

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1356
Wednesday, May 6, 1981, 1:30 p.m.
Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Eller Higgins Holliday, Secretary Kempe, 2nd Vice- Chairman Parmele, 1st Vice- Chairman C. Young, Chairman T. Young	Freeman Gardner Inhofe Petty	Alberty Gardner Howell Lasker Wilmoth	Jackere, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, May 5, 1981, at 10:47 a.m., as well as in the Reception Area of the INCOG Offices.

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

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, "absent") to approve the Minutes of April 15, 1981 (No. 1354) and April 22, 1981 (No. 1355).

REPORTS:

CHAIRMAN'S REPORT:

Chairman C. Young requested that the Planning Commission consider sponsoring a staff member in the Leadership Tulsa program. He stated that he was aware that Dane Matthews was interested. The program includes two meetings each month for a nine month duration.

He urged the Director and the TMAPC to participate in Leadership Tulsa.

Director Jerry Lasker advised that the training budget would cover the costs of participation. There are several staff members other than Dane Matthews who are interested in the program and Mr. Lasker stated he would pursue the matter.

DIRECTOR'S REPORT:

Director Jerry Lasker advised that a petition for rezoning in the area of 38th Street and Birmingham Avenue was presented to the City Commission and then referred to TMAPC and the Legal Department for review and comment. The Staff sent a memo to the City Commission outlining the options under the different zoning classifications that would be available to the property under question. The property owners who filed the petition requested that all RS-2 properties within the mile-section be rezoned to an RS-1 category. They stated that approximately 92% of the properties did meet the lot requirements of the RS-1 category. The resident's concern resulted from a Planned Unit Development which was filed on a property in the immediate area currently zoned RS-2.

Director's Report: (continued)

The Staff reviewed the question in regard to initiating an application for downzoning and determined that the Planning Commission can upon its own motion, or on the written request of any person may, at the direction of the City Commission hold a public hearing to amend the Zoning Map. Mr. Lasker listed several considerations which the Commission should be aware of: (1) The law requires that notice be given to every property owner in the area within 300' of the subject tracts; (2) How would the Commission distinguish this request for rezoning from any other neighborhood request for rezoning; and (3) are there other ways to accomplish the neighborhood desires other than rezoning?

The Staff's recommendation would be to accept a single application from all property owners whose property does meet the RS-1 criteria in terms of frontage, width, land area, yard size, etc., waive the fee and treat that as an application to rezone from RS-2 to RS-1. This would provide the protection for those property owners that believe that they want RS-1 zoning on their lot. Many people have purchased lots in that area with the zoning intact and they may have plans to develop the property under the RS-2 category; they will not want to be included in the rezoning application.

Commissioner Parmele stated he would concur with the Staff's recommendation; however, he cautioned that the Commission should take care not to rezone, downzone or upzone any property without the owner's consent.

Commissioners C. Young and Holliday advised that they live within the square-mile area, but believed they could be objective and did not plan to abstain from the consideration.

Commissioner T. Young stated he could accept the Staff recommendation, but at the same time, in the comprehensive planning process over the past 10 years, the Commission has strongly encouraged citizen participation in the planning of various districts and subdistricts across the City and the County. The citizen's input has been incorporated in the District Plans which are now a part of the Comprehensive Plan and in Commissioner Young's opinion, the resident's request is somewhat consistent with that theory. For that reason, Commissioner Young suggested that on Planning Commission motion, the whole area should be considered for rezoning. He agreed that care should be taken not to arbitrarily rezone a citizen's property, but felt it would be difficult to make a judgement without review of the entire picture.

Chairman C. Young did not see how the Commission could recommend yes or no unless the entire case was heard. He suggested the Commissioner's comments, along with the Director and Staff comments, be forwarded to the City Commission with no recommendation.

G. C. Spillers, Jr., who resides across the street from the proposed PUD, advised that the Comprehensive Plan Zoning Map adopted in 1970, zoned the area RS-2. This action constituted an arbitrary zoning classification at that time which was out of step with the established area. At this point, there are over 600 of the 982 household owners, who approve and join in the petition for downzoning.

Director's Report: (continued)

Robert G. Walker pointed out the proposed PUD application is a secondary issue. Hostility, the symptom of the problem, was simply the hostility being raised by the area residents in terms of the type of development that is going on. The most important factor is that in surveying the entire area, 92% of the building lots in the neighborhood have been found to meet the zoning requirements of the RS-1 category. He noted that the basic problem in the entire area is one in which we encourage people to think in terms of meeting the standards that are reasonably established by the Commission, when in fact, the standards may have been in error to begin with.

Mr. Walker listed three alternatives: (1) to rezone the entire area to RS-1 because this category more nearly fits the characteristics of the area; (2) rezone all of the area houses that meet the RS-1 standards eliminating the 8%; or (3) to simply say that we have an RS-2 zoning which perhaps should have been RS-1 zoning at some time in the past.

Mr. Walker noted that the intent and purpose of this petition is not to make an issue of the proposed PUD, but to recognize that any individual who might bid on future estates (of which there is a significant number in the area) would do so with the intent of putting in a PUD that would apply basically to RS-2 zoning in an area of RS-1 - type community.

Commissioner T. Young advised that the question of in-fill is going to become a greater problem and the Commission would need to consider the types of incompatible uses which could exist in an in-fill situation. In regard to Commissioner Parmele's concern for potentially zoning somebody's property without permission, Commissioner Young pointed out the TMAPC did that every meeting with the various recommendations on zoning applications. He felt it would be well worth the exercise of initiating the public hearing for the total area.

