerly of the Northerly line of Lot 3 for 160.92' to the "POINT OF BEGINNING" of Said Tract of Land.

Application No. Z-5964 Present Zoning: RS-3
Applicant: Brandon, B. L. Proposed Zoning: CS, & FD
Location: 13737 East 11th Street, North side 11th between 127th & 128th E. Ave.

Date of Application: May 3, 1984
Date of Hearing: June 20, 1984
Size of Tract: 1-acre

Presentation to TMAPC by: B. L. Brandon
Address: 13737 East 11th Street - 741 Phone: 437-4779

Relationship to the Comprehensive Plan:

The District 17 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 1-acre in size and located at the northwest corner of 11th Street and 138th East Avenue. It is partially wooded, gently sloping, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by similar single-family dwellings on large lots zoned RS-3, on the east by a church zoned RS-3, on the south by a single-family subdivision zoned RS-3, on the west by OL zoning which is a buffer district and a creek and heavy wooded area.

Zoning and BOA Historical Summary -- The Board of Adjustment recently denied a variance to use the subject property commercially. CS zoning was denied in the early 1970s by the Commission and District Court on the property to the east which is now a church.

Conclusion -- Based on the Comprehensive Plan and above mentioned facts, the Staff feels the request is too far from the typical node and would be an encroachment into the residential neighborhoods. The tract is buffered to the west by the creek and heavily wooded area. Therefore, the Staff recommends DENIAL of the requested CS zoning and APPROVAL of FD for any portion that is determined to be floodway.

Applicant's Comments:

The applicant was not present.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned FD on that portion within an identified floodway and DENIAL on the remainder:

Lot 12, Block 2, Golden Acres, Tulsa County, State of Oklahoma,
according to the Recorded Plat thereof.

Application No. CZ-109 Present Zoning: AG
Applicant: William E. Lewis Proposed Zoning: RE, CS & FD
Location: NE corner of 116th Street North and Lewis Avenue

Date of Application: May 3, 1984
Date of Hearing: June 20, 1984
Size of Tract: 240 acres

Presentation to TMAPC by: Bill Lewis
Address: 6420 South 221st East Avenue, Broken Arrow, Okla. Phone: 258-3039
74104

Relationship to the Comprehensive Plan:

The District 12 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Rural Residential and Development Sensitive.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 240 acres in size and located at the northeast corner of 116th Street and North Lewis Ave. It is partially wooded, rolling, contains one single-family dwelling and several accessory buildings and structures zoned AG.

Surrounding Area Analysis -- The tract is abutted on all sides by scattered single-family dwellings with mostly vacant land zoned AG. To the northeast is a large tract of primarily vacant land zoned RE.

Zoning and BOA Historical Summary -- Past zoning actions have established RE as an appropriate residential density for the area.

Conclusion -- The Skiatook Comprehensive Plan, as stated previously, designates the subject tract Rural Residential and Development Sensitive. It does not show commercial as being an appropriate use. In addition, there are no existing land use or zoning patterns to support changing the Plan. Therefore, the Staff recommends APPROVAL of RE on the subject tract and DENIAL of CS.

For the record, the Staff would note that the Development Guidelines would support a 5-acre node of commercial (467' by 467') at this intersection if existing conditions and land uses could support such a request.

Applicant's Comments:

Mr. Lewis stated that this is a 240-acre rural subdivision and it will contain 76 lots. This property has undergone a sketch plat. The applicant would like to have a commercial corner because there is no shopping area in this vicinity. Right now there are no provisions for commercial but the applicant would like to have that option. Mr. Lewis stated he was in concurrence with the Staff Recommendation.

Mr. Gardner advised that the Development Guidelines would permit consideration of 5 acres of commercial at the intersection. This would require

CZ-109 (continued)

that the Commission amend the plan because the plan does not call for it. The Staff suggested that if that is the Commission's desire that it be approved for a 467' x 467' node for commercial and not to go beyond the 5 acres. The applicant was in agreement to that suggestion.

Interested Party: Ken Williams Address: 406 National Bank Building

Interested Party's Comments:

Mr. Williams stated that he represented one of the oil and gas lease operators that is presently in production on the property. The purpose for being present today is primarily to obtain information, and there is no objection.

Mr. Linker, Assistant City Attorney, stated that if there are existing leases on the property, development could probably be taken care of at the platting process. Mr. Gardner stated that he had written a letter in response to the gentlemen who has the oil well drilling in South Tulsa in which a law suit resulted.

The County Board of Adjustment denied the drilling of an oil well in the man's back yard but the Courts reversed that decision. What the Staff is suggesting in this matter is that the developer work that situation out because they could come in and drill that oil well. They would need a Board of Adjustment special exception even in this case. Mr. Gardner felt that the developer should have something in his restrictive covenants when the lots are sold stating that the mineral owner may come on the property and drill a well.

