

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1386
 Wednesday, December 9, 1981, 1:30 p.m.
 Langenheim Auditorium, City Hall
 Tulsa Civic Center

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF PRESENT | OTHERS PRESENT |
|---------------------|----------------|---------------|-----------------------------|
| Freeman | Eller | Chisum | Linker, Legal Department |
| Gardner | Kempe | Compton | |
| Higgins | Parmeale | Gardner | |
| Holliday, Secretary | Petty | Lasker | |
| C. Young, Chairman | Inhofe | Matthews | |
| T. Young | | Wilmoth | |

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, December 8, 1981, at 10:15 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 HOLLIDAY, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the minutes of November 18, 1981 (No. 1383).

REPORTS:

Rules and Regulations Committee:

The Rules and Regulations Committee will meet after the Planning Commission meeting.

PUBLIC HEARING

Public Hearing to Consider Amending the District 24 Plan, a Part of the Comprehensive Plan for the Tulsa Metropolitan Area by Designating 66th Street North, between Peoria Avenue and Lewis Avenue, as a Special District for the Purpose of Expanding the Business District Within the Community.

Public Hearing on consideration of the Amendment to the District 24 Plan was opened. Mr. Gardner explained that the Planning Commission had received a petition from the District Planning Team requesting an amendment to the Comprehensive Plan. The Staff field checked the area and reported to the Planning Commission that this request did have some merit and requested a Public Hearing. He presented the Staff Report (Exhibit "A-1"). The area under consideration is 66th Street North from Peoria, east to the floodprone area, approximately the Lewis Avenue intersection. The land east of Lewis to the Cherokee Expressway is either floodprone and not developed at this time or development control is already covered by the Comprehensive Plan and Development Guidelines.

Commissioner Holliday, as a member of the Comprehensive Plan Steering Committee, reported that it was the Committee's unanimous opinion to recommend to the Planning Commission that a Special District be designated for 66th Street North, east of Peoria to the floodprone area.

Dale Brisson owns the property east of the floodplain next to the Cherokee Expressway and Mr. Gardner explained that the node at the intersection of 66th and the Cherokee Expressway is already covered under the Guidelines to be non-residential use.

Ray Bates, the Alternate Chairman for District 24, commented that the Staff has done a fine job of analyzing the situation. In his opinion, the residents of Turley were adequately notified and this question has been discussed extensively in the town. The concern of the citizens was to create a commercial district because 66th Street is now a major arterial connecting with the Expressway. The application was made with the knowledge that there are areas between Lewis and the Cherokee Expressway that have flooded in the past. However, Bird Creek has been renovated and a dam and lake is being built in the Skiatook area to help control the Creek. The flooding has been relieved in the last two years.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") that this public hearing be closed and that the Staff be instructed to prepare a resolution for adoption of an amendment to the District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area designating 66th Street North, between Peoria Avenue and approximately Lewis Avenue (boundary shall be per Exhibit "A-1") as a Special District, to include the following items:

1. Allowing existing commercial or business uses to seek appropriate zoning (does not include Home Occupation);
2. Requiring that tracts requesting rezoning be contiguous to properly zoned tracts within the Peoria Special District or
3. Requiring that tracts requesting rezoning be contiguous to properly zoned tracts within the 66th Street Special District; and
4. Encouragement of the Home Occupation, Special Exception.

PUBLIC HEARING

Public Hearing to Consider Amending the Comprehensive Plan for the Tulsa Metropolitan Area by Adding thereto the Mingo Creek Master Drainage Plan for the Tributaries Between I-44 and the Broken Arrow Expressway.

Public Hearing on consideration of the Mingo Creek Master Drainage Plan was opened. Dane Matthews of the INCOG Staff stated that this is the third Master Drainage Plan that has been presented for public hearing. The previous two were Vensel Creek and Cooley Creek and they have been adopted. The Staff has reviewed this plan and found it to be generally in accord with the Comprehensive Plans for Districts 5, 17 and 18, the Open Space Plan, the Park and Recreation Plan and the Corps of Engineer's Plan 8A for the Main Stem.

