TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1519
Wednesday, August 29, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	STAFF PRESENT	OTHERS PRESENT
Connery	Compton	Linker, Legal Department
Draughon	Gardner	
Higgins	Lasker	
Hinkle, Secretary	Matthews	
Kempe, 1st Vice-Chairman	Wiles	
Paddock		
Rice		
Wilson		
Woodard		
C. Young, Chairman		
T. Young		

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, August 28, 1984, at 12:38 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 1:32 p.m.

MINUTES:

On MOTION of CONNERY, the Planning Commission voted 9-0-1 (Connery, Draughon, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; Paddock, "abstaining"; T. Young, "absent") to approve the Minutes of August 15, 1984 (No. 1517).

REPORTS:

Rules and Regulations Committee Report:

Cherry Kempe, Chairman of the Rules and Regulations Committee, informed the committee met at noon today. She informed that Item #7 on the agenda needs to be continued because Chapter 16 needs to be considered as well. She informed they would like some clarification from the Staff or Legal Counsel on how appeals from PUD's would be handled.

Ms. Kempe informed that the Rules and Regulations Committee would recommend that the temporary policy on the Public Hearing process on Lot Splits containing more than three side lot lines become a permanent policy. This would have to be placed on a future agenda for a formal vote.

Ms. Kempe informed that the committee discussed Ms. Wilson's recommendation as regards to the numbering of minor amendments to PUDs. After discussing the matter, they would like to defer any action on this until computer capabilities are available to pull some of the history out on the PUDs. Ms. Wilson informed she is in agreement with this decision.

PUBLIC HEARING:

Director's Report:

Consider Amending District 5 Plan Map and Text by Creating a Special District.

Ms. Dane Matthews informed the area in question lies between Admiral Place and 11th Street and between 90th East Avenue and Mingo Road. This area was heavily damaged by the May 1984 flood, and within this area an acquisition program is proposed. This is also part of a FEMA 1362 application, and that program requires that a reuse plan be submitted. The creation of the Special District is part of that plan. Ms. Matthews submitted a copy of the Proposed Text Amendments which are as follows:

DISTRICT 5 PLAN

PROPOSED TEXT AMENDMENTS

Revise the Plan Text to read as follows:

3. Specific Area

Two Special Districts are indicated on the District Plan Map. Special District 1 includes the Indian Acres Redevelopment Project Area, and Special District 2 includes the Flood Area.

3.2 Development Policies Within the Special District 2 Flood Area:

This area generally lies between Admiral Place and 11th Street, and 90th East Avenue and Mingo Road.

3.2.1 The purpose of this Special District is in recognition of past flooding problems in this area.

3.2.2 A detailed plan, to include (but not be limited to) drainage, public facilities, possible reuses, and open space, should be done for this area.

3.2.3 Multiple use of drainage facilities is encouraged where appropriate and feasible.

3.2.4 Only uninsurable structures should be constructed within the flood area.

Ms. Matthews informed that the map amendment will show the area as Special District 2--Flood Area. One reason for creating the special district was so that flood mitigation measures could be taken. She submitted three maps to give the Commissioners some idea about what types of phasing strategies are being thought about. Part of the area will be cleared, and passive recreation types of uses might be appropriate. At some point in time they plan to construct four detention cells--these cells could possibly be used for recreational purposes.

TMAPC Action: 10 members present.

On MOTION of KEMPE, the Planning Commission voted 10-0-0 (Connery,

Director's Report: (continued)

Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; T. Young, "absent") to close the public hearing.

On MOTION of HINKLE, the Planning Commission voted 10-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young "aye"; no "nays"; no "abstentions"; T. Young, "absent") to amend the District 5 Plan Map and Text to create a special district.

Resolution to Amend District 5 Plan Map and Text by Creating a Special District

Ms. Dane Matthews informed that the Legal Department has reviewed the Resolution.

On MOTION of HINKLE, the Planning Commission voted 10-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; T. Young, "absent") to approve the Resolution to amend District 5 Plan Map & Text by creating a Special District as follows:

RESOLUTION NO: 1519:600

A RESOLUTION
AMENDING THE DISTRICT 5 PLAN
A PART OF THE COMPREHENSIVE PLAN
FOR THE TULSA METROPOLITAN AREA

WHEREAS, Pursuant to Title 19, OSA, Section 863.7, the Tulsa Metropolitan Area Planning Commission did by Resolution on the 29th day of June 1960, adopt a "Comprehensive Plan, Tulsa Metropolitan Area", which Plan was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa County, Oklahoma, all according to law; and

WHEREAS, The Tulsa Metropolitan Area Planning Commission is required to prepare, adopt, and amend, as needed in whole or in part, an Official Master Plan to guide the physical development of the Tulsa Metropolitan Area; and

WHEREAS, On the 21st day of April 1976, this Commission, by Resolution No. 1109:425 did adopt the District 5 Plan Map and Text as a part of the Comprehensive Plan of the Tulsa Metropolitan Area which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and the Board of County Commissioners of Tulsa County, Oklahoma; and

WHEREAS, This Commission did call a Public Hearing on the 13th day of August 1984, for the purpose of considering amendments to the District 5 Plan and Map, and Public Notice of such meeting was duly given as required by law; and

WHEREAS, A Public Hearing was held on the 29th day of August 1984, and after due study and deliberation this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title

19, OSA, Section 863, to modify its previously adopted District 5 Plan Text and Map as follows:

(1) PLAN TEXT

The District 5 Plan Text shall be modified by adding Section 3.2, Development Policies within the Special District 2 Flood Area, and appropriate policies, a copy of which is included here as Attachment A.

(2) PLAN MAP

The District 5 Plan Map shall be modified by adding thereto Special District 2 Flood Area, whose boundaries are Admiral Place on the north, Mingo Road on the east, 11th Street on the south, South 91st East Avenue west to South 90th East Avenue, South 90th East Avenue north to 4th Place east to South 91st East Avenue, and South 91st East Avenue north to Admiral Place.

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION that the amendment to the District 5 Plan be and is hereby adopted as part of the District 5 Plan, a part of the Comprehensive Plan of the Tulsa Metropolitan Area, and filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

BE IT FURTHER RESOLVED THAT upon approval and adoption hereof by the Tulsa Metropolitan Area Planning Commission, this Resolution be certified to the Board of Commissioners of the City of Tulsa, Oklahoma, and to the Board of County Commissioners of Tulsa County, Oklahoma, for approval and thereafter, that it be filed as public record in the Office of the County Clerk, Tulsa County, Oklahoma.

APPROVED AND ADOPTED THIS 29th day of August, 1984.

ATTACHMENT A

DISTRICT 5 PLAN

PROPOSED TEXT AMENDMENTS

Revise the Plan Text to read as follows:

3. Specific Area

Two Special Districts are indicated on the District Plan Map. Special District 1 includes the Indian Acres Redevelopment Project Area, and Special District 2 includes the Flood Area.

2.3 Development Policies Within the Special District 2 Flood Area:

This area generally lies between Admiral Place and 11th Street, and 90th East Avenue and Mingo Road.

3.2.1 The purpose of this Special District is in recognition of past flooding problems in this area.

Director's Report: (continued)

3.2.2 A detailed plan, to include (but not be limited to) drainage, public facilities, possible re-uses, and open space, should be done for this area.

3.2.3 Multiple use of drainage facilities is encouraged where appropriate and feasible.

3.2.4 Only uninsurable structures should be constructed within the flood area.

Consider Execution of RESOLUTION Amending the Tulsa County Zoning Code, Section 1690.1 Relating to Appeals to the District Court on Board of Adjustment Action.

Mr. Gardner informed the Planning Commission has approved, in Public Hearing, the amendment. It was referred to the Board of Tulsa County Commissioners and there were some changes made in the language. The Resolution will be published and will become a part of the County Zoning Code.