On MOTION of PARMELE, the Planning Commission voted 3-3-1 (Eller, Kempe, Parmele "aye"; Holliday, C. Young, T. Young, "nay"; Higgins "abstaining"; Freeman, Gardner, Inhofe, Petty, "absent") to forward to the City Commission, the Staff and Director's comments and recommendation to allow those property owners that wish to rezone to file an application for rezoning and to waive the fees. The motion failed.

Commissioner T. Young then offered a motion to direct the Staff to call a Public Hearing for the consideration of rezoning the entire area. This motion did not receive a second.

Commissioner T. Young stated he did not think it should be the burden of the property owners, in this case, to bring the application themselves. If the entire case was heard, the TMAPC could still make a recommendation on individual properties.

Commissioner Parmele was of the opinion that the basic question is "owner consent." Even though the Commission might deny a property owner's request, that request was made by the owner himself and not by any other party.

Bob Gardner urged that whatever action the Commission recommended, they do it in the name of uniformity and consistency. Due to a change in the laws requiring public notice of rezoning be sent to all property owners

Director's Report: (continued)

within 300 feet of the subject tract, the way property has come to be zoned has also changed. He pointed out that there are other similar situations which would include zoning classifications other than the residential category.

On MOTION of T. YOUNG, the Planning Commission voted 3-4-0 (Holliday, C. Young, T. Young, "aye"; Eller, Higgins, Kempe, Parmele, "nay"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, "absent") to direct the Staff to call a Public Hearing for the consideration of rezoning the entire area. The motion failed.

Commissioner Parmele offered the motion to forward the Staff recommendation to the City Commission, after which Commissioner T. Young offered a substitute motion to continue the item until the PUD application had been heard by the TMAPC. Commissioner T. Young's motion did not receive a second.

On MOTION of PARMELE, the Planning Commission voted 5-2-0 (Eller, Higgins, Holliday, Kempe, Parmele, "aye"; C. Young, T. Young, "nay"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, "absent") to forward to the City Commission, the Staff and Director's comments and recommendation to allow those property owners that wish to rezone to file an application for rezoning and to waive the fees.

Director Lasker presented the Work Program and Budget for FY 1981-'82. He advised that the Work Program included Special Corridor Studies, transportation planning (including revalidation of the Transportation Plan) and the Metropolitan-Wide Policies. All of these items were discussed at the Comprehensive Plan Committee meeting. Travel and training funds for the TMAPC are also included in the budget.

PUBLIC HEARING:

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE OPEN SPACE PLAN, A PART OF THE OFFICIAL COMPREHENSIVE PLAN FOR THE TULSA METROPOLITAN AREA

Pat Connelly, Department of City Development, advised that the original Plan was adopted by the TMAPC last January and forwarded to the City and County Commissioners for their consideration. The County Commission reviewed the Plan at a January meeting at which time a representative from the Tulsa Board of Realtors requested adoption be delayed until his group could comment on the Plan. Mr. Connelly stated that at this same time, a representative of the Tulsa Builders Association objected to the Plan at a Chamber of Commerce Board meeting. The Staff had reviewed the Plan with the various affected interest groups and thought all comments and input had been received.

Discussions were held with the developers and realtors which resulted in the change in wording on some of the policies and objectives. These two groups were opposed to the term "unsuitable for urban development" to be used with reference to floodplain, slopes in excess of 20% and heavily wooded areas. They stated that these areas could be developed properly if the site preparation was adequately conducted prior to the building of any structures. In addition, the realtors and developers were concerned about the wording, which they felt was ambiguous, relative to the role of fee simple purchase versus mandatory dedication as a way to acquire open space. They wanted it made clear that the acquisition of public open space areas through mandatory dedication in the development process or some other regulatory measure, was not insinuated by the wording in the Plan. A policy was added to the Plan that would direct the Staff to investigate and evaluate alternative techniques, other than fee simple, to acquire public open space.

A policy that stated the City would acquire neighborhood parks, 10 acres or less, during the development process was deleted from the Plan. The Staff plans to address this issue as part of the Park Plan.

Other changes which were made to the objections and policies serve to clarify the intention and do not impair the original idea behind the Open Space Plan.

The Comprehensive Plan Committee recommended approval of the Amendments to the Open Space Plan.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, "absent") to close the Public Hearing and direct the Staff to prepare a Resolution adopting the Amendments to the Open Space Plan, a part of the Official Comprehensive Plan.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5497 Present Zoning: RS-3
Applicant: Vincent E. Butler, Sr. (Oxford Place) Proposed Zoning: OL
Location: West of the SE corner of 66th Street and Sheridan Road

Date of Application: January 13, 1981
Date of Hearing: May 6, 1981
Size of Tract: 6.9 acres, more or less

Presentation to TMAPC by: John Moody
Address: 4100 Bank of Oklahoma Tower Phone: 588-2651

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 -- Residential.

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

Staff Recommendation:

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

The subject tract is located on the west side of Sheridan Road at 66th St., South. The property is zoned RS-3, is undeveloped and the applicant is requesting approval of OL low-intensity office zoning.