Public Hearing - Drainage Plan (continued)

Maria Hollingsworth with HTB was present and explained that this plan is for the Mingo Creek Tributaries between I-44 and the Broken Arrow Expressway. This includes approximately 15 square miles between Harvard and 145th East Avenue and 21st to 61st Street. The two basic outputs of the report are floodplain mapping and recommended alternatives for the seven creeks. The alternatives also included consideration of the Corps of Engineers RB8A Plans for the main stem of Mingo Creek. Costs and benefits were included in the plan. She recommended that this report be adopted in order to place these floodplains and floodways under regulations so that the problems are not increased. The structural measures would not be effective at this time until the Corps of Engineers Plan is in place because of backwater from the main stem of Mingo Creek. Where detention plans are recommended, it would be best to acquire the land so it will not be developed.

Mike Buchert with the Corps of Engineers advised that the public involvement in this project was extensive. There were three public meetings held as well as a program of involvement under their Tulsa Urban Study. Meetings were also held with different civic groups in the area. There were two public hearings after the final recommended plan was completed.

Dane Matthews asked that this plan be adopted so that the Staff can use it as a part of the Comprehensive Plan, Open Space Plan, Park and Recreation Plan and any plan amendments that may need to be made for Districts 5, 17 and 18.

Commissioner Holliday advised that the Comprehensive Plan Steering Committee voted unanimously to recommend to the Planning Commission that this Mingo Creek Master Drainage Plan be adopted.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") that this public hearing be closed and that the Staff be instructed to prepare a resolution to adopt the Mingo Creek Master Drainage Plan for the Tributaries between I-44 and the Broken Arrow Expressway.

SUBDIVISIONS:

Keystone Manor Suburban Acres II Addition (790) West 16th Street and South
265th West Avenue (AG)

The Staff presented the plat with the applicant not represented.

The Staff noted this plat has a sketch plat approval, subject to conditions.

The Staff further advised that this plat was started and received a sketch plat approval when the area had no zoning regulations. It met all conditions for a plat at that time. The County Zoning Regulations were effective September 15, 1980, AFTER this plat process was started. Now it is zoned AG, which permits mobile homes by right, but the lot sizes do not meet the AG. If it were rezoned to an R District, then mobile homes would not be a use by right, but require Board of Adjustment approval. It appears the simplest way to clear this would be for the applicant to file a Board of Adjustment application to waive the bulk and area requirements in the AG District on the whole plat. This way, the applicant will still be zoned AG and the mobile homes would be use by right and the Board action would take care of the lot sizes. (The subdivision is on a sewer system and the larger 2-acre lots in an AG District are not required, since no septic systems are involved.)

The County Engineer had previously advised the T.A.C. that the first phase of this project will need to be completed prior to, or along with, this plat. Access to this plat is dependent upon finishing the first phase, since the street connections to Coyote Trail are in Phase I. The Health Department had advised the applicant to consult with the Corps of Engineers regarding discharges into Keystone Lake from the proposed sewage plant. This is in addition to meeting the County requirements as listed in the conditions. Mr. Finley indicated to the T.A.C. that these conditions were being met or had already been accomplished.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Keystone Manor Suburban Acres II Addition, subject to the conditions.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary Plat for Keystone Manor Suburban Acres II Addition, subject to the following conditions:

1. Identify all land abutting plat. (Identify "unplatted" area.)
2. Utility easements shall meet the approval of the utility companies. 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 11' and 17½' as applicable.)
3. Water plans shall be approved by the RWD prior to release of final plat.

4. Paving and 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. All curve data shall be shown on final plat where applicable. (Including corner radii.)
6. The method of sewage disposal and plans therefore, shall be approved by the Tulsa City-County Health Department.
7. The method of water supply and plans therefore, shall be approved by the Tulsa City-County Health Department.
8. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
9. The key or location map shall be complete. Identify "Cimarron Run II", also show Coyote Trail.
10. In Covenants describe use of Reserve "A" and who will maintain it. In paragraph 5 add "except where easements are greater."
11. A letter of assurance regarding installation of improvements shall be submitted prior to release of final plat.
12. All Subdivision Regulations shall be met prior to release of final plat.

