

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1348
 Wednesday, March 4, 1981, 1:30 p.m.
 Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Avey	Gardner	Alberty	Linker, Legal Department
Eller	Inhofe	Gardner	
Freeman	Parmele	Howell	
Holliday, Secretary		Lasker	
Kempe, 2nd Vice- Chairman		Wilmoth	
Petty			
C. Young, Chairman			
T. Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall on Tuesday, March 3, 1981, at 11:42 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Carl Young called the meeting to order at 1:35 p.m. and declared a quorum present.

MINUTES:

On MOTION of HOLLIDAY, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Avey, Gardner, Inhofe, Parmele "absent") to approve the Minutes of February 18, 1981 (No. 1346).

REPORTS:

Chairman's Report:

Chairman C. Young recommended that a resolution of appreciation for the time and effort expended by former Commissioner Tom Keleher be considered.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Avey, Gardner, Inhofe, Parmele "absent") to direct the Staff to prepare a Resolution of appreciation for Thomas J. Keleher.

Chairman C. Young, on behalf of the entire Commission, welcomed new Commissioner, Richard Freeman. Mr. Freeman was appointed to the TMAPC on February 20, 1981, and will serve a three-year term.

CONTINUED ZONING PUBLIC HEARING:

PUD #247 Marshall Horn N. & E. of the NE corner of 58th Street & 85th E.
 Avenue (AG)

The Staff advised that a phone call had been received from the applicant informing them that he would either continue the application or withdraw it at this meeting. Mr. Horn was not present at the meeting and had not transmitted a letter requesting continuance of the item. The zoning application for the subject tract had been continued before the City Commission until March 10, 1981.

PUD #247 (continued)

In discussion, the Commissioners decided that without any direction from the applicant it would be best to strike the PUD application at this time. If the applicant wished to have the PUD heard it would require readvertising in order to reactivate the application.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Avey, Gardner, Inhofe, Parmele "absent") to strike PUD #247 from the agenda.

Application PUD #248 Present Zoning: (RS-3)
Applicant: Roy Johnsen (Quatro Properties)
Location: North side of 91st Street, between Yale and Sheridan Road

Date of Application: September 30, 1980
Date of Hearing: March 4, 1981
Size of Tract: 12.69 acres

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

Staff Recommendation:

Planned Unit Development #248 is located on the north side of 91st Street, west of Joplin Avenue. The 12.69 acre tract is zoned RS-3 and the applicant is requesting approval of a private street to serve 54 patio home lots. The subject property is a narrow strip of land that varies from 90 feet to 310 feet and the street is one-half mile long. The Staff recognizes that development of the property in a conventional subdivision manner with a dedicated street limits the lot yield. However, the applicant's proposal creates several significant development problems, which may eventually obligate the City of Tulsa to maintain the proposed street and build a bridge across the creek to the northeast. The Staff is primarily concerned with three issues the proposal raises:

- 1) A one-half mile long private street with only one point of ingress and egress in the foreseeable future;
- 2) A recreation area that is located at the extreme southern end of the development and is not located to best serve those that will be using the facilities. (The Staff also questions whether 54 lots can support a clubhouse, swimming pool and two tennis courts.); and
- 3) A dedicated stub street that will not serve an immediate purpose.

The applicant's proposal shows a dedicated street on the north end of the project, but it does not connect to any dedicated road. Eight-sixth St., is stubbed to the east on the east side of the floodway some 300' away. Who will build the bridge across 300' of floodway? The location of the recreation facility one-half mile away is not convenient to the residents on the north one-half of the proposed development.

The Staff feels the ideal development of the subject property would be to include it with the property to the west. Thereby, a reasonable street pattern could be laid out best utilizing the narrow strips of the subject property, which are large enough only to accommodate a dedicated street. The Staff feels that the subject proposal is simply not an acceptable development solution of the subject property and raises more questions than it resolves.

Based on these reasons, the Staff recommends DENIAL of PUD #248.

Applicant's Comments:

Roy Johnsen, representing the owners of the subject tract, advised that this is an unusual piece of property in that it is extremely long and narrow, irregular in shape and access is limited to 91st Street at this time, which makes it difficult to develop in a conventional manner. The subject property is zoned RS-3 which would permit 65 dwelling units; and

PUD #248 (continued)

the PUD proposes 54 dwelling units. Therefore, the density would be less than the maximum number of dwelling units permitted by the zoning and the proposed development would be consistent with the Comprehensive Plan and the District 18 Plan.

The property to the east of the subject tract has been platted into large, single-family lots. The tract between this platted area and the subject tract is in the floodplain and extends all along the eastern boundary of the subject property. Mr. Johnsen pointed out that, although small lots are proposed for the subject tract, a large tract of open space abuts the property to the east. North of the subject property is 160 acres owned by Holland Hall which would serve as an obstacle to the extension of a north-south collector street through the subject tract. The Comprehensive Plan does not show a collector street north and south. Mr. Johnsen advised that 60 feet would be provided on the north portion of the subject tract which would permit a connection across the floodplain to the two existing collectors and would allow east-west movement which is what the Plan calls for. He also question if there will ever be a need for the east-west collector street since the section will not develop in a dense manner. All of the property to the west of the subject tract is rural, approximately 10-acre tracts, some of which have existing farm homes.

In regard to the Staff Recommendation that the ideal development of the subject property would be to include it with the property to the west, Mr. Johnsen advised that the owner of the subject tract had tried in the past to purchase the adjacent property to the west, but it was not available. Therefore, the applicant is in the position of hoping that the property to the west will develop simultaneously and in cooperation with the subject tract or that the owner will offer his land for sale.

The size and shape of the subject tract dictates development other than single-family homes on detached lots. The patio home or zero lot line construction is proposed in this PUD. The lot is smaller, a lot line is identified and it is required that the structure be located on that lot line. The result is the use of the wall that is on the zero lot line as a part of the privacy of the adjoining lot. This allows for an efficient use of ground, lends itself to privacy and there is becoming an increasing acceptance of this type of dwelling style. The smaller lots are offset by other common areas within the project. The common area for this project is proposed in the southern portion of the subject tract. Approximately two acres of common area provides an area for a swimming pool, tennis courts and a clubhouse. Common maintenance is proposed to maintain the character of this area. Anyone who purchases a lot on the subject tract would have the right of participation in the common area.