The requested OL zoning is "spot zoning" since it bears no reasonable relationship to the surrounding zoning and development patterns. The property is surrounded on all sides with RS-3 zoning. The subject property has been designated by the District 18 Comprehensive Plan for residential land use. Certain nonresidential uses such as churches, schools, etc., are also considered appropriate with certain development limitations. The Staff can find no reason to depart from the present RS-3 zoning classification.

If OL zoning is approved on the subject tract, there is no guarantee the property will develop as proposed. Once the property has been removed from a residential category, the intensity of nonresidential development becomes a matter of degree, and sensitive only to the marketability of this specific site. If the market has been saturated with one-story offices at the time of development, then the owner will be forced to look at other uses that might be marketable at that time. If the zoning has been changed to nonresidential, then only nonresidential uses, excepting apartments via the Board of Adjustment, can be considered due to the economic changes that will have taken place due to the change in zoning. The Commission may then be looking at another zoning request such as commercial that will have adverse affects on the adjoining uses.

The Staff also knows that offices tend to congregate and that isolated office parcels are not only difficult to develop, but are almost impossible to finance, therefore, presenting another obstacle to development that could have been prevented. A similar case that was presented to this Commission several months back is a perfect case in point. The 20-acre tract located at approximately 75th Street on the west side of Memorial, has not developed as the Commission was assured it would and is up for sale.

Z-5497 (continued)

If properties are zoned according to the Comprehensive Plan Map and Development Guidelines the uses will not be as affected by changes in market and economic conditions. It may not guarantee the owner an immediate use of the property, or even as profitable a use as another zoning category, but it will guarantee consistency and compatibility of development with a predictable result.

For these reasons, the Staff recommends DENIAL of the requested OL zoning in recognition of the Comprehensive Plan and the appropriateness of the present RS-3 zoning.

Applicant's Comments:

John Moody, representing Oxford Place partnership, advised that the subject tract is located on the incline of a hill which slopes, approximately 60 foot drop, from the west boundary to the east boundary on South Sheridan Road. The area on the west side of South Sheridan Road is undeveloped with the exception of the intersection corners which are zoned for commercial use. All of the area is developed on the east side of South Sheridan Road with the exception of the area where City of Tulsa water towers are located.

An application for a residential PUD on the subject tract was considered by the TMAPC in March, 1980. The proposed PUD, which included 36 dwelling units, was vehemently protested by area residents. The PUD was approved with a reduced number of dwelling units (31), a requirement for two points of access on South Sheridan Road and a crash gate to permit access onto Oxford Road. Several engineering designs and various platting arrangements were considered to accommodate the restrictions placed on the PUD; however, the plans were not worked out to permit a satisfactory development on the property from the developer's standpoint. The reduction of dwelling units made the project economically unfeasible.

Subsequent to approval of the PUD, the subject application was filed which was believed to offer a better alternative for the development; however, the applicant still wanted to redesign the project and pursue the PUD. The applicant met with the homeowners in the area to discuss the future development of the subject tract. A Restrictive Covenant (Exhibit "A-1") was executed between the applicant and the homeowners. Under the covenants the applicant agreed, in the event the OL zoning is approved, the PUD application will be withdrawn. Other agreements under the covenants included the exclusion of funeral homes, restaurants or prescription pharmacies under the OL zoning, restrictions on any future applications for rezoning on the subject tract, as well as conditions placed on lighting, screening fence, access points and other items pertaining to development of the property.

Mr. Moody presented pictures (Exhibit "A-2") of the subject tract, the church and other buildings in the area. He also pointed out various OL zoned areas in the City of Tulsa which are adjacent to single family use, in an attempt to illustrate that this is an accepted community zoning practice which differs from the written Development Guidelines. There are advantages in zoning the subject tract OL versus using it under the existing PUD which has been approved. These advantages have been recognized by the residents of the area. The OL zoning would not be inappropriate to the area, is consistent and does harmonize with the trend which has been established in the area and would meet the impact of the medical community that has grown up in the area.

Z-5497 (continued)

Interested Parties: Ken Adams Addresses: 6793 East 66th Place
W. F. Pfiffner 6708 South 66th East Ave.
Harold Furtney 6640 South Oxford Avenue

Interested Party's Comments:

Ken Adams, President of the Southeast Tulsa Homeowner's Association and Trustee of Bethany Christian Church, advised that he had met several times with the developers of the subject tract in an effort to resolve the differences regarding development of the property. Mr. Adams spoke in support of the proposed OL zoning; however, he stated that he would not be in favor of the initial PUD due to the density of the development. The office zoning is not objectionable to the homeowners or members of the church congregation since an agreement has been reached concerning building height restrictions, compatibility of the architecture and the lower density of the development. In addition, the proposed development would be the most suitable and compatible use of the subject tract in regard to the terrain, existing houses and the church building. Both the church and the homeowners are signatory parties to the restrictive covenant. Mr. Adams encouraged the Commission to approve the OL zoning request.

W. J. Pfiffner, an adjacent property owner, was in support of the requested OL zoning because it would be a viable alternative to the neighborhood due to the uniqueness of the subject property. The previous application for the high-density PUD was opposed by Mr. Pfiffner because of the water runoff from the 60' drop on the subject tract. The homeowner urged the Commission to recommend approval of the OL zoning as a viable alternative.

Harold Furtney, whose property adjoins the subject tract to the west, was in favor of the proposed OL zoning. Since the applicant agreed to work with the homeowners in planning the external architecture and also to provide more green space in the development, it was Mr. Furtney's opinion that the office development would be a better alternative for the neighborhood than the PUD which was proposed previously.