Brooks Industrial Tract (2203) East side of North Erie Avenue, 1/2 mile north of
Apache Street (IL)

The Staff presented the plat with the applicant represented by Bill Breisch.

Mr. Breisch had advised the T.A.C. that the additional right-of-way for Erie had been obtained by separate instrument. (This would be shown on plat with "Book and Page" reference). There was some discussion regarding improvements to the property and water and sewer service in the T.A.C. meeting. Since the land was to be used only for storage purposes at this time, there was no particular reason for water and sewer services. It was suggested by the T.A.C. that some notation be made on the plat to this affect, since water and sewer service was not available for service at this location.) There was no objection by the T.A.C. to the street width as shown on the plat.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Brooks Industrial Tract, subject to the conditions.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary Plat for Brooks Industrial Tract Addition, subject to the following conditions:

1. Show on face of plat: Lot/Block number; 25' building line; Erie Industrial Addition and tie dimension thereto; street dedication information (Book and Page); address of owner.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required, (17½'). Existing easements should be tied to, or related to property and/or lot lines.

Brooks Industrial Tract (continued)

3. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (If required).
4. 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).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat (if required).
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 the City Commission.
7. A topo map shall be submitted for review by T.A.C. (Subdivision Regulations). (Submit with drainage plan, if required).
8. 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.
9. The key or location map shall be complete. Show Erie Industrial. Correct City ownership.
10. 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.)
11. 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.)
12. All Subdivision Regulations shall be met prior to release of final plat.

Grossich Addition (3094) East side of South Mingo Road, 525' North of 51st Street (IL)

The Staff presented the plat with the applicant not represented.

There was considerable discussion in the T.A.C. meeting regarding the width of the easements required to serve the property. However, it was recommended the applicant call a subsurface meeting where all the utilities involved could detail what was needed. There was no objection to this procedure.

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

Grossich Addition (continued)

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary Plat for Grossich 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.
2. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
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 the City Commission.
4. Access points shall be approved by the City and/or Traffic Engineer.
5. 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.
6. The key or location map shall be complete. (Show Towne Center II).
7. Add access relinquishment paragraph to Covenants, as well as language regarding water and sewer service.
8. 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).
9. All Subdivision Regulations shall be met prior to release of final plat.

The Westbank Addition (1192) 1700 Block of South Jackson Avenue

The Staff presented the plat with the applicant represented by Stan Ewing and Jim Bourey.

Note: Since this area is owned and is being platted by TURA, it is not subject to platting in the usual sense under Section 260 of the Zoning Code. The plat is being voluntarily processed. The Staff recommends the fees be waived as is the custom for other public agencies. It should also be noted that the plat would meet the Subdivision Regulations as submitted, regardless of the zoning, but the actual use proposed (apartments) would either require an approval of the Board of Adjustment under the OM zoning or a rezoning processed to a multi-family zone. The southerly portion (about 250') is zoned AG. If no buildings are planned in that area, then the Staff sees no problems leaving the plat "as is".

The Westbank Addition (continued)

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

On MOTION of HIGGINS, the Planning Commission voted 5-1-0 (Freeman, Gardner, Higgins, Holliday, C. Young "aye"; T. Young "nay"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary Plat for The Westbank Addition and that the fees be waived, all subject to the following conditions:

1. Since this plat is criss-crossed with various easements, care should be taken in locating buildings. Release letters are normally received from the utilities, but in addition, the Staff recommends that before the plat is released, documentation be obtained from the County Drainage District #12 since a great deal of the land is covered by the levee. (The applicant indicated this has already been accomplished).
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 Water and Sewer Department prior to release of final plat (if required).
4. 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).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
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 the City Commission.
7. Access points shall be approved by the City and/or Traffic Engineer, Coordinate access to SW Boulevard with Traffic Engineer. Also, include access language in covenants.
8. 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.
9. Applicant should check with TURA regarding inclusion of reference to Urban Renewal Plan in the restrictive covenants. (References are included in the Riverview Park 2nd plat.)
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 Subdivision Regulations shall be met prior to release of final plat.

Sixty-One Riverside Addition (182) 61st Street and Riverside Drive (Rm-2 pending)

The Staff presented the plat with the applicant represented by Stan Ewing and Jim Bourey.