The private street in the project will serve security purposes; a gate house and guard is proposed in this PUD. The owner of the subject tract is adamant that the proposed project will not work if a public street must be provided. The lots would be unworkable, they would not be marketable, and the amenities; i.e., common space, privacy, smaller lots and zero lot lines, would be lost.

Immediately to the south of the subject tract, across 91st Street, is an 80-acre City-owned park which would tie to the PUD. Therefore, there would be a permanent open space adjacent to the subject tract on the south.

PUD #248 (continued)

Noting one of the Staff concerns was the one-half mile long private street with only one point of ingress and egress in the foreseeable future, Mr. Johnsen pointed out that the typical subdivisions of any large tract almost always have stub streets that, at the moment, do not go anywhere in the foreseeable future. They are dependent upon other properties - this would be true of the stub street on the subject tract. If the property to the west developed it might be possible that they would be required to stub to the stub street on the subject property which would, in turn, provide a second point of access to the project. Mr. Johnsen stated that the owner would be willing to provide the right-of-way to connect the stub street out of Woodhill Estates to the proposed stub on the subject tract.

Protestants: None.

Special Discussion for the Record:

Commissioner T. Young suggested that one condition of the PUD might provide that the owner construct some sort of roadway to a crash gate which would provide an additional access for fire protection purposes.

Mr. Johnsen advised that construction of a road had been considered, but the cost estimates, in excess of \$200,000, were prohibitive. Since it is in the floodplain there are additional City requirements which would add considerably to the development costs.

Commissioner Holliday questioned if this entire area had been owned by one person earlier and was advised that the applicant had owned the entire property in 1967. Mr. Johnsen further advised the Commissioner that the owner had purchased the tract prior to the 1974 floods and the advent of the restrictive floodplain regulations. The restrictions were so prohibitive that the owner did not attempt to develop the portion of the tract which is in the floodplain.

In answer to Commissioner Petty's question, Mr. Johnsen stated that the recreation area was located at the southern edge of the subject tract because the property was narrow and difficult to lot on the southern portion and its frontage on a major street (91st Street) made this a logical entry point for the development. The owner would be willing to locate the common area in the middle of the proposed project if this was an issue.

Bob Gardner expressed the Staff's concern that with easy access on a major street it could become a private club and would be operated as a business. The proposed location would be acceptable if it can be restricted so that only property owners can utilize the facility.

Mr. Johnsen advised that it was not the intent to make the facility available to anyone other than project owners. The owner would be amenable to a condition imposing the restriction that a gate or inside security fence be erected.

Commissioner C. Young questioned why, if the applicant had previously owned the entire 60-acre tract, did he not consider building a bridge over the very narrow portion across the floodplain. Mr. Johnsen pointed out that it was very deep in the narrow portion of the floodplain and there would be many restrictions in building a bridge over that area.

PUD #248 (continued)

The Staff advised that the subject tract could be developed in a conventional-type manner. Mr. Johnsen stated that under the present zoning with a subdivision plat, not only would the owner lose many lots, but the platted lots would be odd shaped and small.

The estimated cost of one dwelling unit would be \$60,000 - \$110,000 in the proposed development. Commissioner T. Young pointed out that the clientele in this type of development will be people who are seeking a private living environment with security gate, private road and other amenities such as the recreational area. The proposed cost (\$200,000) of erecting a bridge at the north end of the subject tract, divided evenly between the proposed 54 units would add approximately \$3,700 to the cost of the lot. Commissioner T. Young stated that he did not think the clientele would mind paying the additional cost. He advised that he was prepared to support the PUD, but not without a commitment that the owner would provide that access.

Mr. Johnsen stated that when you add dollars to a project you impair its marketability. He also pointed to other costs such as building the clubhouse, tennis courts and installing the swimming pool.

Commissioner T. Young agreed with Mr. Johnsen; however, he noted that the people might have to pay a higher insurance premium for fire protection if a second access is not available.

Mr. Johnsen pointed out that the subject tract has direct access to 91st Street, is is not inaccessible. He noted that the two points of access was more for convenience of the area residents.

Bob Gardner advised that the City would have to build a bridge across the floodplain if the subdivision to the east was ever going to tie back to the west. It was Mr. Gardner's opinion that the City should not be in a position of building bridges on private property.

Commissioner T. Young suggested that the Staff conditions for approval of the PUD should be presented prior to approval or other action on the application.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that PUD #248 be continued to March 18, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, Tulsa Oklahoma.

ZONING PUBLIC HEARING:

Application No. Z-5507 Present Zoning: AG
Applicant: Roy Johnsen (Treria) Proposed Zoning: CO
Location: North and West of the NW corner of 145th E. Ave. and Broken Arrow
Expressway

Date of Application: January 27, 1981
Date of Hearing: March 4, 1981
Size of Troct: 5 acres, more or less

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

Staff Recommendation:

Relationship to the Comprehensive Plan: The District 17 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Corridor, Low-Intensity -- No Specific Land Use.

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

The Staff recommends APPROVAL of CO zoning for the following reasons:

The subject property is located north and west of the NW corner of 145th East Avenue and the Broken Arrow Expressway. The property is zoned AG Agriculture and the applicant is requesting CO Corridor zoning.

The subject property abuts CO zoning on three sides and C-5 Commercial zoning (Broken Arrow) on the fourth. The Comprehensive Plan recognizes Corridor zoning on the subject property.

For these reasons, the Staff recommends APPROVAL of the requested CO zoning.

The applicant was present, but did not comment.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of ELLER, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CO:

The East 1/2, SW/4, SE/4, NE/4 of Section 33, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

Application PUD #166-A

Present Zoning: (CS, RM-1, RS-3)

Applicant: Dan G. Mailath (Ken's Pizza)

Location: SE corner of 91st Street and Sheridan Road

Date of Application: January 26, 1981

Date of Hearing: March 4, 1981

Size of Tract: 14.93 acres, more or less

Presentation to TMAPC by: Dan G. Mailath

Address: 6927 South Canton Avenue

Phone: 492-1730

Staff Recommendation:

Planned Unit Development #166-A is located on the SE corner of the intersection of 91st Street and Sheridan Road. The commercial portion of the PUD (Development Area "A") has been approved for 125,625 square feet of floor area. The zoning, however would permit 130,680 square feet of non-residential uses. This leaves 5,055 square feet of unallocated floor area. The applicant has filed an amendment to the PUD to permit the change in use from commercial to office and requesting an increase in the floor area from 4,000 square feet to 9,000 square feet.