Instruments Submitted: Restrictive Covenant (Exhibit "A-1")
Pictures of the Area (Exhibit "A-2")

TMAPC Action: 7 members present.

On MOTION of PARMELE, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, "absent") to recommend to the Board of City Commissioners that the following property be rezoned OL:

A tract of land beginning at the NE corner of the NE/4 of the SE/4 of Section 3, Township 18 North, Range 13 East, Tulsa County, Oklahoma; thence West along the North line of said NE/4 of the SE/4, a distance of 596.76' to a point; thence South and parallel to the West line of said NE/4 of the SE/4, a distance of 353.83' to a point; thence East and parallel to the North line of said NE/4 of the SE/4, a distance of 32' to a point; thence South and parallel to the West line of said NE/4 of the SE/4, a distance of 164.17' to a point; thence East and parallel to the North line of said NE/4 of the SE/4, a distance of 564.84' to a point; thence North along the East line of said NE/4 of the SE/4, a distance of 518.0' to a point and place of beginning, containing 6.97 acres, more or less, Tulsa County, Oklahoma.

Application No. CZ-18 Present Zoning: AG
Applicant: Donald E. Harris Proposed Zoning: RMH
Location: South of the SE corner of Highway #51 and 137th West Avenue

Date of Application: March 19, 1981
Date of Hearing: May 6, 1981
Size of Tract: 8 acres, more or less

Presentation to TMAPC by: Donald E. Harris
Address: R. R. 4, Box #790, Sand Springs, Ok. Phone: 245-6137

Relationship to the Comprehensive Plan:

The subject tract is within the Sand Springs Fence Line. The Sand Springs Comprehensive Plan designates the subject property Low-Intensity Residential and Development Sensitive. The requested RMH zoning would fall within the Comprehensive Plan guidelines as far as residential density of development.

The Sand Springs Regional Planning Commission recommended on April 21, 1981, by a vote of 4-0-0, to support the requested change in zoning.

The subject tract is located on the east side of 137th West Avenue, south of Highway #51. The property is zoned AG, is vacant and the applicant is requesting RMH zoning to permit the development of a mobile home park.

Although the Comprehensive Plan for Sand Springs designates the subject property low-intensity residential, it also has a development sensitive overlay, which in the Staff's opinion, is the primary land use consideration. Based upon the Sand Springs Staff Report, the subject tract is within the 100-year floodplain and a portion of the property is within a floodway. The Tulsa County Zoning Code requires that no change of zoning occur within a designated or required floodway (that portion required to carry the main stream of the flood discharge should remain open and undeveloped). Any obstruction would not only be hazardous to property on the subject tract, but could cause damage to downstream properties. Those portions of the property outside of the floodway, that can be elevated in accordance with the County Engineer's criteria, may merit consideration for RMH zoning. Any recommendation for RMH zoning should be based on engineering plans approved by the County Engineer showing areas of safe elevation for development. If the applicant does not have the necessary information concerning pad elevations, drainage plan, etc., the Commission may want to continue the application until a detailed drainage analysis is available.

Applicant's Comments:

Donald Harris pointed out the great need for a project of this type in the Sand Springs area. The applicant advised that he was willing to comply with any guidelines recommended by the Commission and planned to develop the subject property in such a manner that the entire community would be proud of it. A contractor is working with the applicant to raise the portion of the property within the floodplain to a level of 1-foot above the 100-year flood elevation. In addition, a 167-acre retention lake has been built in the area of the subject tract.

Sandy Schaeffer, Executive Director of the Manufactured Housing Association in Oklahoma City, advised that the Governor had signed legislation recently which replaces the words "trailer" and "mobile home" with the term "manufactured home." Ms. Schaeffer emphasized the need for adequate housing for the

CZ-18 (continued)

citizens of Sand Springs, noting that the current average median price of a new single family home is \$85,000. This price range would place a new home out of reach for a majority of families in the State of Oklahoma.

Protestants: John Moody Addresses: 4100 Bank of Oklahoma Tower
 John Self 2727 South 137th West Avenue
 Jenny Hobson 14016 West 31st Street

Protestant's Comments:

John Moody, represented the Tulsa Boys Home and protested the location of a mobile home park in the area on the Home's behalf. He pointed out that the subject tract would not be the appropriate location for mobile home use. Mobile homes or "manufactured homes," have more serious problems in flood areas since they can become dislodged easier and obstruct streams and impound or create worse situations.

The Tulsa Boys Home has recently completed over 2.4 million dollars of new construction on the 150-acre tract within the past two years. The members of the Board of the Tulsa Boys Home are concerned that the area will become an extension of commercial, mobile homes, and other types of uses in this area which would be incompatible with the campus atmosphere of the Tulsa Boys Home. Mr. Moody also urged that the Commission not take any action, other than denial, until such time as a hydrology report has been submitted for the subject tract.

John Self, Director of the Tulsa Boys Home, reiterated concerns of locating manufactured homes in the flood area. In addition, Mr. Self was of the opinion that these homes would distract from the surroundings, not only of the Tulsa Boys Home, but of some of the more attractive homes which have recently been built in the area.