On MOTION of RICE, the Planning Commission voted 10-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; T. Young, "absent") to approve the Resolution amending the Tulsa County Zoning Code, Section 1690.1 relating to appeals to the District Court on Board of Adjustment action, as follows:

RESOLUTION NO. 1519:601

A RESOLUTION
AMENDING THE TULSA COUNTY ZONING CODE: AMENDING SECTION 1690.1 RELATING TO APPEALS TO THE DISTRICT COURT ON BOARD OF ADJUSTMENT ACTION.

WHEREAS, The Tulsa County Board of Commissioners did hold a public hearing upon the content and advisability of adopting a Tulsa County Zoning Code and adopted said Code September 15, 1980; and

WHEREAS, The Tulsa County Board of Commissioners did establish and appoint members to the Tulsa County Board of Adjustment on September 15, 1980; and

WHEREAS, The Board of County Commissioners did direct the INCOG Staff and Office of the District Attorney to review the present language and procedure for appeal to District Court, Section 1690.1 of the Tulsa County Zoning Code; and

WHEREAS, After extensive review was undertaken by both Staffs, a public hearing was held by the Tulsa Metropolitan Area Planning Commission on July 11, 1984, to review the merits of the proposed change and the TMAPC did vote 8-0 to recommend approval of the proposed change to the Board of County Commissioners; and

Director's Report: (continued)

WHEREAS, The Board of County Commissioners did hold a public hearing on August 6, 1984, to review the merits of the proposal and after due consideration voted 2-0 to approve the change.

NOW, THEREFORE, BE IT RESOLVED that the Tulsa County Zoning Code be and the same is hereby amended to read as follows, to wit:

1690.1 Procedure

An appeal to the District Court from any decision, ruling, judgment or order of said County Board of Adjustment may be taken by any person, or persons, firm or corporation, jointly or severally, aggrieved thereby, or any department, board or official of government by filing with the Clerk of said Board within ten (10) days a notice of such appeal, accompanied by the payment of a Fifteen Dollar ($15.00) public notice fee. No bond shall be required for such appeal, but costs may be required in the District Court as in other cases. Upon filing of such notice, the clerk of said Board shall forthwith transmit to the Clerk of the District Court the originals or certified copies of all papers constituting the record in such case together with the order, judgment or decision of the Board. (Upon receipt of said record, the Clerk of the District Court will, within three (3) days, determine the date, time and place of the trial and so advise the clerk of the Board.) The clerk of the Board shall notify all property owners within a three hundred foot radius of the exterior boundary of the subject property of the pending litigation and shall give the date, time and place of said trial. At such trial, both the appellant and the County Board of Adjustment shall be entitled to present whatever evidence they wish which is admissible under the rules of evidence in this State. The District Court may hear and consider any evidence offered regardless of whether such evidence was offered or heard at the hearing before the Board of Adjustment which is the subject of the appeal. In its determination of whether to sustain or overrule the order on appeal, the District Court shall apply the standard of review set forth in 19 O.S., §863.22. An appeal to the Supreme Court from the decision of the District Court shall be allowed as in other cases.

BE IT FURTHER RESOLVED THAT, upon adoption and approval hereof by the Tulsa Metropolitan Area Planning Commission, this Resolution be certified to the Board of Commissioners of the County of Tulsa for approval and thereafter that it be filed as a public record in the Office of the County Clerk of Tulsa County.

APPROVED and ADOPTED this 29th day of August, 1984 by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission including its ex officio members, as provided by law.

PUBLIC HEARING:

Consider Amending Zoning Code Pertaining to Chapter 15.

Mr. Gardner informed that this was advertised as a public hearing; however, it needs to be continued because they will need to advertise for amending Chapter 16 of the Zoning Code, as well.

On MOTION of KEMPE, the Planning Commission voted 10-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; T. Young, "absent") to continue consideration of a Public Hearing to consider amending the Zoning Code pertaining to Chapter 15 until Wednesday, September 12, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

CONTINUED ZONING PUBLIC HEARING:

Application No. PUD 369 Present Zoning: RS-3
Applicant: Johnsen (Bellamah)
Location: North of the NW corner of 101st Street and Mingo Road

Date of Application: June 7, 1984
Date of Hearing: August 29, 1984
Size of Tract: 37.24 acres

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall, Suite 900 Phone: 585-5641

Staff Recommendation: Amended PUD #369

Planned Unit Development No. 369 is located on the southwest corner of Mingo Road and the proposed Creek Freeway. It is 37.24 acres in size, vacant, and zoned RS-3. The applicant is now proposing a 238 unit detached single-family patio home development.

In the original PUD the Staff identified a concern for the density requested in the western portion of the tract and that small lots in this proposal would be fronting into existing platted RS-3 single-family lots. The applicant in the amended proposal has reduced the total number of lots in the western portion from 99 lots to 90 lots and at the same time he is locating standard RS-3 lots across from the existing RS-3 conventional lots. The Staff can support this density reduction and reorientation of land use relationships.

Therefore, given the Amended Outline Development Plan, 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.

Therefore, the Staff recommends APPROVAL of PUD #369, subject to the following conditions:

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

(2) Development Standards:

General Standards

Area Excluding Arterial Streets:	36.11 Acres
Permitted Uses:	Single-family detached dwellings, and customary accessory uses.
Maximum No. of Dwelling Units:	238 Units

Patio Home Area Standards

Area Location:	Lots 1 thru 30, Block 1 Lots 1 thru 28, Block 2 Lots 1 thru 26, Block 3 Lots 1 thru 16, Block 4 Lots 1 thru 48, Block 5 Lots 1 thru 45, Block 6 Lots 1 thru 27, Block 7
Dwelling Units:	220 Units
Minimum Lot Size:	4,000 sq. ft.
Maximum Building & Drive Coverage:*	2,000 sq. ft.
Minimum Livability Space Per Lot:	2,000 sq. ft.
Minimum Lot Width:	38 feet
Minimum Setback From Arterial Street:	25 feet
Minimum Setback From Nonarterial St.:	20 feet
Rear Yard:	18 feet
Side Yards:	
One Side Yard:	3 feet
Other Side Yard:	7 feet
Minimum Separation Between Building Walls:	10 feet
Minimum Separation Between Roof Eaves:	6 feet
Maximum Height:	2 stories/35 feet
Off-Street Parking:	2 spaces per dwelling unit

*Includes building and drive coverage but does not include sidewalks, patios, decks, etc., used for outdoor living areas.

Conventional RS-3 Area Standards

Area Location:	Lots 28 thru 45, Block 7
Maximum Dwelling Units:	18 Units
Bulk and Area Requirements:	As provided within an RS-3 District
Off-Street Parking:	2 spaces per dwelling unit

PUD #369 (continued)

(3) That signage shall meet the requirements of Section 1130.2 (b) of the Zoning Code.

(4) That the approved and filed Final Plat shall serve to meet the requirement of a Detail Site Plan.

(5) That within the patio home area a screening fence or wall of not less than 5 feet in height shall be constructed and maintained extending from dwelling to dwelling, located in such manner as to reasonably screen the side yards from view from the abutting streets, except that for corner lots, the screening requirements shall not apply to the exterior side yards, provided, however, that in no event shall the screening wall screen the dwelling entryway leaving only the garage opening visible from the street.

(6) That no Building Permit 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.

Staff Comments:

Mr. Gardner informed that in Item #5 of the Staff Recommendation, the Staff is attempting to regulate the design of the structures as it relates to the streetscape so that what a person sees driving down the street will not just be two-car garages.