Based upon the fact that the requested change in use is a reduction in land use intensity and the zoning permits the requested floor area, the Staff recommends APPROVAL of PUD #166-A, subject to the following conditions:

1. That the maximum office floor area be 9,000 square feet and the net site area be 33,000 square feet for Development Area "A-3".
2. That the minimum number of off-street parking spaces be 36 (1 per 250 sq. ft. of floor area).
3. That the minimum open space green area be 10,598 sq. ft. (32% of net site area).
4. That a free-standing sign be permitted on the Sheridan frontage not to exceed 32 square feet of display surface area, and 12 feet in height.
5. That a subdivision plat be approved by the TMAPC and filed of record in the County Clerk's Office prior to the issuance of a building permit, incorporating the PUD conditions of approval in the restrictive covenants of said plat, making the City of Tulsa beneficiary to said covenants.

The applicant was not present at the meeting.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be approved, subject to the Staff Recommendation:

A tract of land lying in the NW/4 of Section 23, Township 18 North, Range 13 East of the IB&M in Tulsa County, Oklahoma, more particularly

PUD #166-A (continued)

described as follows: Beginning at the NW corner of said Section 23; thence South $00^{\circ}-09'-03''$ East along the West line thereof, a distance of 1,125.00' to a point; thence North $89^{\circ}-49'-58''$ East a distance of 515.20' to a point; thence North $00^{\circ}-09'-03''$ West a distance of 150.72' to a point; thence North $89^{\circ}-49'-58''$ East a distance of 72.80' to a point; thence North $00^{\circ}-09'-03''$ West a distance of 974.28' to a point on the North line of said Section 23; thence South $89^{\circ}-49'-58''$ West a distance of 588.00' to the point of beginning, containing 14.93 acres, more or less.

Application No. CZ-8 Present Zoning: AG
Applicant: Opal Rivers Proposed Zoning: CG
Location: SE corner of 41st Street and 225th West Avenue

Date of Application: January 27, 1981
Date of Hearing: March 4, 1981
Size of Tract: 5.64 acres, more or less

Presentation to TMAPC by: Stewart Coales
Address: 6945 South 153rd West Avenue Phone: 224-1008

Staff Recommendation:

Relationship to the Comprehensive Plan: The subject property is located in the unincorporated area of Tulsa County and does not have an adopted Plan Map. However, the Development Guidelines adopted by Tulsa County is the official document for guiding zoning decisions.

The Staff recommends APPROVAL of approximately 5 acres of CS zoning and DENIAL of the requested CG zoning, for the following reasons:

The subject property is located on the SE corner of West 41st Street and South 225th West Avenue. The tract is vacant, zoned AG Agriculture and the applicant is requesting CG General Commercial zoning.

The intersection corner of two secondary arterial streets is designated as a Type I Node by the Development Guidelines. Five (5) acres of CS zoning is considered appropriate per corner for Type I Nodes, providing the commercial development has not been preempted by existing low density residential development. The NE corner of the intersection has a service station, and therefore, establishes a commercial precedent. However, there is no basis for exceeding the 5 acres or permitting the CG General Commercial zoning which permits several uses which may not be appropriate for the area.

Therefore, the Staff recommends APPROVAL of approximately 5 acres of CS zoning (451' x 467') and DENIAL of the balance, as well as DENIAL of any CG zoning.

For the record, because of the timing of the application the Commission may want to consider a smaller tract (300' E/W by 451' N/S) until such time as the house immediately north of the eastern portion is appropriate for similar treatment.

Applicant's Comments:

Stewart Coales advised that there is an existing grocery store across the street from the subject tract and another grocery store approximately one-half mile away. Owners of the two existing grocery stores are long-time friends of the owner of the subject tract, Mrs. Rivers, and she does not want to propose anything which will compete with their business.

Mr. Coales stated that the applicant does not have a prospective buyer for the subject tract or any concrete plans for development of the property; however, some consideration has been given to erecting mini-storage units. The subject tract is only three miles from the Keystone Dam overlook and the mini-storage development would provide a facility for boat storage in the area.

CZ-8 (continued)

Protestants: None.

Special Discussion for the Record:

Commissioner T. Young questioned why the Staff, in many instances, recommended approval of CS zoning, but denial of CG zoning.

Bob Gardner advised that the Staff has several concerns about CG zoning; the primary concern is automobile repair which turns into salvage on the back portion and auto repair on the front of the tract. He noted that this is a problem for the County, particularly the northern part of the County. The recommended CS zoning would permit mini-storage use with County Board of Adjustment approval.

Mr. Coales stated he would prefer receiving the CG zoning and not returning to the Board of Adjustment for approval.

Commissioner T. Young advised that he would vote in favor of CG zoning, but would oppose any motion for CS zoning.

TMAPC Action: 8 members present.

On MOTION of ELLER, the Planning Commission voted 7-1-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young "aye"; T. Young "nay"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CS on 5 acres (451' x 467') and denial of the balance:

Beginning at the NW corner of Section 27, Township 19 North, Range 10 East; thence North 89°-30'-43" East 467'; thence South 0°-15'-02" West 451.28'; thence South 89°-14'-50" West 467'; thence North 0°-18'-02" West 453.77' to the point of beginning, lying all in the NW/4, NW/4, NW/4 of Section 27, Township 19 North, Range 10 East, Tulsa County, Oklahoma.

CZ-9 John D. Williams South and West of the SW corner of 48th Street and
65th West Avenue AG to RMH

John Williams requested that this application be withdrawn. He advised that the proposed mobile home park would require several taps of the Sapulpa water system, which would not be practical in light of the severe water shortage in that area.

The Chair, without objection, withdrew CZ-9.

Application No. Z-5508 Present Zoning: RS-3
Applicant: Steve Miller (Merifield) Proposed Zoning: OL
Location: NW corner of South Zunis Avenue and 21st Street

Date of Application: January 29, 1981
Date of Hearing: March 4, 1981
Size of Tract: 58' x 156'

Presentation to TMAPC by: Joe McGraw
Address: 819 South Denver Avenue Phone: 583-1000

Staff Recommendation:

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

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

The Staff recommends APPROVAL of the requested OL zoning for the following reasons:

The subject property is located on the NW corner of 21st Street and Zunis Avenue. The property contains a single-family residence and accessory building and is zoned RS-3. The applicant is requesting OL light office zoning to permit office development.