Jenny Hobson stated she was very familiar with the lake which the Corps of Engineers allowed. She noted it was more like a small pond area, was to help with the runoff of the creek and has benefitted the developer from the standpoint of overflow from the five underground springs which are located on the property. Ms. Hobson presented a statement (Exhibit "B-1") from 17 landowners in the area. The landowners noted that all homes in the area are located on 1/2 acre lots and were concerned that mobile homes, placed on small crowded lots, would detract from the location and landscape in the area. Reduced property values and discouragement of future development of quality housing additions in the area were also objections of the homeowners.

Instruments Submitted: Statement (17 landowners) (Exhibit "B-1")

Special Discussion for the Record:

In response to Commissioner Holliday's question concerning the average price for a manufactured home, Ms. Schaeffer advised that the average cost is approximately \$22,500, completely furnished.

Commissioner Higgins asked if raising the subject tract 1-foot would effect undue pressures for other property owners in the area. The applicant advised that the raised area would involve approximately 20% of the subject property. Mr. Harris pointed out that Hissom Memorial Center, Radar Center and the Tulsa Boys Home are located in the area and all have been raised above this level when they were developed.

CZ-18 (continued)

In answer to the Commissioner's concerns of the water runoff, Mr. Gardner suggested that only the area outside of the floodway, to be determined at a later date, be considered for rezoning.

Noting the severe housing shortage in the Sand Springs area, Sandy Schaeffer questioned how many employees of the Tulsa Boys Home are forced to commute to and from work because they can not find adequate housing in the area. Mr. Self advised that housing is provided on the campus for the employees of the Tulsa Boys Home. The Director stated he owns property and lives 7 miles west of the home.

Commissioner T. Young made a motion for denial of the application. The motion did not receive a second.

Commissioner T. Young advised that another consideration, in addition to the drainage question, would be the affect upon the traffic at the intersection of 137th West Avenue and Highway #51 once the widening of the highway is completed.

Commissioner Higgins stated she felt compelled to support the Sand Springs Regional Planning Commission's recommendation for approval since that was her district; however, it was difficult to make a determination without the additional floodway information.

Assistant City Attorney, Alan Jackere, could not speak to the County question, but he noted that City zoning applications in the past have been zoned, less and except that portion that is later to be determined to be in the floodway.

On MOTION of ELLER, the Planning Commission voted 2-4-1 (Eller, Parmele, "aye"; Holliday, Kempe, C. Young, T. Young "nay"; Higgins, "abstaining"; Freeman, Gardner, Inhofe, Petty, "absent") to approve the RMH zoning on CZ-18. The motion failed.

Commissioner T. Young made a second motion for denial of the application. The motion died for lack of a second.

TMAPC Action: 7 members present.

On MOTION of PARMELE, the Planning Commission voted 6-1-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; T. Young, "nay"; Freeman, Gardner, Inhofe, Petty, "absent") that Application No. CZ-18 be continued to June 3, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center, to allow the applicant time to present an engineering study depicting the portion of the subject tract which is located in the floodway.

PUD #231-A John Moody (Oxford Place) North and West of the NW corner of
66th Street and Sheridan Road (RS-3)

A letter was presented (Exhibit "C-1") from the applicant requesting a continuance of the PUD to allow time for the TMAPC and the City Commission to consider the request for OL zoning. In the event the OL zoning is approved, the PUD application will be withdrawn.

On MOTION of ELLER, the Planning Commission voted 7-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, "absent") to continue PUD #231-A to June 3, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application PUD #255

Present Zoning: (CS, RM-2)

Applicant: Ralph L. Jones (Wallace)

Location: North of the NE corner of 64th Street and Peoria Avenue

Date of Application: February 27, 1981

Date of Hearing: May 6, 1981

Size of Tract: 3.41 acres

Presentation to TMAPC by: Ralph Jones

Address: 4720 South Harvard Avenue

Phone: 743-2586

Staff Recommendation:

Planned Unit Development #255 is located on the east side of Peoria Avenue, north of 64th Street South. The property is zoned CS (west 445 feet) and RM-2, and the total tract size is 3.41 acres. The applicant has submitted a site plan requesting approval of mini-storage use on the property.

The Staff has reviewed the applicant's site plan and find the proposal consistent with the purposes of the PUD, and therefore, recommend APPROVAL, subject to the following conditions:

1. That the applicant's site plan or modified site plan (City Hydrologist) be incorporated as a condition of approval.
2. That the mini-storage and office use be permitted as proposed. That subsequent changes of use within the front 445 feet, zoned CS, may be permitted providing the applicant submits to the TMAPC a revised site plan for consideration and approval. Such use changes within the following use units may be considered minor amendments, Use Unit 8, Use Unit 11, Use Unit 13 and Use Unit 14.
3. That the maximum floor area of buildings shall not exceed 46,700 sq. ft. That the maximum height of building shall be one-story.
4. That a 6-foot solid surface screening fence be erected and maintained on the entire perimeter boundary of the site, except on the west 50 feet. That any security lighting be directed downward and away from abutting residential properties.
5. That the drainage plan be approved by the City Engineer (City Hydrologist).
6. That one ground sign be permitted not to exceed 20 feet in height and 150 sq. ft. of display surface area.
7. That a subdivision replat be approved by the TMAPC, incorporating within the restrictive covenants those conditions of approval, making the City of Tulsa beneficiary to said covenants, and filed of record in the County Clerk's Office prior to a request for a building permit.