Applicant's Comments:

Mr. Johnsen described the surrounding area. He informed that the subdivision that is located to the immediate south of the subject property is in common ownership with the developer of the subject property. The property to the south is presently under development for typical single-family houses. He described the principal design concern that the Staff addressed in the early reviews of this project. He presented a site plan which shows what they are currently proposing--a detached single-family development with smaller lot sizes. He described the drainage situation in the area. The north boundary of the property is the proposed location of the Mingo Valley Expressway as it bends west. Within the District 26 Plan this entire section has been designated as a potential corridor which would lend itself to something in a non-typical fashion. Mr. Johnsen informed the Staff Recommendation is acceptable to the applicant except for Condition #5. He presented four elevations of typical lots and explained the problems they have with that condition. He informed that this will be an FHA approved subdivision and they will have to meet the FHA requirements which will not allow the same style home to be built over and over again next to each other.

Ms. Wilson asked the Staff how many dwelling units are normally allowed in an RS-3 District. Mr. Gardner informed that the underlying zoning would permit consideration up to 8.7 units per acre with a duplex exception. As a general rule, it is 5.1 dwelling units per acre. The applicants are proposing 6.3 which falls within what is permitted to be considered. He described the development in the area and informed the Staff did not feel the additional units would be excessive in the area.

PUD #369 (continued)

There was discussion about the livability space requirements on the lots. Mr. Gardner explained how they regulated the livability space.

Mr. Johnsen informed that the streets in this subdivision will all be public streets and will have full 50-foot right-of-ways and full 26 feet of curb and gutters.

Mr. Gardner explained why they wanted Condition #5 to be a condition of approval.

Protestants: None.

TMAPC Action: 11 members present.

On MOTION of RICE, the Planning Commission voted 9-1-1 (Draughon, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, T. Young "aye"; Connery, "nay"; Paddock, "abstaining"; none, "absent") to recommend to the Board of City Commissioners that the following described property be approved for a Planned Unit Development with the Exception of the requirement stated in Item #5 of the Staff Recommendation concerning side-by-side dwellings:

A tract of land located in the Southeast 1/4th of Section 24, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to wit:

Commencing from the Southwest corner of the Southeast 1/4th of Section 24, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma; thence North 00°-01'-31" West along the West line of said Southeast 1/4th a distance of 2249.17 feet to THE POINT OF BEGINNING; thence continuing North 00°-01'-31" West along the West line a distance of 395.01 feet to the Northwest corner of the Southeast 1/4th of Section 24; thence North 89°-37'-21" East a distance of 2639.76 feet to the Northeast corner of the Southeast 1/4th of Section 24' thence South 00°-03'-02" East a distance of 982.98 feet along the East Section line of Section 24 to a point; thence South 89°-56'-38" West a distance of 50.00 feet to a point; thence North 45°-02'-57" West a distance of 42.43 feet to a point; thence due West a distance of 18.50 feet to a point; thence along a curve to the left having a Chord Bearing of South 89°-06'-30" West, a Chord length of 48.75 feet, a Central Angle of 01°-47'-01", a radius of 1566.23 feet for a distance of 48.76 feet to a point; thence along a curve to the right, having a Chord Bearing of North 79°-49'-54" West, a Chord distance of 20.71 feet, a Central Angle of 23°-54'-15", a radius of 50.00 feet for a distance of 20.86 feet to a point; thence along a curve to the left having a Chord Bearing of North 80°-35'-33" West, a Chord distance of 22.01 feet, a Central Angle of 25°-25'-35", a radius of 50.00 feet for a distance of 22.19 feet to a point; thence along a curve to the left having a Chord Bearing of South 84°-47'-04" West, a Chord distance of 105.05 feet, a Central Angle of 03°-49'-09", a radius of 1576.23 feet for a distance of 105.07 feet to a point; thence South 82°-52'-30" West for a distance of 153.11 feet to a point; thence along a curve to the right having a Chord Bearing of North 73°-44'-15" West, a Chord distance of 169.76 feet, a Central Angle of 46°-46'-29", a radius of 213.83 feet for a distance of 174.57 feet to a point; thence South 39°-38'-59" West a distance of 105.01 feet to a point; thence

PUC #369 (continued)

North 29°-15'-08" West a distance of 150.81 feet to a point; thence North 57°-25'-33" West a distance of 555.00 feet to a point; thence South 89°-37'-21" West a distance of 60.63 feet to a point; thence North 00°-22'-39" West a distance of 175.00 feet to a point; thence South 89°-37'-21" West a distance of 14.73 feet to a point; thence Northwesterly a curve to the right having a redius of 25.00 feet, a length of 39.27 feet, and a Central Angle of 90°-00'-00" and a Chord Bearing North 45°-22'-39" West a Chord distance of 35.36 feet to a point; thence South 89°-37'-21" West a distance of 50.00 feet to a point; thence Southwesterly a curve to the right having a radius of 25.00 feet, a length of 39.27 feet, and a Central Angle of 90°-00'-00" a Chord Bearing of South 44°-37'-21" West a Chord distance of 35.36 feet to a point; thence South 89°-37'-21" West a distance of 1055.00 feet to a point; thence Northwesterly a curve to the right having a radius of 25.00 feet, a length of 39.27 feet and a Central Angle of 90°-00'-00" and a Chord Bearing North 45°-22'-39" West a Chord distance of 35.36 feet to a point; thence South 89°-37'-21" West a distance of 50.00 feet to a point; thence Southwesterly a curve to the right having a radius of 25.00 feet, a length of 39.27 feet and a Central Angle of 90°-00'-00" and a Chord Bearing South 44°-37'-21" West a Chord distance of 35.36 feet to a point; thence South 89°-37'-21" West a distance of 91.57 feet to THE POINT OF BEGINNING, said described tract containing 37.235 acres, more or less.

Application No. Z-5978 Present Zoning: OM
Applicant: Griffin, Theodore Proposed Zoning: CS and CG
Location: SW corner of 109th East Avenue and 21st Street

Date of Application: June 19, 1984
Date of Hearing: August 29, 1984
Size of Tract: 2.74 acres

Presentation to TMAPC by: Ted Griffin
Address: 5530 East 32nd Place Phone: 663-3015

Relationship to the Comprehensive Plan:

The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Office.

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

Staff Recommendation:

Site Analysis -- The subject tract is 2.74 acres in size and located on the south side of 21st Street at South 108th East Avenue. It is partially wooded, flat, contains two single-family dwellings and zoned OM.

Surrounding Area Analysis -- The tract is abutted on the north by a developed single-family subdivision zoned RS-3, on the east by a service station and car wash zoned CS, on the south by a day care center and developed single-family subdivision zoned RM-1 and RS-3, and on the west by a developed single-family subdivision zoned RS-3.

Zoning and BOA Historical Summary -- Commercial zoning has been approved along 21st Street, but it has remained within the nodal development pattern at the major street intersection. The existing OM zoning was a compromise and allows more than adequate land use. OM zoning would accommodate a bank, office complex, etc.

Conclusion -- Based on the Comprehensive Plan and existing zoning patterns, the Staff cannot support any commercial zoning and the permitted uses on the subject tract. Commercial zoning west of 109th East Avenue would be a detrimental encroachment into the developed residential area, since the tract is surrounded on 3 sides by RS zoning. Therefore, the Staff recommends DENIAL of the request.

Applicant's Comments:

Mr. Griffin informed he would like to build an office/warehouse on the subject tract for his client. He described the surrounding area and informed that the property is surrounded by storm sewers which are not being maintained by the City. He presented a plot plan and explained it and the drainage in the area. He is proposing to build three buildings on the subject property. He informed that there will be no retail business on the property. He described surrounding uses in the area and informed he feels this is a good use for this property.

Protestants: Harold Pickens Addresses: 2219 South 108th East Avenue
Kenny Martin 2413 South 108th East Avenue

Application No. Z-5978 (continued)

Protestants' Comments:

Mr. Pickens submitted protest petitions containing 122 signatures from people in the immediate area (Exhibit "A-1"). The petition stated that the people in the area were concerned that their property would be degraded that that this would generate an increase in traffic. Mr. Pickens also submitted 11 photographs (Exhibit "A-2") which showed how the subject property had been kept in the past. He informed he is concerned about a sexually-oriented business going in on the lot.