The subject property is the remaining residentially zoned property between St. John's Hospital and Lewis Avenue, on the north side of 21st St. The property is abutted on the east and west by OL zoning.

Based on the zoning patterns in the area and the Comprehensive Plan, OL zoning is appropriate; therefore, the Staff recommends APPROVAL of the requested OL zoning.

Applicant's Comments:

Joe McGraw advised that the subject property is the only residentially zoned lot that remains between St. John's Hospital and Lewis Avenue on the north side of 21st Street. Properties to the east and west of the subject tract are zoned OL.

Interested Party: Mrs. T. W. McSpadden Address: 2139 E. 20th Street

Interested Party's Comments:

Mrs. T. W. McSpadden advised that she was present at the meeting because the sign advertising the zoning change had been placed on the northeast corner of South Zunis, rather than the northwest corner of the intersection. Mrs. McSpadden was not opposed to the proposed OL zoning of the subject tract.

Instruments Submitted: Letter from District 6 Steering Committee (Exhibit "A-1")

A letter was presented from the District 6 Steering Committee (Exhibit "A-1") recommending approval of the rezoning.

Z-5508 (continued)

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of PETTY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OL:

Lot 19, Block 10, Woodward Park Addition to the City of Tulsa, Okla.

Application No. Z-5509 Present Zoning: RS-3
Applicant: Russ Roach Proposed Zoning: RM-T
Location: South of the SE corner of 16th Street and Lewis Avenue

Date of Application: January 30, 1981
Date of Hearing: March 4, 1981
Size of Tract: 140' x 211.2'

Presentation to TMAPC by: Russ Roach
Address: 1241 East 27th Place Phone: 743-8061

Staff Recommendation:

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

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

The Staff recommends APPROVAL of the requested RM-T zoning for the following reasons:

The subject property is located on the east side of Lewis Avenue, between 16th Street and 17th Place. The property is zoned RS-3 and the applicant is requesting RM-T Townhouse zoning.

The subject tract was under application twice previously for office zoning. In each instance the office zoning was denied and the Staff suggested that an increased residential density would be more appropriate. The subject property in the Staff's opinion, meets the criteria for townhouse zoning. It has frontage on an arterial street, and was not platted as part of an interior residential neighborhood. The Staff does not believe the present RS-3 zoning would develop single-family residential facing the major street at this point in time.

For these reasons, the Staff recommends APPROVAL of the requested RM-T zoning.

Applicant's Comments:

Russ Roach, owner of the subject tract, advised that he plans to build an RM-T development directly across the street from Barnard Elementary School. The townhouses will be oriented around a heavily landscaped formal courtyard similar to what is found in the older sections of Boston, Mass. Two-story, high quality units, 1,300 sq. ft. per unit, will be constructed at a market value in excess of \$85,000 per unit. Mr. Roach noted that there is a slope from Lewis Avenue to the east which he plans to take advantage of by arranging the garage units underneath the units which face north and south. Two other units will have enclosed garages, with garage doors, so that the cars will be out of sight.

Mr. Roach pointed out that the entire property drains entirely to the east. When the proposed project is completed, the only part of the tract which will drain to the east will be the parking areas to the north and south. The balance of the property will drain to Lewis Ave.

Z-5509 (continued)

A letter from the District 6 Steering Committee was exhibited (Exhibit "B-1"). The Committee recommended approval of the rezoning of the subject tract for townhouse use.

<u>Protestants:</u>	Tom Bentley	Address:	1543 South Lewis Place
	Charles Erickson		1630 South Lewis Place
	Mrs. R. I. Garrott		1634 South Lewis Place
	Robert G. Don		1622 South Lewis Place
	Jacqueline Drew		1626 South Lewis Place

Protestant's Comments:

Tom Bentley presented a letter of protest (Exhibit "B-2") signed by six residents of the area, opposing the rezoning application because of the precedent for townhouses which would be established in the area. Other objections listed by Mr. Bentley were too many cars, congested streets, fire hazard, noise and cutting off of light and air from either side. He also pointed out that if the owners of the townhouses have the number of dogs which would be allowed there would be 30 dogs, which would be a health hazard as well as a nuisance. The protestant stated that this is a very quiet neighborhood and he would like to see it remain that way.

Charles Erickson advised that his property abuts the subject tract on the east. Mr. Erickson asked the Commission to question if the integrity of the neighborhood will be preserved, taking into consideration the type of structure which is proposed, the number of units, style and future tenants. The area residents believe that perhaps 10 units are too many in an area of this size. If these are tall and narrow structures it will give the tenants a "bird's eye" view of the lots east of the townhouses, therefore, ruining the privacy of the existing residents. The protestant also questioned what would happen if the townhouses did not sell.

Noting that drainage from the subject tract is to the east, Mr. Erickson asked if slope and grading problems will create more problems for the surrounding area. He also questioned if the strain of 10 additional units on the sewer system can be adequately handled without disruption or inconvenience to existing land owners. Storm sewers in the area overflow now during heavy rains. Another concern was lighting - Mr. Erickson asked how that would be handled and if there would be lights in the parking area which would affect the back yards of the neighborhood.

Mrs. Garrott, Robert G. Don, and Jacqueline Drew all advised that they had the same concerns as those expressed by Mr. Erickson and Mr. Bentley.

Mrs. Tom Bentley advised that she was not opposed to townhouses, but did object to construction of townhouses in an area of single-family residences because they would be too close and the additional noise which would be generated.

Interested Party: Ron Richardson Address: 1256 East 30th Street

Interested Party's Comments:

Ron Richardson advised that his mother owns a rental house and lives in the addition. Mr. Richardson thanked the applicant, Russ Roach, for attending the District 6 Steering Committee meeting and presenting his plans for the development of the subject tract.

Z-5509 (continued)

Instruments Submitted: Letter from District 6 Steering Committee (Exhibit "B-1")
Protest Letter, 6 signatures (Exhibit "B-2")

Special Discussion for the Record:

Russ Roach was of the opinion that one of the protestants, Mr. Bentley, was making a blanket opposition to townhouses.