Applicant's Comments:

Ralph Jones advised that he has been advised by the City of Tulsa that it would cost \$2,500 per acre on commercially zoned property, to provide a connection to a sewer system which will be installed 5-6 years from now. Mr. Jones stated he would agree to pay this fee, approximately \$7,500, which would be required in advance. He presented a letter (Exhibit "D-1") which was transmitted to Charles Hardt, City Hydrologist, from J. M. Wilkinson, Architect. The letter states that it is Mr. Wilkinson's under-

PUD #255 (continued)

standing that the City Engineering Department will assist in the design of the Sand-Point area drains. The proposed drains will provide immediate relief to the additional surface drainage caused by paving on the existing site and hopefully reduce somewhat, the surplus of water flowing across adjacent properties.

Interested Party: Carson Medearis Address: 1359 East 64th Street

Interested Party's Comments:

Carson Medearis stated he did not know if the proposed drains will answer the neighborhood runoff problems since he had not talked with the City Engineer. Existing apartments and warehouse units already contribute to all the runoff which this low-lying area can accommodate.

Instruments Submitted: Letter to Charles Hardt (Exhibit "D-1")

Special Discussion for the Record:

Mr. Medearis questioned if both the sand-points will be connected to the sewer when they are built. The applicant advised that one of the sand-points will be made possible to connect immediately, the one closest to Peoria. The other one or two will probably not be connected to the sewer. Mr. Jones stated that when the permanent sewer is in place, in 5 or 6 years, there is a good possibility that a great deal of the water from the north will be taken care of.

TMAPC Action: 6 members present.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be approved, subject to the conditions:

Lot 9, Block 2, Valley View Addition and North 157.2' of Lot 1, Block 1, Orchard Park Addition.

SUBDIVISIONS:

Lazy "H" Addition (2790) SE corner of Coyote Trail and South 225th West Ave.
(AG) (County)

The Staff presented the plat noting the applicant was not represented; however, he had been contacted and was in agreement with the conditions as listed.

The Staff also advised that this plat is an "as built" application since most lots have been sold, but the plat was never approved by the Planning Commission. This will serve to clear title for the lots and obtain dedications on the streets and easements.

County Engineer recommended 221st West Avenue be stubbed out to the south property line for additional access. The Statutory right-of-way should be shown on south edge of plat.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Lazy "H" Addition, subject to the conditions.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the preliminary plat of Lazy "H" Addition, subject to the following conditions:

1. Covenants (2nd paragraph, page 5) indicate "Reserve A" is for commercial purposes. This area is not zoned commercial and should not be designated same unless zoning is granted. It is suggested that:
(a) Reserve "A" be given a lot and block number and building lines shown thereon; or... (b) omit Reserve "A" from the plat entirely, ... or, (c) submit a zoning application, and if approved, leave plat as is. (This is not a recommendation either way on commercial zoning approval.) Be sure and change Restrictive Covenants to reflect what change is made in plat.
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. Water plans shall be approved by the applicable water authority prior to release of final plat.
4. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.
5. A topo map shall be submitted for review by T.A.C. (Sub. Reg's.) (Submit with drainage plans if required by County Engineer.)
6. Street names shall be approved by County Engineer. Show on plat as required.
7. It is recommended that the developer coordinate with County Engineering 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.)

Lazy "H" Addition (continued)

8. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
9. 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.
10. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.
11. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information is to be included in the restrictive covenants.)
12. The method of water supply and plans therefore, shall be approved by the City-County Health Department.
13. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A 150' building line shall be shown on plat on any wells not officially plugged.)
14. Show 24.75 foot Statutory right-of-way on south edge of plat.
15. Show 221st West Avenue stubbed to south property line.
16. 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.)
17. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

Hillsview Addition (683) West side of South Lewis Avenue, between 61st and 66th Streets (CS)

The Staff presented the plat with the applicant represented by Ted Sack.

The Water Department requested a 20-foot restricted water line easement parallel to Lewis Avenue for a new 36" water line. City Engineer requested a tie dimension to the nearest street or section line.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Hillsview Addition, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the preliminary plat of Hillsview Addition, subject to the following conditions:

1. 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.

Hillsview Addition (continued)

2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Show 20-foot restricted water line easement.)
3. 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).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
5. 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.
6. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by City Engineer.
7. Access points shall be approved by City and/or Traffic Engineer.
8. It is recommended that the developer coordinate with Traffic Engineering 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.)
9. 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.
10. 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.)
11. All (other) Subdivision Regulations shall be met prior to release of final plat. (Staff)

The Directory (783) North of the NW corner of 81st Street and South Lewis Ave.
(CO)

The Staff presented the plat with the applicant not represented. It was noted that the City approved the Site Plan for The Directory on May 5, 1981.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of March 26, 1981 was provided, with Staff comments as applicable.

Water Department requested a 20-foot restricted water line easement parallel to Lewis for future 36" water line. Traffic Engineering had no objections to the access as shown, but advised close coordination will be necessary to locate the northerly access point, which is off of this plat.

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of The Directory, subject to conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions";

The Directory (continued)

Freeman, Gardner, Inhofe, Petty, T. Young, "absent") for approval of the preliminary plat of The Directory, subject to the following conditions:

1. 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.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Show 20-foot restricted water line easement.)
3. 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).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat. (Include Water and Sewer Department language in Covenants.) (including off-site lines).
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
6. 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.
7. Access points shall be approved by City and/or Traffic Engineer, and shown on plat.
8. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged.)
9. 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.)
10. All (other) Subdivision Regulations shall be met prior to release of final plat.