Mr. Martin described the problems they have had in the area and the previous construction of Mr. Griffin. He informed he has seen this area deteriorate because of this type of proposal. He also had a question about the applicant's existing apartments that are built underneath a highline where they were informed there could be no construction.

Applicant's Rebuttal:

Mr. Griffin informed he wants to improve the area. He has had a problem with people dumping trash and trespassing on his property. He informed this proposal will not create traffic in the area--there are only 6 employees. He stated that he has not violated any easements in his construction. Mr. Griffin informed that there is no debris from his construction in the drainage ditch.

Comments and Questions:

Chairman C. Young asked if office-warehouse would only fit in CG or CS, and he was informed that it would fit in CG by right and CS by exception.

Ms. Kempe informed she feels approval of this would be further encroachment into a residential area.

Instruments Submitted: Protest Petition (Exhibit "A-1")
11 Photographs from Protestant (Exhibit "A-2")

TMAPC Action: 11 members present.

On MOTION of KEMPE, the Planning Commission voted 11-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; non, "absent") to DENY the request for CS and CG zoning on the following described property:

CS:

Lot 1, Block 3, Tiffany Park; and

CG:

the North 444.95 feet of the E/2 of the E/2 of the NW/4 of the NE/4, LESS the North 50' for road in Section 18, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

Application No. CZ-112 Present Zoning: RS
Applicant: Hinshaw Proposed Zoning: IL
Location: North of the NW corner of Peoria Avenue and 66th Street North

Date of Application: June 25, 1984
Date of Hearing: August 29, 1984
Size of Tract: 1.6 acre

Presentation to TMAPC by: Homer Hinshaw
Address: 6702 North Peoria Avenue Phone: 425-7724

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.6 acres in size and located on the west side of Peoria Avenue at 67th Street North. It is partially wooded, flat, contains two single-family dwellings and an auto repair business and zoned RS.

Surrounding Area Analysis -- The tract is abutted on the north by a large auto parts and salvage business zoned CG and IL, on the east by a mixture of residential, commercial and industrial uses zoned CS and RS, on the south by scattered single-family dwellings and commercial uses zoned RS, and on the west by single-family dwellings on large tracts zoned RS.

Zoning and BOA Historical Summary -- Previous zoning cases have allowed light industrial and commercial zoning along Peoria Avenue.

Conclusion -- North Peoria Avenue between 66th Street North and 76th Street North is in a constant transition from a mixture of uses zoned RS to Industrial and Medium Intensity Commercial zonings. Based on the Comprehensive Plan, existing land uses and the fact that IL zoning will lead to a more organized development, the Staff recommends APPROVAL of the IL request.

Applicant's Comments:

The applicant, Homer Hinshaw, was present but did not wish to speak.

Protestants: None.

TMAPC Action: 11 members present.

On MOTION of RICE, the Planning Commission voted 11-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; none, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned IL:

The South 1/3rd of the E/2 of the NE/4 of the SE/4 of Section 36, Township 21 North, Range 13 East, Tulsa County, Oklahoma.

ZONING PUBLIC HEARING:

Application No. Z-5984 Present Zoning: RS-3
Applicant: Russell Proposed Zoning: IH
Location: North of the NE corner of Dawson Road and Yale Avenue

Date of Application: July 13, 1984
Date of Hearing: August 29, 1984
Size of Tract: 9 acres

Presentation to TMAPC by: Raymond Russell
Address: 907 South Oswego Avenue Phone: 834-7969

Relationship to the Comprehensive Plan:

The District 16 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 IH District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 9 acres in size and located on the east side of Yale Avenue, between Young Place and Woodrow Street. 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 south by scattered single-family dwellings zoned RS-3, on the east by scattered single-family dwellings zoned RS-3 and RM-1, and on the west by a developed single-family subdivision zoned RS-3 and a strip pit zoned AG.

Zoning and BOA Historical Summary -- Although there has been no commercial or industrial zoning activity in the area, the Board of Adjustment did approve a sanitary landfill at one time, on the subject tract.

Conclusion -- Based on the Comprehensive Plan and surrounding zoning patterns, the Staff cannot support industrial zoning on the subject tract. The surrounding residences would be too greatly impacted by the uses permitted in either IH or IM zoning.

Therefore, the Staff recommends DENIAL of the IH or IM zoning.

For the record, some relief in the present zoning classification appears in order. IL zoning on the Yale frontage (less the east 3 to 400 feet) may appeal to the Commission, but would require an amendment to the Comprehensive Plan Map for this area.

Applicant's Comments:

Mr. Russell informed these lots are 955 feet long, and if they are cut in two, part of them are cut out of the water service and the sewer service. They are proposing to put a plumbing shop on the subject tract. He informed there are salvages within two blocks of the property. He does not see how a plumbing shop would bring the area down.

Application No. Z-5984 (continued)

Mr. Gardner informed that the Staff was concerned about the IM and IH because of other uses in the area. They did not want to see any of these uses where the subject tract is or to the north of it. The physical facts in the area do call for some sort of relief. He described the area. He informed that the eastern part of the lots could get access from the street to the east. He suggested that if the Commission is inclined to favor the IL that they cut off the east 300 or 400 feet.

There was discussion about how big the lot is and how much IL zoning would be appropriate.

Protestants: None.

Interested Party: Michael Brennan Address: 1112 Sunset Drive

Interested Party's Comments:
Mr. Brennan informed he owns property to the north of the subject tract. He thinks that Mr. Russell's proposal would be an improvement to the area and would help to solve the encroachment of salvages further in the area.

Comments:
Mr. T. Young informed that if the applicant wishes to use the eastern part of the subject property for part of the project, a PUD would be all that would be necessary to accomplish that if the IL zoning is approved. That would give the Planning Commission some other controls on the Canton Avenue side of the property. This approval does not restrict the applicant's usage to just that part that is being zoned--the opportunity exists to use the entire tract for this purpose. The Commission is only limiting where the zoning line would go.

TMAPC Action: 11 members present.
On MOTION of T. YOUNG, the Planning Commission voted 10-1-0 (Connery, Draughon, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; Higgins, "nay"; no "abstentions"; none, "absent") to recommend to the Board of City Commissioners that the west 550 feet of the following described property be zoned IL:

Lots 1, 2, 3, and 4, Block 1 and Lot 5, Block 2, S. R. Lewis Addition to Dawson, to the City of Tulsa, Tulsa County, Oklahoma.

Applocation No. Z-5985 Present Zoning: RS-3
Applicant: Cook Proposed Zoning: RM-2
Location: South of the SE corner of 37th Street and Riverside Drive

Date of Application: July 18, 1984
Date of Hearing: August 29, 1984
Size of Tract: 1-acre

Presentation to TMAPC by: Carroll Cook
Address: 1106 East 37th Place Phone: 749-9863

Relationship to the Comprehensive Plan:

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RM-2 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 on the east side of Riverside Drive, between 37th Street and 37th Place. It is non-wooded, flat, contains a single-family dwelling and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by a small apartment complex zoned RM-2, on the east by single-family dwellings zoned RS-3, on the south by a single-family zoned RM-T, and on the west by River Park zoned RS-3.

Zoning and BOA Historical Summary -- Previous zoning cases have allowed multifamily zonings of medium intensity abutting the subject tract to the north and south.

Conclusion -- Due to the subject tract's location between two RM zoning categories and the fact that the tract has access onto Riverside Drive, an arterial street and not into the single-family area, the Staff can support RM-1 zoning. The requested RM-2 is not in accordance with the low intensity designation and the Comprehensive Plan Map and could lead to an intensity along Riverside Drive greater than desirable and still move traffic effectively.