Commissioner Rice asked the Staff to note that situation when the case is forwarded to the County so that the County Commission can properly address that situation.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Hinkle, Kempe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RE with a 5-acre node of commercial at the intersection:

The SW/4 and the S/2 of the NW/4 of Section 5, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

PUBLIC HEARINGS:

Proposed District 8 Plan Amendment, and
District 7 Plan Update and Amendment:

Chairman Young suggested that these two public hearing items be continued to the next regular scheduled Planning Commission Hearing because of the minimum quorum present. It was felt that it would be best to continue these items at this time rather than having all of the interested parties remain at the meeting with the possibility of losing a quorum.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Kempe, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Higgins, Hinkle, "absent") to continue consideration of Public Hearing on Proposed District 8 Plan Amendments and District 7 Plan Update and Amendment until Wednesday, June 27, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #187-11 (Lot 13, Block 16, Shadow Mountain)

Staff Recommendation - Minor Amendment

The subject lot is located at 6534 South 66th East Avenue. It is a part of a designated single-family area, which has had several minor amendments approved on other residential lots. On this lot the applicant is requesting to be allowed to encroach one rear corner of the proposed house 5 feet into the 20-foot rear yard requirement. The lot is odd-shaped and backs up to Sheridan Road making it difficult to place a structure on the lot without encroaching into one of the yard requirements. This arrangement appears to give the applicant the most usable rear yard and because of that, the Staff can support the request as being minor in nature.

Therefore, the Staff recommends APPROVAL of a 15-foot rear yard requirement on Lot 13, Block 16, Shadow Mountain, subject to the plot plan submitted.

TMAPC Action: 6 members present.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughton, Flick, Hinkle, Kempe, "absent") to approve the minor amendment for a 15-foot rear yard requirement on Lot 13, Block 16, Shadow Mountain, subject to the plot plan submitted.

PUD #190, Area CL-1 (Charter Oaks)

Staff Recommendation - Minor Amendment to Detail Site Plan

Planned Unit Development #190 is approximately 405 acres in size and located between Yale Avenue and Sheridan Road, south of 71st Street. It was approved for a variety of residential land uses based on sub-areas of development. Development Area CL-1 is a sub-area of the PUD that was proposed for cluster housing. The proposal has received Detail Site Plan approval for a development that consisted mostly of individual lotting and ownership of duplex structures. Development has started, the applicant now wishes to change his development to mostly single-family detached homes on small lots. This change will result in a reduction of the maximum number of dwelling units from 98 to 95 units.

Since the request is to go from attached single-family to detached single-family and from 98 units to 95 units, the Staff considers it to be minor in nature. As a result of this change a new Detail Site Plan is required and has been submitted. Also, it will be necessary to revise the Development Standards which are no longer consistent with what is being proposed.

Therefore, the Staff recommends APPROVAL of the Minor Amendments to the Detail Site Plan for PUD #190, Area CL-1, subject to the following conditions:

(1) Development Standards:

Single-family and existing duplex dwelling units and customary accessory uses including clubhouses, swimming pools, tennis courts and similar recreational facilities shall be the only uses permitted.

A maximum of 95 dwelling units shall be permitted. These shall consist of 10 existing duplex units and 85 single-family detached units.

PUD #190, Area CL-1 (continued)

The maximum building height shall be 35 feet.

A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit.

The minimum building setbacks for detached single-family dwellings shall be:

- Front Yard -- 18 feet*;
- Side Yard -- 5 feet, except where there is a minimum of 10' between buildings, one building may be 3' from the property line. The front of the side entry garages on any lot shall be at least 18' from the side lot line;
- Rear Yards -- 15 feet, provided that non-roofed porches, patios and decks shall be permitted in rear yards.

The minimum Building Setbacks for duplex dwelling units shall be:

- Front Yard -- 18 feet*;
- Side Yards -- 0 feet on one side and 5' on the other, except there is a minimum of 10' between buildings, one building may be 3' from the property line. The front of the side entry garages on any lot shall be at least 18 feet from the side lot line;
- Rear Yards -- 15 feet, provided that non-roofed porches, patios and decks shall be permitted in rear yards.

*Provided that on Lot 7, Block 3; Lot 7, Block 2; Lot 1, Block 2; Lot 1, Block 7; and Lot 9, Block 8, the front yard setback shall be 10' and the garages shall provide entry from the side yard.

- (2) That the applicant meet the livability space requirements as outlined in their submitted calculations dated May 30, 1984.**
- (3) That no additional Building Permits 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 (Replat).

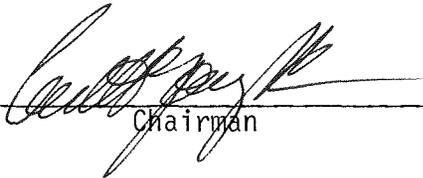
**A minimum of 4,000 square feet of livability space, as defined in the Tulsa Zoning Code, as the same existed on October 29, 1976, shall be provided for each dwelling unit.

TMAPC Action: 6 members present.

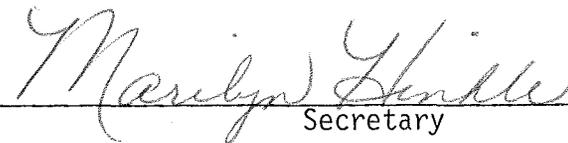
On MOTION of RICE, the Planning Commission voted 6-0-0 (Connery, Higgins, Rice, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughton, Flick, Hinkle, Kempe, "absent") to approve the minor amendments to the Detail Site Plan for PUD #190, Area CL-1, subject to the above stated conditions.

There being no further business, the Chair adjourned the meeting at 5:05 p.m.

Date Approved July 11, 1984


Chairman

ATTEST:


Secretary