Laurenwood Addition (683) North side of 71st, West of Wheeling Avenue (RM-1)

The Staff recommended this item be continued to June 3, 1981.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to continue Laurenwood Addition to June 3, 1981, 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Jamestown Townhouse Addition (1693) 2560 South Jamestown Avenue (RM-1)

Mr. Wilmoth recommended this plat be tabled.

The Chair, without objection, tabled Jamestown Townhouse Addition.

5110 South Yale (PUD No. 244) (3393) SW corner of 51st Street and Yale Avenue
(CS)

The Staff advised that all letters of approval had been received and final approval and release was recommended.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") for final approval and release of 5110 South Yale.

FOR CHANGE OF ACCESS ON RECORDED PLAT:

Towne Centre II (3094) SW corner of 41st Street and South 109th East Avenue (CS)

The Staff advised that this is a request to move an access point approximately 90' west from the intersection of 41st and 109th East Avenue. No new access is being created and the new location will provide a common curb-cut for a proposed lot-split. Traffic Engineering has approved the request and it is recommended that the Planning Commission concur.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the change of access on the recorded plat of Towne Centre II.

The Yorktown (1893) SE corner of 21st Street and South Yorktown Avenue

Mr. Wilmoth advised that this request is to move the fire lane access point 55' east to avoid a 20-foot storm sewer easement. This is for fire access only. No new access point is being created as this one is only being moved. Traffic Engineering has approved the request and it is recommended the Planning Commission concur.

On MOTION of PARMELE, the Planning Commission voted 5-0-1 (Eller, Higgins, Holliday, Kempe, Parmele, "aye"; no "nays"; C. Young, "abstaining"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the change of access on the recorded plat of The Yorktown.

REQUEST TO WAIVE PLAT:

Z-4697 Greenlawn Addition (393) 6416 East Archer Street (CG)

Mr. Wilmoth advised that the applicant was present. This is a request to waive plat requirement on Lot 14, Block 2, of Greenlawn Addition, since it is already platted and nothing would be gained by a new plat. The proposed use is a motel as shown on the plot plan. Plat requirement has been waived on Lot 15 to the west of this request.

Water and Sewer Department requested a utility easement on the south property line to cover existing facilities, if not already granted. Engineering advised that drainage plans had not been received and request should be held, subject to reviewing those plans. The applicant was not present.

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-4697, subject to the two conditions.

Z-4697 Greenlawn Addition (continued)

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the waiver of plat on Z-4697, subject to the following conditions:

- (a) Utility easements as needed; and
- (b) receipt of drainage plans by Engineering Department in the permit process.

Z-5305 Clinton Heights (2292) 3820 SW Boulevard (CG)

The Staff made the following report:

This is a request to waive plat on Lot 1, Block 3 of Clinton Heights Addition. (A small sliver of land has been acquired off the back of this lot for the RF Expressway.) This is one whole lot as platted and contains a ceramic shop, which is being expanded. The applicant owns the two lots fronting SW Boulevard so has access through those two lots to SW Boulevard. No new use is planned. A request to vacate the alley will probably be made, reserving the utility rights therein. Oklahoma Natural Gas also has a gas line across the northwesterly part of the property.

The Technical Advisory Committee and Staff recommended approval of waiver of plat requirement on Z-5305, subject to one condition:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the waiver of plat requirement on Z-5305, subject to the following condition:

- (a) Retention of utility easement rights in alleyway, if it is vacated.

LOT-SPLITS:

L-15111	David L. Carpenter	(1293)	L-15187	Cleo B. Aubrey	(3003)
15136	Cliff & Alma Wilson	(794)	15188	Phyllis R. Danforth, et al	(2302)
15150	Roy C. & Barbara J. Malernee	(3193)	15189	Terrie Reed	(1893)
15162	Greg Frye	(3693)	15190	Emanuel Assembly of God Church	(894)
15176	R. Paul & Billie Heap	(2693)	15191	T.U.R.A.	(2502)
15178	Southern Inv. Co.	(283)	15192	Jack Kisse	(2693)
15179	Wm. M. Martin and Bruce Allison	(1993)	15193	Anderson Development Company	(3493)
15181C	Ron T. Bybee	(1213)	15195	Velma Hutson	(3303)
15182	F. William Teale	(483)	15196	Frank Wallace	(1583)
			15197	Riverwood South, Ltd.	(3692)

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") for ratification of prior approval of the above-listed lot-splits.

FOR WAIVER OF CONDITIONS:

L-15172 Hanna Lumber Co. (1093) The SE corner of East 11th Street South, and
South Hudson Avenue (CH & IM)

The Staff noted applicant was present.

This is a request to waive the Major Street and Highway Plan requirement of 50' from the center of East 11th Street South. This is the only waiver the applicant is asking for. (Applicant requests the waiver because of the parking spaces in the front, along the north of his property would be taken.) Existing structure sits 84.75' from centerline.

A number of problems exist with a split on this property. Since it is commercial, and buildings do not encroach on any future right-of-way line. The Staff and T.A.C. felt that the Subdivision Regulations should be met, which require conformance with the Major Street Plan. A minimum of 35' is already dedicated west of Hudson, and the full 50' is dedicated further east near Norwood. Only 24.75' exists at the location of the split. Numerous other problems exist if this lot is split. The Technical Advisory Committee and Staff recommended DENIAL of Lot-Split #15172, for the following reasons:

- (a) The split as submitted does not meet the Subdivision Regulations requiring conformance with the Major Street Plan.
- (b) No water service will be available on Hudson, since the 48" main is a transmission main and not for service. If split, a 6" water main extension will be required on Hudson.
- (c) A sewer main extension may be required.