There was some discussion regarding the status of the expressway on the west boundary of the plat, access to it and the building setback required. If less than 35' is required for a building line by the developer, Board of Adjustment approval for a variance may be sought. If so, the appropriate building line would be shown on the plat as approved by the Board of Adjustment. Also, some notation on the plat regarding the present access across state-owned land on the north may be needed simply to show the property has access. (When the street improvements are made at that location and the street widened, then the special access would no longer be needed.)

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Sixty-One Riverside Addition, subject to the conditions.

On MOTION of HOLLIDAY, the Planning Commission voted 5-1-0 (Freeman, Gardner, Higgins, Holliday, C. Young "aye"; T. Young "nay"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary Plat for Sixty-One Riverside Addition, subject to the following conditions:

1. Show easement for turn-around or other requirements of the City/Traffic Engineers at the ends of 62nd Place and 64th Street. (Subject to City Engineer and Traffic Engineer?). (If required.)
2. Not a condition for approval of plat; but some change in the status of the Riverside Expressway may be made. If made prior to filing this plat for final, show the changed designation on plat. . . such as "Riverside Drive Extension". . . or whatever the status is at the time of final approval.
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.
4. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
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).
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.(if required).
7. 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 the City Commission.

Sixty-One Riverside Addition (continued)

8. Access points shall be approved by the City and/or Traffic Engineer. Traffic Engineer recommended all "LNA" at this time, subject to review of plot plans and possible changes if needed.
9. 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.)
10. 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.
11. 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.)
12. Include TURA language in covenants if required.
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 Subdivision Regulations shall be met prior to release of final plat.

Preston-Eastin First Addition (1303) SW corner of East 44th Street North and
North Mingo Road (IL, RS-3)

The Staff presented the plat with the applicant represented by Jack Cox.

The Water and Sewer Department has informed the applicant there would be problems in sewer service because of the slope and elevation of the land. The applicant would need to work closely with that Department for the required services. Also, a restricted water line easement will be needed across the south side of the tract. (20' in width)

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

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary Plat for Preston-Eastin First 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 typed or related to property and/or lot lines. (P.S.O. Easement). Show P.S.O. "overhead on perimeter" in covenants.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Show 20' restricted water line easement as required.)

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 the City Commission.
6. Access points shall be approved by the City and/or Traffic Engineer. Eliminate or relocate north access to Mingo. (Coordinate with the Traffic Engineer.)
7. 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.
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 Subdivision Regulations shall be met prior to release of final plat.

Gladebrook Second Addition (PUD #185) West of the NW corner of 31st Street and
Trenton Avenue (RS-1)

The Staff presented the plat with the applicant not represented.

The Staff advised that this plat is being reprocessed in order to show adjustments in the lot lines caused by on-site survey of the land which showed some buildings encroaching on some lot lines. No change in the PUD conditions are being made. Since the changes were slight, but better shown by amended plat, this plat was submitted to clarify and adjust lot lines as needed. It is recommended the plat be approved, subject to receipt of release letters from applicable agencies.

The Technical Advisory Committee and Staff recommended approval of the Preliminary, Final and Release of Gladebrook Second Addition, subject to receipt of release letters from applicable agencies. (Staff advised that the letters had been received.)

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve the Preliminary, Final and Release of Gladebrook Second Addition.

REQUEST TO WAIVE PLATTING REQUIREMENT:

Z-5476 (Steve Olsen) (1292) SW corner of 15th Street and Denver Avenue (OL)

This is a request to waive the plat requirement on Lots 1 and 2, Block 4, Stonebraker Heights Addition. The existing structures on the lots are to remain and will be remodeled into offices. Since it is already platted and no major changes are planned, nothing would be gained by a new plat so the applicant is asking for waiver.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on Z-5476, subject to the conditions.

Commissioner T. Young thought this request is too long after the zoning change. All of the work has been done on the project except for the corner lots. Wilmoth did not know the reason for the time lapse. Apparently, they are just now requesting a building permit. This was zoned multi-family or office, so Wilmoth assumed an existing building could be remodeled. Mr. Gardner thought there was a change in the ultimate plan and this may be the two structures where the driveway will intersect. There has been a Board of Adjustment hearing recently on this project.