Therefore, the Staff recommends DENIAL of RM-2 and APPROVAL of RM-1 on the subject tract.

Comments:

Mr. Gardner described the surrounding property and told why the Staff is recommending RM-1 rather than RM-2. He informed that RM-1 is the maximum density that still meets the low-intensity category. He explained the difference between how many units are allowed in RM-1 and how many are allowed in RM-2.

Applicant's Comments:

Ms. Cook informed she would like the property rezoned so she can sell it.

Application No. Z-5985 (continued)

TMAPC Action: 11 members present:

On MOTION of HIGGINS, the Planning Commission voted 11-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; none, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1:

That part of the S/2 of Lot 5 of Section 24, Township 19 North, Range 12 East of the Indian Base and Meridian in Tulsa County, State of Oklahoma according to the United States Government Survey thereof, more particularly described as follows:

Commencing at the Northeast corner of the S/2 of Lot 5 of Section 24, Township 19 North, Range 12 East, Tulsa County, Oklahoma; thence West along the North line of said S/2 of said Lot 5, same also being the centerline of 37th Street, formerly 40th Place, a distance of 645 feet; thence South a distance of 145 feet for a point of beginning; thence West and parallel to the North line of said S/2 of Lot 5, a distance of 184.5 feet to a point, said point being on the East line of Riverside Drive; thence Southeasterly along the Easterly line of Riverside Drive a distance of 51.01 feet to a point; thence East and parallel to the North line of said S/2 of Lot 5, a distance of 170.23 feet to a point; thence North a distance of 50 feet to the point of beginning; ALSO

that part of the S/2 of Lot 5, Section 24, Township 19 North, Range 12 East of the Indian Base and Meridian in Tulsa County, Oklahoma, described as follows:

Beginning at a point 645 feet West and 195 feet South of the NE corner of the S/2 of Lot 5, Section 24, Township 19 North, Range 12 East; thence South from this point a distance of 100 feet; thence West and parallel to the North line of Lot 5, a distance of 150.03 feet or to the East line of the Highway (known as Riverside Drive); thence Northwesterly along the said East of said Highway a distance of 102.02 feet; thence East and parallel to the North line of Lot 5 a distance of 170.23 feet to the point of beginning.

Application No. Z-5986 Present Zoning: AG
Applicant: Allison/Phillips (Bogdanoff) Proposed Zoning: CS
Location: SW corner of 91st Street and Delaware Avenue

Date of Application: July 19, 1984
Date of Hearing: August 29, 1984
Size of Tract: .98 acre

Presentation to TMAPC by: Richard McMann
Address: 101 North Robinson (Oklahoma City) Phone: (405) 239-2611 (Ext. 244)

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, Development Sensitive, and Potential for Corridor.

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 designation of Low Intensity, but is in accordance with the potential Corridor designation.

Staff Recommendation:

Site Analysis -- The subject tract is approximately .98 acres in size and located at the southwest corner of 91st Street and South Delaware Avenue. It is partially wooded, flat, contains an unoccupied dwelling and commercial buildings and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by the Conley Corporation and vacant land zoned IL, on the east by a single-family dwelling then a commercial shopping center zoned CS, and on the west and south by mostly vacant land zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions have established medium intensity CS or IL at the other three corners of the intersection.

Conclusion -- Given the plan designation of potential Corridor and the past zoning actions on the other three corners of this intersection, the Staff recommends APPROVAL of the requested CS zoning.

Staff Comments:

Mr. Gardner informed that the property is described to the center of the street, but part of the property is right-of-way. He described the part of the property under the legal description that is under consideration.

Applicant's Comments:

Mr. McMann informed he represents Phillips Petroleum Company. He submitted a folder of exhibits (Exhibit "B-1") and explained them. He informed that the warranty deed that would be taken describes approximately 1 acre. They are proposing to put a gasoline station on the subject tract.

There was discussion about what would actually be rezoned. Mr. Gardner informed that zoning goes to the centerline of the street. He showed on the map what would be rezoned and what would actually be usable by the applicant. Mr. Gardner informed that because of the shape of the tract, the applicant will probably have to go to the Board of Adjustment for some relief to do what he wants to do.

Application Z-5986 (continued)

Interested Parties:

There were interested parties present who did not wish to speak.

Instrument Submitted: Folder of Exhibits (Exhibit "B-1")

TMAPC Action: 11 members present.

On MOTION of RICE, the Planning Commission voted 11-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; none, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS:

The North 225 feet of the East 288 feet of the East 464.8 feet of the North 277.78 feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 20, Township 18 North, Range 13 East, Tulsa County, Oklahoma, LESS roadway of record.

Application No. CZ-114 Present Zoning: RE
Applicant: Randall Proposed Zoning: RMH
Location: North of the NW corner of West 41st Street and 129th West Avenue

Date of Application: July 18, 1984
Date of Hearing: August 29, 1984
Size of Tract: 6.8 acres

Presentation to TMAPC by: *The Applicant was not present.

Relationship to the Comprehensive Plan:
The District 23 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area does not cover the subject tract.

Staff Recommendation:

Site Analysis -- The subject tract is 6.8 acres in size and located on the west side of 129th West Avenue at West 34th Street South. It is partially wooded, rolling, contains a single-family dwelling and two large accessory buildings and is zoned RE.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property zoned AG, on the east by vacant property zoned AG and a single-family subdivision that is currently being developed zoned RS-3, on the south by scattered single-family dwellings zoned RE, and on the west by vacant property zoned AG.

Zoning and BOA Historical Summary -- None.

Conclusion -- Although the Comprehensive Plan Map does not cover the subject tract, the Development Guidelines do which do not support RMH zoning on the subject tract due to existing zoning patterns and land use patterns in the area and access. The only property with a similar density as the requested RMH (8 to the acre) is the RS-3 (5.1 to the acre) development east of the subject tract.

Based on the above stated facts, the Staff recommends DENIAL of the RMH request and that it remain RE.

For the record, the Staff would advised that the applicant can apply to the Tulsa County Board of Adjustment for a special exception to allow mobile homes in an RE District. RE zoning would allow a maximum of 13 mobile homes on the subject tract.

Applicant's Comments:
*The applicant was not present or represented.

Chairman C. Young informed that INCOG received a letter from the Chairman of the Sand Springs Regional Planning Commission which stated that they held a meeting to conduct a referral public hearing pertaining to this application and that their recommendation is that the application be denied (Exhibit "C-1"). A copy of the minutes from the meeting in Sand Springs was also sent.

Protestants:
There were protestants present.

Instruments Submitted: Letter from Sand Springs Regional Planning Commission (Exhibit "C-1")

Application CZ-114 (continued)

TMAPC Action: 11 members present.

On MOTION of KEMPE, the Planning Commission voted 11-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; none, "absent") to DENY the request for RMH zoning on the following described property:

Beginning at the Southeast corner of the SE/4 of the NE/4 of Section 21, Township 19 North, Range 11 East, Indian Base and Meridian, Tulsa County, Oklahoma; thence North along the East boundary line of said Section 21, a distance of 450 feet to a point for the Northeast corner of the tract herein conveyed; thence West on line parallel to and 450 feet distance from the South line of the NE/4 of Section 21, a distance of 660 feet to a point for the Northwest corner of the tract herein conveyed; thence South on a line parallel to and 660 feet distance from the East line of Section 21, a distance of 450 feet to a point on South line of the NE/4 of Section 21 for Southwest corner of tract herein conveyed; thence East along South line of the NE/4 of Section 21, a distance of 660 feet to point of beginning, containing 6.8 acres, more or less.

Z-5987 Johnsen (Landmark Land) S. & W. of the SW corner of 31st Court and Memorial Drive CS to OMH

Chairman C. Young informed that this item was not advertised and needs to be tabled.

The Chair, without objection from the Commission, tabled Z-5987 until it can be advertised.