Mr. Hanna pointed out that any retail business is dependent upon its parking; the subject tract now has parking spaces for 12 cars. If this waiver is not approved, the only available parking, 4 or 5 spaces, will be parallel with the building. All of the land to the east of the subject property has a 24-foot right-of-way and beginning west of Hudson the right-of-way is 35 feet.

On MOTION of PARMELE, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the waiver of conditions on L-15172, waiving the Subdivision Regulations requiring conformance with the Major Street and Highway Plan of 50' from the center of East 11th Street South.

L-15175 Harold L. Battenfield (883) 2500 Block of East 74th Place South (RS-3)

The Staff noted the applicant was not present.

This is a request to split an existing duplex along the common party wall to create separate ownership of each half. The applicant has a utility easement contract for the mutual services. Because of the location of the structure the "new" lot line will require a waiver of the frontage requirement of 60', and also approval by the Water and Sewer Department and Board of Adjustment.

L-15175 (continued)

Owner should be advised to provide adequate restriction and written covenants to cover maintenance of commonly owned sewer and utility lines. The instrument submitted does not seem to adequately cover this. Also, O.N.G. expressed concern that the gas leaders might both be on one lot if split. So access and maintenance should be covered in the maintenance agreement.

The Technical Advisory Committee and Staff recommended approval of L-15175, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve the waiver of conditions on L-15175, subject to the following conditions:

- (a) Provisions of a satisfactory maintenance agreement so that the commonly owned sewer and utility lines can be serviced; and
- (b) Board of Adjustment approval of the bulk and area requirements.

OTHER BUSINESS:

PUD #128-A Bob Goble South of 71st Street and Trenton Avenue

Request to consider approving a reduction of the 20-foot rear yard on Lots 45 and 49, Block 7, Kensington II Addition as a Minor Amendment to the PUD.

Mr. Alberty advised that Planned Unit Development #128-A is located south of 71st Street on both sides of Trenton Avenue. The applicant is requesting a minor amendment to permit a reduction of the 20-foot rear yard on Lots 45 and 49 of Block 7, Kensington II Addition. The developer had originally requested a "blanket" minor amendment on all the lots in the subdivision. That request was denied for the reason it should be decided on a case-by-case basis. In this request only the corners of each of the structures encroach within the 20-foot rear yard, the majority of both structures comply with the 20-foot rear yard requirement.

The Staff recommended APPROVAL of the requested minor amendment, per submitted site plans, with a 15-foot minimum rear yard on Lots 45 and 49, Block 7, Kensington II Addition.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young "absent") to approve the minor amendment, per submitted site plans, with a 15-foot minimum rear yard on Lots 45 and 49, Block 7, Kensington II Addition, PUD #128-A.

PUD #207 Linda Marks West of 98th Street and Sheridan Avenue

Request to consider approving 7-foot and 8-foot side yards on Lot 6, Block 3, Mill Creek Pond Addition, as a Minor Amendment to the PUD.

The Staff made the following report:

Planned Unit Development #207 is located on the west side of Sheridan Road at 98th Street. The applicant is requesting a minor amendment to permit side yards of 7 feet and 8 feet. The PUD Text permits 0-foot side yards

PUD #207 (continued)

but states the other yard must be 10 feet in order to provide a minimum 10-foot building separation. The subject lot does not abut another lot that will contain a dwelling unit, but is surrounded by open space or street.

The Staff therefore, recommended APPROVAL of the requested minor amendment to permit side yards of 7 feet and 8 feet, per site plan, on Lot 6, Block 3, Mill Creek Pond Addition.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve a minor amendment to permit side yards of 7 feet and 8 feet, per site plan, on Lot 6, Block 3, Mill Creek Pond Addition, PUD #207.

PUD #216 Ray Frogge West of 96th Street and Yale Avenue

Request to consider approving a 23-foot rear yard on Lot 4, Block 3, Hunters Point Addition, as a Minor Amendment to the PUD.

The Staff advised that Planned Unit Development #216 is located on the west side of Yale Avenue at approximately 96th Street South. The applicant is requesting a minor amendment to permit a reduction of the rear yard from 25 feet to 23 feet. The applicant is unsure at this time whether the full 2-foot variance will be required depending on the thickness of masonry to be applied at construction. The 2 feet is certainly within the limits of a minor amendment and the Staff, therefore, recommends APPROVAL of the requested minor amendment on Lot 4, Block 3, Hunters Point Addition.

On MOTION of ELLER, the Planning Commission voted 6-0-0 (Eller, Higgins, Holliday, Kempe, Parmele, C. Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Inhofe, Petty, T. Young, "absent") to approve a 23-foot rear yard on Lot 4, Block 3, Hunters Point Addition, as a minor amendment to PUD #216.

PUD #179-F Larry Kester SE and SW corners of 71st Street and 90th East Ave.

Request to consider approving Detailed Site Plan for part of Development Areas "A & B".

Mr. Alberty advised that there have been some problems concerning the requested detailed site plan. The applicant requested the item be tabled.

The Chair, without objection, tabled PUD #179-F.

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

Date Approved _____

May 20, 1981
Robert J. Parmele
12500 - Chairman

ATTEST:

Marian E. Holliday
Secretary