The height of the proposed townhouses will be 26 feet, which is standard. This will not be out of character with the neighborhood since two-story houses are common in the area. Any problems with drainage on the tract will be worked out in the platting process. Mr. Roach noted that with the cost of utilities these days he has no intention of lighting someone else's property for them, therefore, annoying lights shining into the backyards should not be a problem. A solid screening fence will be erected for additional privacy. Mr. Roach reiterated that when the project is completed, the majority of the runoff will be toward Lewis Avenue. He asked the Commission to keep in mind that the proposed townhouse development is on a major arterial. This project has many of the characteristics associated with single-family ownership and would be compatible with the surrounding neighborhood.

Commissioner Petty asked if the design of the project would in any way affect the crosswalk for Barnard Elementary School. Mr. Roach advised that the crosswalk would be approximately in the middle of the proposed development and would not be affected by the townhouses.

TMAPC Action: 8 members present.

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-T:

The West 140 feet of Lot 14, Glen Acres Subdivision to the City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5510 Present Zoning: RM-1, RM-2
Applicant: Warren G. Morris Proposed Zoning: RMH, FD
Location: East of the NE corner of Admiral Place and Garnett Road

Date of Application: January 30, 1981
Date of Hearing: March 4, 1981
Size of Tract: 30 acres, more or less

Presentation to TMAPC by: Warren G. Morris
Address: P. O. Box 45551 Phone: 627-4300

Staff Recommendation:

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

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

The Staff recommends APPROVAL of RMH, except on that portion required for FD Floodway, and APPROVAL of FD on the portion required for floodway, for the following reasons:

The subject property is located on the north side of Admiral Place, east of Garnett Road. The property is zoned RM-1 and RM-2 multifamily zoning. The applicant is requesting RMH mobile home zoning.

The applicant is requesting that the subject property be changed from multifamily zoning to mobile home zoning; which will result in a reduction in the density of development. Mobile home zoning exists to the northeast of the subject property.

For these reasons, the Staff recommends APPROVAL of the requested RMH zoning, except any portion required for FD Floodway zoning.

Applicant's Comments:

Warren G. Morris advised that the proposed use for the subject tract is owner-occupied mobile homes. He pointed out that mobile home zoning exists to the northeast of the subject property and there are many other mobile homes in the area.

In regard to drainage on the subject tract, Mr. Morris stated that he had donated 25 acres of land for a regional detention facility. Dirt is being taken out and the 100-year flood area filled in to construct a temporary facility now.

There are many plans underway for mobile home parks in the area between Admiral and the Crosstown Expressway extending to 129th East Avenue. Mr. Morris advised that the proposed park will be an owner occupied park with City streets, sidewalks and sewers as provided in a regular subdivision.

Protestants: None.

Z-5510 (continued)

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RMH on the east 800', less and except that portion required for FD Floodway, and FD on that portion:

The East 800' of Lot 3, Section 5, Township 19 North, Range 14 East, and that part of the SE/4, SW/4 of Section 32, Township 20 North, Range 14 East, described as follows: Starting at the SE corner; thence North 500'; thence West 660'; thence South 500'; thence East to the point of beginning; City of Tulsa, Oklahoma.

Application No. Z-5511 Present Zoning: RS-3
Applicant: Opal M. Dunham (Watkins) Proposed Zoning: IL
Location: East of the NE corner of 51st Street and 103rd East Avenue

Date of Application: January 31, 1981
Date of Hearing: March 4, 1981
Size of Tract: 1 acre, more or less

Presentation to TMAPC by: Opal Dunham
Address: P. O. Box 484 - Glenpool, Oklahoma Phone: 299-1205

Staff Recommendation:

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 1, Industrial.

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

The Staff recommends APPROVAL of the requested IL zoning for the following reasons:

The subject property is located west of the NW corner of the intersection of 51st Street and the Mingo Valley Expressway. The property is vacant, zoned RS-3 and the applicant is requesting IL light industrial zoning.

The subject property is within an area recognized for industrial redevelopment by the Comprehensive Plan. The properties to the north and west are zoned IL. Industrial zoning on the subject property is merited, and therefore, the Staff recommends APPROVAL of IL as requested.

The applicant was present, but did not wish to comment.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of ELLER, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL:

Lots 16 and 17, Block 54, Alsuma Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

Application No. CZ-10 Present Zoning: AG
Applicant: Montie Box (Parmele) Proposed Zoning: IM
Location: South and West of the SW corner of 51st Street and 113th West Ave.

Date of Application: January 28, 1981
Date of Hearing: March 4, 1981
Size of Tract: 40 acres

Presentation to TMAPC by: Montie Box
Address: P. O. Box 98 - Sand Springs, Oklahoma Phone: 245-2505

Staff Recommendation:

Relationship to the Comprehensive Plan: The Sand Springs Comprehensive Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District Number 3. The Sand Springs Regional Planning Commission held a public hearing on this matter on Tuesday evening, February 17, 1981. They found the request in conformance with their Plan and thus recommended a favorable comment by a vote of 5-0-0.

The Staff recommends APPROVAL of the requested IM zoning for the following reasons:

The subject property is located on the west side of State Highway #97, between 53rd Street South and 56th Street South. The property is zoned AG and the applicant has requested IM Medium Industrial zoning.

The subject property is located north of a developing industrial park and abuts the new State Highway #97. The Sand Springs Plan encourages industrial development. The only concern the Staff raised was the IM zoning vs., the IL zoning as approved to the south.

However, based upon the Sand Springs Comprehensive Plan and their Regional Planning Commission's recommendation, the Staff recommends APPROVAL of IM zoning as requested.

The applicant was present, but did not comment.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of County Commissioners that the following described property be rezoned IM:

The SE/4 of the NE/4 of Section 34, Township 19 North, Range 11 East, Tulsa County, Oklahoma.

Application No. Z-5502
Applicant: Warren G. Morris (Powers)
Location: 16th Street and Broken Arrow Expressway

Present Zoning: RS-3
Proposed Zoning: RM-T

Date of Application: January 22, 1981
Date of Hearing: March 4, 1981
Size of Tract: 1 acre, more or less

Presentation to TMAPC by: Warren G. Morris
Address: P. O. Box 45551

Phone: 627-4300

Staff Recommendation:

Relationship to the Comprehensive Plan: The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low-Intensity -- Residential.