CZ-115 Butler (Oates) SW corner of 75th Street North and Peoria Avenue RS to IH

The applicant, Robert M. Butler, requested by letter (Exhibit "D-1"), that this item be continued to the September 5, 1984, meeting.

There were protestants present.

On MOTION of HINKLE, the Planning Commission voted 11-0-0 (Connery, Draughon, Higgins, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; none, "absent") to continue consideration of CZ-115 until Wednesday, September 5, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. PUD #375 Present Zoning: CS, OL, RS-3, RM-1
Applicant: Poe & Associates
Location: Northwest corner of 71st Street and Union Avenue

Date of Application: July 19, 1984
Date of Hearing: August 29, 1984
Size of Tract: 112.7 acres

Presentation to TMAPC by: Randy Heckencamper
Address: P. O. Box 470223, Tulsa Phone: 665-8800

Staff Recommendation:

The subject PUD is 112.7 acres in size and located at the northwest corner of 61st Street and South Union Avenue. The applicant is proposing a residential community of varied housing types together with garden office, shopping and open space amenities.

The Staff has reviewed the applicant's Outline Development Plan and find some minor concerns with potential street locations, however, it is felt that these concerns can be addressed in the Detail Site Plans. We find the land use relationships proposed 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.

Therefore, the Staff recommends APPROVAL of PUD #375, 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:

Single-Family Areas

Land Area (Gross):	37.4 acres
Permitted Uses:	Single-family detached and accessory uses.
Maximum No. of Units:	98 units
Minimum Lot Size:	4,000 square feet
Maximum Building Height:	35 feet
Minimum Yard if Abutting Arterial Public Street:	25 feet
Minimum Lot Frontage:	40 feet (at building line)
Minimum Lot Depth:	100 feet
Minimum Rear Yard:	20 feet
Minimum Side Yards:	5 feet
If Zero Lot Line Site Plan Approved:	
One Side Yard,	0 feet
Other Side Yard.	10 feet
*Minimum Livability Space:	4,000 sq. ft. per unit

Minimum Off-Street Parking:	2 spaces per unit

*A minimum of 1,600 square feet of livability space shall be provided on each lot with the remainder provided in a common open space area.

Multifamily Areas

Land Area (Gross):	40.4 acres
Permitted Uses:	As permitted within RM-1 District
Maximum No. of Units:	967 units
Maximum Building Height:	35 feet
Minimum Yard if Abutting Arterial Public Street:	35 feet
Minimum Yard if Abutting Nonarterial Public Street:	20 feet
Minimum Yard if Abutting Interior Private Street:	10 feet
Minimum Side Yards of Building:	7.5 feet
Minimum Separation Between Buildings:	15 feet
Maximum Units Per Building:	16 units
Parking Ratios:	1.5 space/1 bedroom unit 2.0 spaces/2 bedroom units
Minimum Livability Space:	1000 square feet per unit

Garden Office Areas

Land Area (Gross):	13.5 acres
Permitted Uses:	As permitted within OL District.
Maximum Floor Area:	97,030 square feet
Maximum Building Height:	As permitted within OL District.
Minimum Internal Landscaped Open Space:	20% of net lot area
Minimum Building Setbacks:	
From Abutting Arterial Street:	50 feet
From Abutting Nonarterial St.:	50 feet
From Abutting Residential Development:	50 feet
From Other Boundaries:	10 feet
Minimum Parking Ratio:	1 space/300 square feet of floor area.

Commercial Shopping Areas

Land Area (Gross):	21.4 acres

Application PUD #375 (continued)

Permitted Uses:	As permitted within CS District**
Maximum Floor Area:	299,911 square feet
Maximum Stories:	2 stories
Maximum Building Height:	45 feet
Minimum Internal Landscaped Open Space:	20% of net area
Minimum Building Setbacks:	
From Abutting Arterial Street:	50 feet
From Abutting Nonarterial Street:	50 feet
From Abutting Residential Developed Area:	50 feet
From Other Boundaries:	10 feet
Parking Ratio:	Per Code for each use.

**Late hour activities and other types of higher intensity uses will be restricted from the north end of the shopping area.

(3) That all signs shall comply with the requirements of Section 1130.2 (b) of the Zoning Code.

(4) That a Detail Site Plan for each area of development be approved by the TMAPC prior to the issuance of a Building Permit. The approval of a Final Plat on any single-family detached area may substitute for a Detail Site Plan.

(5) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy in any development area, except, single-family detached areas do not require landscape plans. Proper screening, landscaping and building design nearest the existing single-family lots next to the commercial area will be required.

(6) That upon the approval of a Detail Site Plan for any residential development area, the allocated density has not been reached, the remaining dwelling units may be transferred to any other residential development area within the PUD by minor amendment if the maximum number of dwelling units does not exceed 20% of the total shown on the Outline Development Plan for that area.

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

Staff Comments:

Mr. Gardner informed this is not a typical area--there is more RM-1 zoning there than is typically found. The basic purpose of this application is to allow patio lots to the north and to rearrange their commercial area.

Application PUD #375 (continued)

Applicant's Comments:

Mr. Randy Heckencamper informed he is representing the property owner, Dennis Hall. Mr. Heckencamper stated that the zoning is already in place and has been since approximately 1971. He described the subject property and submitted the following exhibits: (1) Vegetation Analysis, (2) Topographic Analysis, (3) Slope Analysis, (4) Hydrology Analysis, (5) Soil-Type Analysis, (6) Utility Analysis, (7) Site Plan, and (8) Proposed Development Plan. He explained each of his exhibits. He informed what they are basically doing is taking the zoning that is in place and utilizing it better taking into account the topography, the vegetation, and hydrology. They feel that this plan does utilize the land a lot better than if they went straight zoning and developed the land. Mr. Heckencamper informed that the Staff modified their development standards and he would like some things changed. On the multi-family they would like to have 24 units per 3-story building rather than 16 units per 3-story building. In the garden-office they would like to have a maximum building height of two stories because of the topography rather than the maximum building height allowed in OL. In the commercial area they would like to have 10 or 12 percent open space rather than 20 percent open space or a stipulation that a landscape plan must be approved at site plan approval.

T. Young asked the Staff how they should handle the maximum building height, and Mr. Gardner informed the best way would be to say that he could have a maximum of two-stories of office with one level of underground parking possible. When they get a site plan, they can judge it.

Mr. Gardner informed the Staff increased the open area from what the applicant had indicated. The Staff feels that with the slopes there will be more open space there, especially if they go with multi-level buildings. That will free more area up for open space. Mr. Gardner informed that many of the PUDs are getting 20 percent open space without a problem. They might accept something less than 20 percent, but he feels it would be better to deal with that in the detail planning stage. He informed they could put an asterisk by the 20 percent requirement and say that anything less than 20 percent would be reviewed in the detail plans. Mr. Heckencamper informed they can submit a landscape plan at the time they go for site plan approval. Mr. Gardner informed the Staff is looking for 20 percent open space, and if they do not have that much, they will have to justify the lesser amount.

There was discussion about what impact the floodway would have on this project.

Ms. Kempe asked Mr. Heckencamper about the soil in the basin area, and Mr. Heckencamper informed that the soil is very fertile. He described the soil.

Protestants: None.

TMAPC Action: 10 members present.