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

The Staff recommends DENIAL of the requested RM-T zoning for the following reasons:

The subject property is located south of 16th Street and west of the Broken Arrow Expressway. The property is zoned RS-3 and contains a single-family residence. The applicant is requesting RM-T zoning to permit townhouse development.

The subject property is abutted on three sides by RS-3 zoning and single-family development. The Staff can find no justification to support the requested increase in density. The mere presence of the expressway does not justify the increased density. The subject tract is interior in location, having only one point of access, 16th Street. The tract is large enough to accommodate 3 additional homes and several new homes have been built to the south along the expressway.

For these reasons, the Staff recommends DENIAL of RM-T or RD zoning.

Applicant's Comments:

Warren G. Morris noted that there is apartment and duplex zoning all along the expressway area. He pointed out that the subject tract is more accessible than Florence Park. Mr. Morris also noted that the property under application is more accessible than the townhouse development nearby which was approved by the Commission two weeks ago. The applicant advised that one reason there hasn't been other townhouse zoning in the area is that the RM-T zoning designation is new.

Mr. Morris presented pictures (Exhibit "C-1") of the subject tract, surrounding area, duplexes in the area and other townhouses.

Mr. Morris stated that the owner of the property, Mr. Powers, has owned the property for 40 years and has maintained the grounds for the kids in the neighborhood to play on. It is the owner's opinion that townhouse development would be a good use for the property.

Z-5502 (continued)

<u>Protestants:</u>	Paul McGinnis	Address:	2557 East 17th Street
	Jana Roberts		2549 East 17th Street
	W. E. Rohde		2612 East 17th Place
	O. F. Fuhaig		1619 South Atlanta Place
	Mike Roberts		2549 East 17th Street

Protestant's Comments:

Paul McGinnis advised that he lives adjacent to the subject tract in a home which he is rennovating. Mr. McGinnis noted that much of the property in the area is run-down and he realized an opportunity to acquire property at an affordable price and remodel the existing structure as funds permitted. He also stated that this was an ideal location, since his business is only three blocks away. Mr. McGinnis presented pictures (Exhibit "C-2") of the home which he is remodeling.

The protestant pointed out that the subject tract does not have a second access and also noted that there is a traffic problem in the area at this time. There are drainage problems now which are caused by the runoff from the subject tract and Mr. McGinnis was concerned that the problem would be increased from the proposed development.

Mr. McGinnis stated that he had inquired if the owner would consider selling a part of the subject tract in order to increase the size of his back yard. The applicant advised that he had owned all of the area 40 years ago and had sold all of the land that he planned to sell. He also pointed out that children in the area have used the subject tract for a playground for many years. The protestant suggested that Mr. Powers could dedicate a portion of the subject tract for a city park.

Jana Roberts, who resides directly west of the subject tract, advised that when she and her husband purchased their home 10 years ago they searched all over Tulsa to find a lot with a nice back yard and chose this location. She was opposed to the two-story structures which are proposed, since they would present an intrusion into her family's back yard privacy. Mrs. Roberts was also concerned about the additional traffic which would be generated by the proposed units which would increase the danger of safety of children using interior streets without sidewalks in going to and from Barnard Elementary School.

W. E. Rohde stated that his main concern was the encroachment on single-family housing in Tulsa. He questioned what there was about the expressway that would justify townhouses. Mr. Rohde pointed out that if this application was approved from South Columbia Avenue to 21st Street, there are a number of rental houses which will be moved off and there will be "solid townhouses" from 16th Street to 21st Street. The protestant advised that this development would be a detriment to the neighborhood.

Ron Richardson presented pictures (Exhibit "C-3") of the residential area, noting that one of the houses was his mother's property. Mr. Richardson pointed out the picture of 16th Street which is undeveloped and would be unsuitable for more intense traffic. The protestant stated he was also aware of drainage problems in the area.

Mr. Richardson advised that he had obtained a list of the residents who were notified concerning the proposed change in zoning and in contacting these people, found they were all opposed to the rezoning. He presented a protest petition (Exhibit "C-4") signed by 42 area residents. The petition stated that updating and revitalization of the houses in this area

has been extensive and continuant for the past several years. The possible devaluation of the property by a project of this kind, with the probable future traffic problems, coupled with drainage adequacy questions and individual unexceptable changes with regard to currently excepted neighborhood zoning rules were concerns listed in the petition. The protestant stated that homeowners in the area, of three months to sixty-four years duration, were represented in the residential neighborhood surrounding the subject tract.

O. F. Fulhaig advised that he had witnessed a lot of development in this area prior to the creation of the Planning Commission. Many of the homes are older and in disrepair; however, there has been a recent trend toward renovation of these structures. Mr. Fulhaig was opposed to the increased density and expressed concern about property values in the area. He also talked about existing drainage problems in the neighborhood.

Mike Roberts advised that 17th Street is at the crest of a hill which drops off very rapidly. Discussing the runoff problem in the area, Mr. Roberts stated that he has seen the time when water was standing 2-3 feet deep in his driveway and the drainage would continue off the curb for two days after a heavy rain. The protestant advised that there are many apartments in the area that are very run-down. He expressed concern that the owner may decide to turn the townhouses into government subsidized property which would not be kept up and, therefore, would further deteriorate the area.

Darlene Dahl stated that she owns a duplex in the area which has been appraised at \$80,000. She noted that she would not classify that as cheap property.

A letter was exhibited (Exhibit "C-5") from the District 6 Steering Committee stating that the group unanimously recommended denial of this zoning application.

A letter of protest (Exhibit "C-6") was received from Don Schoedel, whose property abuts the subject tract. Mr. Schoedel listed traffic safety, drainage problems, lower property values and added demand on the water and sewer system as the reasons for his opposition to the proposed zoning change.

Instruments Submitted: Pictures (applicants) (Exhibit "C-1")
Pictures (Mr. McGinnis') (Exhibit "C-2")
Pictures (Ron Richardson) (Exhibit "C-3")
Protest Petition, 42 signatures (Exhibit "C-4")
Letter from Dist. 6 Steering Committee (Exhibit "C-5")
Letter from Don Schoedel (Exhibit "C-6")

Special Discussion for the Record:

William K. Powers, owner of the subject property, advised that he has owned this tract of land for over 40 years. Two generations of children have used the subject property for their playground.