On MOTION of KEMPE, the Planning Commission voted 10-0-0 (Connery, Draughon, Hinkle, Kempe, Paddock, Rice, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Higgins, "absent") to recommend to the Board of City Commissioners that the following described property be approved for a Planned Unit Development, per Staff Recommendation with the following amendments: (1) that there

be 24 units per 3-story unit in the multifamily area, (2) that there be a maximum height of two-stories with one level of underground parking in the garden office areas, and (3) that there be 20 percent of open space in the garden office and commercial shopping areas, with the note that anything less than 20 percent will be reviewed at the time of the detail site plan review:

A part of the SE/4 of Section 34, Township 19 North, Range 12 East, Tulsa County, State of Oklahoma, described by metes and bounds as follows, to wit: BEGINNING at the SE corner of the SE/4 of Section 34, said point being the centerline intersection of South Union Ave., and West 61st Street South; thence North 89°-56'-77" West along the South line of the SE/4 of Section 34, a distance of 2,644.99 feet to the Southwest corner of the SE/4 of Section 34; thence North 0°-01'-10" West along the West line of the SE/4 of Section 34, a distance of 2,647.64 feet to the NW corner of the SE/4 of Section 34; thence South 89°-56'-00" East along the North line of the SE/4 of Section 34; a distance of 1,445.89 feet to a point, said point being the NW corner of Lot 1, Block 1, Woodview Heights, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof; thence due South along the West line of Block 1, Woodview Heights, a distance of 175.70 feet to a point, said point being 30.00 feet East of the NW corner of Lot 1, Block 2, Woodview Heights; thence due West a distance of 30.00 feet to the NW corner of Lot 1, Block 2, Woodview Heights; thence due South along the West line of said Block 2, a distance of 425.00 feet; thence Due West a distance of 68.00 feet; thence South 80°-00'-00" West a distance of 130.52 feet; thence South 56°-00'-00" West a distance of 231.32 feet; thence due South a distance of 66.00 feet; thence South 34°-00'-00" East a distance of 250.00 feet to the Southerly most SW corner of Lot 15, Block 2, Woodview Heights; thence South 56°-00'-00" West a distance of 37.00 feet; thence South 34°-00'-00" East a distance of 50.00 feet; thence North 56°-00'-00" East a distance of 20.00 feet; thence South 34°-00'-00" East a distance of 130.00 feet; thence South 56°-00'-00" West a distance of 125.00 feet; thence South 34°-00'-00" East a distance of 118.64 feet; thence South 15°-00'-00" East a distance of 84.53 feet; thence North 75°-00'-00" East a distance of 87.76 feet; thence South 15°-00'-00" East a distance of 50.00 feet; thence North 75°-00'-00" East a distance of 10.00 feet; thence South 15°-00'-00" East a distance of 125.00 feet to a point, said point being the SW corner of Lot 1, Block 6, Woodview Heights; thence North 75°-00'-00" East along the South line of Block 6, Woodview Heights, a distance of 230.49 feet; thence due East along the South line of Block 6, Woodview Heights, a distance of 1,045.00 feet to a point on the East line of the SE/4 of Section 34; thence due South along the East line of the SE/4 of Section 34, a distance of 1,130.00 feet to the POINT OF BEGINNING and containing 4,909,312.19 square feet or 112.702 acres, more or less, and subject to Street Right-of-Way as shown on the Survey; AND

All of Woodview Heights, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, containing 2,018,526.84 square feet or 46.339 acres, more or less.

Per Atty Amended per plat

Applications No. Z-5988 & PUD #376 Present Zoning: AG
Applicant: Poe & Associates (Wheatley) Proposed Zoning: RS-1
Location: SW corner of 101st Street and Louisville Avenue

Date of Application: July 19, 1984
Date of Hearing: August 29, 1984
Size of Tract: 12.1 acres

Presentation to TMAPC by: Randy Heckencamper
Address: 10820 East 45th Street, Suite 101 Phone: 665-8800

Relationship to the Comprehensive Plan: Z-5988

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 1 and Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-1 District is in accordance with the Plan Map.

Staff Recommendation: Z-5988

Site Analysis -- The subject tract is approximately 12.1 acres in size and located at the southwest corner of 101st Street and South Louisville Avenue. It is wooded, rolling, contains four single-family dwellings and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north and east by single-family neighborhoods zoned RS-3, on the south by mostly vacant land and one single-family dwelling zoned AG, and on the west by vacant land designated as floodway which is a part of a proposed residential development.

Zoning and BOA Historical Summary -- Past zoning actions have maintained the area around the subject tract as low density single-family.

Conclusion -- The Special District designation given to the tract reflects the steep slopes and erodible soils in the area and limits development to RS-1 standards with consideration for slightly higher densities if PUDs are used for development. Since the request is for RS-1 and the plan and surrounding zoning patterns support the request, the Staff recommends APPROVAL of RS-1 zoning on the subject tract.

It should be noted that a portion of the tract, the west-end, might be in a designated floodway. The tract has not been advertised for FD zoning; however, the Staff feels the underlying AG zoning is very restrictive on allowable uses plus the applicant is proposing a PUD and the City can protect the floodway by designating a restricted drainage development area.

Staff Recommendation: PUD #376

The subject tract is located at the southwest corner of 101st Street and South Louisville Avenue. It is approximately 12 acres in size and has a Staff recommendation for approval of RS-1 underlying zoning. The applicant is now requesting PUD supplemental zoning for a private large lot single-family development.

The Staff has reviewed the applicant's Outline Development Plan and have identified one area of concern. This concern is with the west

200 feet which appears to be partly within a designated floodway and should be protected from development. The Staff would recommend that use in this area be restricted to those allowed under the Floodway Zoning District.

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.

Therefore, the Staff recommends APPROVAL of PUD #376, 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):	12.1 acres
(Net):	10.4 acres
Permitted Uses:	Single-family residential, except the west 200 feet shall meet the requirement of the Floodway District.
Minimum Lot Area:	22,500 square feet
Minimum Lot Frontage:	100 feet*
Minimum Lot Depth:	100 feet
Maximum Building Height:	35 feet
Maximum Building Coverage:	50%
Minimum Building Setbacks:	
From Public Streets,	35 feet
From Private Street,	25 feet
Rear Yard,	25 feet
Side Yard.	10 feet
Minimum Off-Street Parking:	2 spaces

(3) That signage shall comply with Section 1130.2 (b) of the Zoning Code.

(4) That approval of the Final Plat shall be considered as approval of a Detail Site Plan.

(5) That a Detail Landscape Plan for the entryway and perimeter shall be approved by the TMAPC prior to occupancy of any structures.

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

*Measured at building line and may be reduced to 75 feet on cul-de-sac pieshaped lots.

Comments:

Mr. Gardner informed that basically the applicant's proposal is for 17 lots on a private street arrangement.

Ms. Wilson asked the Legal Counsel what his opinions are on the fact that the Staff recommended that uses in the area be restricted to those allowed under the floodway zoning district, yet they did not recommend that the property be advertised for FD zoning. Mr. Linker informed that the Hydrology Report indicates that there is no potential floodway requiring floodway zoning, so that is consistent with what the Staff has done and recommended.

Applicant's Comments:

Mr. Heckencamper presented the following analyses of the property and described them: (1) Vegetation Analysis, (2) Topographic Analysis, (3) Slope Analysis, (4) Hydrology Analysis, (5) Soil-Type Analysis, and (6) Site Plan (Exhibit "E-1"). He informed that in their text they mention 17 lots. They have two blocks. Block 1 has three lots, and Block 2 has 14 lots. They did the planning on two other developments in this area. He informed that some of the people in the area had asked him why he wanted a PUD. The main purpose at this time for a PUD is so they can have private streets. There is a possibility that they may want to have a card-operated security gate. They want this project to fit in with other developments in the area. Mr. Heckencamper described the drainage of the west end of the property that was one of the Staff's concern.

Comments and Questions:

There was discussion about how far flood waters have come up on the subject tract and what the effect could be on this property when the floodplain maps are updated. Mr. T. Young informed that the Vensel Creek Master Drainage Plan has been completed and there will be no update on it. Mr. Gardner explained the applicant's hydrology plan and what it says about the possible flooding on the property. Mr. Linker informed that some of the floodplain area maps designate floodplains a lot wider than the actual floodway. They would only put FD zoning on the actual floodway, not the floodplain where there could be development.