Mr. Powers stated that he had been approached by one of the protestants, Mr. McGinnis, who asked him to give him 25 feet of the subject property.

The owner noted that there are two houses to the west of the subject tract which are rent houses and are in a run-down condition. It was Mr. Power's

Z-5502 (continued)

opinion that the construction of the expressway led to the deterioration of the area.

The proposed townhouses will market for \$40,000 to \$50,000 per unit. Mr. Powers advised that they would be an asset to the area and that he did not intend to create any conditions which would have any adverse affect upon the neighborhood.

Commissioner T. Young noted that the townhouse zoning classification (RM-T) has been misunderstood by many people. He pointed out that it is single-family residential housing, not multifamily, and does not equate with apartment use. In regard to the proposed townhouses, Commissioner T. Young suggested there may need to be more space between the townhouses and the surrounding area. He questioned if approval of the requested zoning, except for the southernmost 20 feet to be left for a buffer, would be appropriate.

Commissioner Petty advised that, in his opinion, approval of this application would be spot zoning. Comparing the townhouse zoning approved two weeks ago, Commissioner Petty pointed out that the previous tract of land was abutted by RM-1 and RM-2 zoning; the subject application has single-family zoning all around it.

Commissioner T. Young made a motion for approval of the RM-T zoning, except the south 20 feet. The motion did not receive a second.

TMAPC Action: 8 members present.

On MOTION of PETTY, the Planning Commission voted 6 -2-0 (Eller, Freeman, Holliday, Kempe, Petty, C. Young "aye"; Avey, T. Young "nay"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to recommend to the Board of City Commissioners that the following described property be DENIED:

Lot 8, Glen Acres Addition to the City of Tulsa, Tulsa County, Okla.

SUBDIVISIONS:

Burning Hills 3rd Addition (383) East of the SE corner of 68th Street and
South Yale Avenue. (OM)

The Staff advised the Commission that the plat had been reviewed by the T.A.C. and that all release letters had been received. Preliminary and final approval and release of the plat was recommended.

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the preliminary and final plat of Burning Hills 3rd Addition and release same as having met all conditions of approval.

Woodland Hills Townhomes (1293) 74th Place and South Memorial Drive (CS, RM-T)

Mr. Wilmoth advised that this plat has been reviewed by the T.A.C. and all letters for release were in the file. The plat was recommended for preliminary and final approval and release.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the preliminary and final plat of Woodland Hills Townhomes and release same as having met all conditions of approval.

Mailath-Dunavent Addition (PUD #166) (2383) South of the SE corner of 91st St.,
& Sheridan Road (CS)

The Staff presented the plat with the applicant not represented, however, the engineer was aware of the recommended conditions. The applicant was advised to show existing easements parallel to Sheridan Road for sanitary sewer and Oklahoma Natural Gas.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Mailath-Dunavent Addition, subject to the conditions.

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the Preliminary Plat of Mailath-Dunavent Addition, subject to the following conditions:

1. All conditions of PUD #166 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
3. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.

Mailath-Dunavent Addition (continued)

4. Access points shall be approved by City and/or Traffic Engineer. (Access as shown may eventually be "right turn only") (O.K. as is.)
5. Identify Quik-Trip One and Sheridan Square. Update location map and show tie dimensions to pipeline easement. Include "A portion of PUD #166" under title block. Add any additional requirements of PUD in space provided in covenants. (Building, square-footage, signs, landscaping, etc.)
6. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
7. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
8. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Woodland Glen 4th Addition (2483) 91st Street and South 92nd East Avenue
(RS-3)

The Staff presented the plat and advised that they had been in contact with the engineer who voiced no objections to the recommended conditions.

It was noted some side building lines were shown as 15' and there was no objection to same. (Requires Board of Adjustment approval and Staff and T.A.C. recommended approval as requested.)

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Woodland Glen 4th Addition, subject to the conditions listed:

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the Preliminary Plat of Woodland Glen 4th Addition, subject to the following listed conditions:

1. Complete the bearings and dimensions at the SE corner of the Plat. Show all street widths and corner radii. Show "No Access" along expressway boundary line. Also on 91st Street where applicable.
2. The two previously platted lots should be properly vacated prior to filing this one of record. (Utilities should assure that they don't have anything in the easements that may need to be retained or shown on the new plat.)
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines. (Show new easement widths as needed by utilities.)

Woodland Glen 4th Addition (continued)

4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Revisions)
5. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s). (Include language in covenants.)
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (Revisions)
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
8. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by City Commission.
9. Street names shall be approved by City Engineer. Show on plat as required.
10. It is recommended that the developer coordinate with Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for release of plat.)
11. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
12. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
13. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
14. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Crow-Dobbs Office Park (PUD #202) (283) 61st Street and South 76th East Ave.
(CS)

Baystone (3193) South side of 58th Street at Quincy Avenue (RM-2)

The Staff recommended these items be tabled because all approvals had not been received.

The Chair, without objections, tabled Crow-Dobbs Office Park and Baystone.

Southpark Square (2994) SW corner of 41st Street and South 118th East Avenue
(RM-1)

The Staff advised the Commission that this plat had met all conditions of approval, all release letters had been received, and that final approval and release was recommended.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to release the final plat of Southpark Square.

Garnett Place (3194) West side of Garnett Road, 1/4 mile North of 61st St.
(IL)

The Commission was informed that this plat would need to be tabled, since all approval letters had not been received.

Without objection, the Chair tabled Garnett Place.

REQUEST TO WAIVE PLAT:

Z-5206 (Stan Ewing) (2203) West of the SW corner of 36th Street North and
North Sheridan Road (IL)

The Staff presented the request with the applicant represented by Stan Ewing.

Mr. Ewing was representing Mr. John Freeze of Ventech, Inc., who has a contract for sale on 19.75 acres with 651.63' of frontage on 36th Street North, approximately 1/4 mile west of Sheridan Road. The tract is zoned IL under Z-5206 and contains a stone dwelling unit on the east and a wood frame dwelling unit on the west. Ventech is desirous of utilizing a 7.6 acre portion of the tract as illustrated on the submitted plot plan for storage of petroleum processing equipment in the area marked "storage area" and interior remodel of the dwelling units for office purposes. The tract which is being purchased by Ventech actually contains the previously mentioned 19.75 acres which is 651.63' east and west and 1,320' north and south. Approximately 50% of the remaining tract is usable for storage purposes without structural improvement and they want to be able to have zoning clearance on the remainder of the tract under that condition.