Mr. Heckencamper showed the Commissioners where the building lines will be.

Protestants:		Addresses:	
	John Sacra		10136 South Marion Avenue
	Bill Francis		10300 South Louisville Avenue
	John Eckels		3316 East 105th Street
	Gene Payne		10152 South Marion Avenue

Protestants' Comments:

Mr. Sacra represented a group of homeowners to the east of the subject tract that are not concerned about the development of this property as single-family residential property, but are concerned that there is a serious drainage problem on the east side of the subject tract which has not been addressed. He described Louisville Avenue and the drainage problems they have in this area. At least three of the homeowners will be affected by anything that occurs on the east end of the development

that does not consider the drainage plan. He described the slope of the property in the area.

Mr. Francis informed he owns the property to the south of the subject tract. He does not object to the zoning, but he is concerned about the PUD. He asked if another developer can come in and have a much larger density when a PUD is passed. The Commission informed him that they could not without another public hearing because a PUD locks in everything.

Mr. Eckels informed that appropriate residential development is not a problem, but he hopes that if the development is considered it will be taken into consideration that density and water problems are going to go together.

Mr. Payne informed he is concerned about the drainage in the area and described the problems they have. The area is very sensitive to runoff. They would like to have a drainage ditch of some sort to carry the water down the west side of Louisville Avenue.

Applicant's Rebuttal:

Mr. Heckencamper pointed out the highest part of the property and told the Commissioners how the water runoff is on the property. He informed that about 1-1/2 to 2 acres of the property does drain to the east. He thinks the runoff from that portion of the property could be handled by a ditch along Louisville Avenue.

Chairman C. Young informed that the Planning Commission could require the applicant to have a ditch on his side of Louisville. Mr. T. Young informed they would also need a maintenance agreement to keep up the ditch.

Instruments Submitted: Development Plan (Exhibit "E-1")

TMAPC Action: 8 members present: Z-5988

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Connery, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Rice, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RS-1:

Z-5988 Legal Description: Intersection of 101st Street and Louisville Avenue, being the point of beginning; thence South 400'; thence West 1,320'; thence North 400'; thence East 1,320' to the Point of Beginning, all in the NW/4 of the NW/4 of Section 28, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

TMAPC Action: 8 members present: PUD #376

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Connery, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Rice, "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 a maximum of 17 lots, with a condition that requires that a drainage ditch be constructed at the east end of the tract with the maintenance of that ditch to be a function of the homeowners, and subject to the compliance of this condition being made a part of the plat:

PUD #376 Legal Description: Intersection of 101st Street and Louisville Avenue, being the point of beginning; thence South 400'; thence West 1,320'; thence North 400'; thence East 1,320' to the point of beginning, all in the NW/4 of the NW/4 of Section 28, Township 18 North, Range 13 East, City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5989 Present Zoning: CS and OL
Applicant: Wiley Proposed Zoning: RM-2
Location: North of the NE corner of 11th Street and Mingo Road

Date of Application: July 19, 1984
Date of Hearing: August 29, 1984
Size of Tract: 5.3 acres

Presentation to TMAPC by: Bonnie Masterson
Address: 2123 South Lewis Avenue Phone: Unknown

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 -- Commercial.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5.3 acres in size and located just north of the northeast corner of 11th Street and South Mingo Road. It is non-wooded, gently sloping, contains an unoccupied construction trailer and is zoned CS and OL.

Surrounding Area Analysis -- The tract is abutted on the north by a church zoned RS-3, on the east by mostly vacant land once used as a drive-in theatre zoned CS, on the south by vacant land and a small mobile home court zoned CS, and on the west by a strip of vacant land zoned OL and a single-family neighborhood zoned RS-2.

Zoning and BOA Historical Summary -- Past zoning actions have allowed light intensity office and medium intensity commercial zoning on the subject tract.

Conclusion -- Since the subject tract is located directly across Mingo Road from single-family and is zoned nonresidential, the Staff feels that medium intensity residential would be appropriate. Therefore, the Staff recommends APPROVAL of the requested RM-2 zoning, LESS and EXCEPT any portion to be zoned FD Floodway.

NOTE: This recommendation is based on the assumption that the area is free from flooding and danger to inhabitants.

Applicant's Comments:

Ms. Masterson informed that they would like to develop this property, but they feel that any commercial development that would add a great deal of concrete to the area could be detrimental to the area. She presented a memorandum from Charles Hart, Chief Hydrologist, dated 1980, which says that this property has been removed from the floodplain. They will like to put a multifamily apartment complex on the property.

Protestants:		Addresses:	
	Paul Gallahar		9024 East 33rd Street
	Tim Faux		10609 East 3rd Street
	Darnelle London		9720 East 7th Street
	Sharon Tate		1321 South 97th East Place

Application No. Z-5989 (continued)

Protestants' Comments:

Mr. Gallahar represented the Rosewood Wesleyan Church. They are very concerned about any type of construction being contemplated for the subject property. He described the flooding problems they have had in the area. He submitted 8 photographs (Exhibit "F-1") and described them. He feels that the rezoning and any construction that would ultimately result would increase the amount of water runoff. They currently have a drainage problem even in normal rainfall. Their drainage problem was compounded during the past three years when the property in question was raised several feet with dirt and fill. He is opposed to the rezoning and any construction for two reasons: (1) They feel that this is inconsistent with the direction the City has taken regarding flood-control considerations, and (2) they feel that any rezoning and construction would have catastrophic results.

Mr. T. Young informed Mr. Gallahar of what the zoning on the subject tract is and stated that the people in the area now have an opportunity to exert some control as to what goes on the property. The decision the people in the area have to make is whether they want commercial or residential development on the property. Mr. Gardner informed that with a zoning change, the property would have to be platted.

Mr. Faux informed he is opposed to anything being built on the subject tract because he feels there is an abundance of housing in the area and he is concerned about the flooding in the area. He informed there was water on the subject tract during the last flood.

Chairman Young informed Mr. Faux that the Planning Commission has no authority to put a moratorium on building.

Ms. London informed she does not want apartments built on the subject tract. She submitted a protest petition with 39 signatures of people in the area who are opposed to apartments being built on the tract (Exhibit "F-2"). Besides the water drainage problem, their biggest concern is traffic that the apartments will generate. She does not want anything built on the property.

Ms. Tate described what went on when the subject property was filled in with dirt. She informed she has no problem with anyone building on the property. She is concerned about when the property will be built on and what the owners of the property will do with the runoff. She does not think it is right for a person to build on their property and cause problems for other people. She would like to see no building done on the property until detention is taken care of. She said she would prefer residential development to some of the commercial development she has seen.

Mr. Gardner informed that this area has been under water. If the property cannot be made safe for residential use, it would be better for it to remain commercial.

Applicant's Rebuttal:

Ms. Masterson informed that the owner of the subject property had a permit to have the property filled. She informed there was a mobile home on the property during the May 1984, flood that was not flooded.

Application Z-5989 (continued)

Discussion:

Ms. Kempe informed she likes the idea of the platting that would take place if the RM-2 zoning were allowed.

Mr. T. Young informed that from a safety sandpoint, he would rather have commercial development on the property rather than residential development. Ms. Hinkle agreed with Mr. T. Young's statement.

Instruments Submitted: 8 Photographs (Exhibit "F-1")
Protest Petition (Exhibit "F-2")

TMAPC Action: 8 members present.

On MOTION of WILSON, the Planning Commission voted 8-0-0 (Connery, Hinkle, Kempe, Paddock, Wilson, Woodward, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Rice, "absent") to DENY the request for RM-2 zoning on the following described property:

Lots 1 and 2, Block 1 of Wiley's Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

There being no further business, the Chair declared the meeting adjourned at 4:47 p.m.

Date Approved September 12, 1984

Chairman

ATTEST:

Secretary