At the present time, there are no plans to construct any new building on any portion of the tract with the exception of screening fences as illustrated, and any required parking for the offices when remodeling occurs. However, it is anticipated that in some point in time that warehouse structures will be needed and Ventech will proceed with platting of the tract at that time.

In discussion it was to be clearly understood that this was for only a temporary waiver, and that the land would be platted when full development and/or building permits were requested for new buildings.

The Technical Advisory Committee and Staff recommended approval of the temporary waiver of Plat on Z-5206, subject to the conditions:

Z-5206 (continued)

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the temporary waiver of the Plat on Z-5206, subject to the following conditions:

- (a) That this is only a temporary waiver until such time as permits are requested for new structures or uses;
- (b) that developer/owner understands that when property is platted and developed that water and sewer extensions will be required; and
- (c) that owner should coordinate with Traffic Engineering regarding use of existing driveways.

Z-5464 (Frontier Federal) (1693) NE corner of 31st Street and South Louisville Avenue (OL)

Mr. Wilmoth advised that this is a request to waive plat on Lot 9, Block 4, Loma Linda Addition. Nothing is to be gained by another plat other than an additional 10' of right-of-way on 31st, which the applicant has expressed a willingness to dedicate same. Existing building is being re-modeled and parking provided.

The Technical Advisory Committee and Staff recommended approval of the waiver of Plat on Z-5464, subject to the conditions:

On MOTION of AVEY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the waiver of Plat on Z-5464, subject to the following conditions:

- (a) Dedication of additional 10' of right-of-way to meet the Major Street Plan, and
- (b) approval of drainage plans in the permit process.

Z-5475 (Roy Johnsen) (2994) NW corner of 51st Street and Broken Arrow Expressway (IL)

The Staff advised that when this property was zoned to an OM classification it was platted and filed of record. The zoning has been changed to IL, but no changes are proposed in the plat, so nothing is to be gained by a new plat.

The Technical Advisory Committee and Staff recommended approval of the waiver of Plat on Z-5475.

On MOTION of HOLLIDAY, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to approve the waiver of Plat on Z-5475.

LOT-SPLITS:

L-15116	Opal Rivers	(2790)	L-15131	Onis & Jacqueline Meir	(3684)
15120	T.U.R.A.	(1192)	15133	Sturgis Wassam	(3103)
15121	T.U.R.A.	(2502)	15134	J. M. Shelton	(3203)
15123	Jim Dill	(383)	15135	T.U.R.A.	(2502 & 3602)
15124	Jack O. Stacy	(2792)	15139	Max & Tookah Campbell Foundation, Inc.	(2793)
15125	T.U.R.A.	(1192)	15140	Darrell & Betty Hobson	(683)
15126	V. Esia Burkhart	(392)	15141	Paul Pearson & Raymond Ashlock	(692)
15127	T.U.R.A.	(2502)	15142	Thomas & Mildred Clark	(893)
15128	T.U.R.A.	(3602)	15143	Floyd R. Hardesty	(3094)
15129	Terrie Reed	(1893)	15146	Ray A. Griffin, et al	(783)
15130	Louise S. Chandler, Trustee	(2393)	15147	INB Properties-Southeast, Inc.	(3094)

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") for ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-15132 Bill J. Ramsey (3503) East Independence, East of North Sheridan
Road (IL)

The Staff recommended tabling this item since a solution, which would not require a waiver, has been worked out.

The Chair, without objection, tabled L-15132.

For Denial - Inactive Lot-Splits:

L-14904	J. B. Blevins	(402)
L-14916	John H. Mason	(994)
L-14922	Ernest Enterprises, Inc.	(1392)
L-14951	Harold & Lois McLaughlin	(2484)

Mr. Wilmoth advised that this is a "housekeeping" item.

The owners have been notified, but did not respond, therefore, denial is recommended so the files can be closed out, on the above listed lot-splits.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to deny the above-mentioned inactive lot-splits:

L-15003 Richard E. Liggins (1603)

The Staff recommended denial of this lot-split since it had failed the Health Department percolation test.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to deny L-15003.

L-15024 Ralph Brown (1624)

AND

L-15044 Troye Kennon (2692)

The Staff recommended these items be withdrawn as requested by the applicant.

The Chair, without objection, withdrew L-15024 & L-15044.

OTHER BUSINESS:

PUD #128-A Daniel W. Hood South of 71st Street, both sides of Trenton Ave.

Request for Minor Amendment to permit 15-foot rear yard within Kensington II Amended Subdivision.

The Staff made the following report:

Planned Unit Development #128-A is located on the south side of 71st Street, on both sides of Trenton Avenue. The property has been platted into single-family and duplex lots. The Planning Commission on February 28, approved a minor amendment to permit a 15-foot side yard on 30 corner lots within this subdivision (Kensington II Amended). The applicant is now requesting an amendment to the 20-foot rear yard to permit a 15-foot rear yard on 10 lots.

The Staff is concerned that something is being overlooked in the subdivision design process by the owner. This is a new subdivision just recently approved. The yard requirements and setbacks were applicable when the subdivision was laid out. To simply redesign the subdivision through a minor amendment "after the fact" should not be encouraged. The problem is that the builder is trying to fit his house plan to lot, rather than design the house for the lot. One of the lots in this request has a 20-foot utility easement, which would be violated if the builder attempted to build within 15 feet of the rear lot line.

The Staff would be opposed to approving a "blanket" 15-foot rear yard. However, the Staff would be receptive, as in the past, to a review on a lot-to-lot basis where only a corner or portion of the structure encroached into the 20-foot rear yard. The Staff believes for the most part the 20-foot rear yard should be maintained and only in hardship cases should it be waived. This process will protect the rights of the abutting lot owners.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Avey, Eller, Freeman, Holliday, Kempe, Petty, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Gardner, Inhofe, Parmele "absent") to deny a minor amendment to permit 15-foot rear yard within Kensington II Amended Subdivision.

There being no further business, the Chair adjourned the meeting at 4:30 p.m.

Date Approved March 18, 1981

[Signature]
Chairman

ATTEST: *Marian E. Holliday*