The Chair, without objection, tabled this item for one week for a full report from the Staff.

LOT-SPLITS:

For Ratification of Prior Approval:

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

- L-15356 (393) Look Building Corp.
- 15359 (794) F & M Bank and Trust Co.
- 15358 (3193) Thrift-T-Wise, Inc.

CONTINUED ZONING PUBLIC HEARING:

Z-5643 Michael C. Walter SE/c of 21st Street and 120th E. Ave. (RD to OL)

Letter was presented from Michael C. Walter requesting that the zoning case be withdrawn (Exhibit "B-1").

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") that this zoning application be withdrawn.

ZONING PUBLIC HEARINGS:

Application No. Z-5640
Applicant: Ollie Greshman (Kelly)
Location: 220 N. Quannah

Present Zoning: RS-3
Proposed Zoning: CS

Date of Application: October 13, 1981
Date of Hearing: December 9, 1981
Size of Tract: .5 acres, more or less

Presentation to TMAPC by: Ollie Greshman
Address: 4815 S. Harvard

Phone: 749-1673

Relationship to the Comprehensive Plan:

The District 2 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 CS District is not in accordance with the Plan Map.

Staff Recommendation:

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

The subject tract is about 1,125 square feet in size. It is vacant and is abutting to the north and west by residences, to the east by Roosevelt Jr. High School and to the south by the Keystone Expressway. The tract is surrounded by RS-3 zoned land and it is zoned RS-3. The applicant is requested CS zoning for a proposed business sign use.

The CS District is not in accordance with the Plan Map and the Staff views this application as a clear case of spot zoning. The location is within a residential area and approval would create a negative influence on the neighborhood and cause future deterioration. The tract physically has no access because of the difference in elevation from that of the street. The original property owner was compensated for the expressway taking and therefore, if additional use is to be made of this property, its only value is additional yard space to be attached to abutting tracts.

Therefore, the Staff recommends DENIAL of CS zoning.

Applicant's Comments:

Mr. Ollie Greshman, applicant, explained that this is a very small piece of land approximately 37½' x 60' which cannot be used for building. The purpose of the rezoning request is to install a sign. He presented a 14 signature petition of residents in the neighborhood who have no objection to the sign (Exhibit "C-1").

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| <u>Protestant:</u> Sandy Willhite | 4621 W. 45th Street |
| Wilma Jenkins | 1823 W. Easton |
| Frenchie Loving | 432 S. 51st W. Ave. |

Protestant's Comments:

Chairman C. Young read a letter from Mrs. Frenchie Loving, District 10 Chairman, in opposition (Exhibit "C-2").

Sandy Willhite, a resident in the area, is secretary for Preservation, Inc., which is an organization that has been working to get the neighborhood registered in the National Register of Historic Places. If this sign is erected, they are afraid the application will be denied and the property values will be lowered. It would block out the view of the Tulsa skyline. The neighborhood was started in 1910 and is the oldest neighborhood in Tulsa. The residents take pride in their neighborhood and requested this application be denied.

Wilma Jenkins is against this application for the same reasons; it will block the view from several homes and would cancel the chances of getting on the National Register of Historic Places.

Applicant's Comments:

The applicant had no further comments.

Instruments Submitted: 14-signature petition in favor of rezoning (Exhibit "C-1")
Letter from Mrs. Frenchie Loving in opposition
(Exhibit "C-2")

TMAPC Action: 6 members present.

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

Lots 9 and 10, less tract beginning at the Southeast Corner of Lot 10, then West 140 feet, North 12.5 feet, Northeast 70.62 feet to the North Line of Lot 9, then East 80 feet, South 50 feet to Point of Beginning, for hiway, Block 16, PARK HILL ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, said parcel of land consisting of a triangle $37\frac{1}{2}$ feet across the back lot and 60 feet lengthwise for an area of about 1125 feet.

Z-5647 Johnson (McQueen) S & E of 56th & 107th E. Ave. RS-3 to IL

The applicant was not present.

On MOTION of GARDNER, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to continue this application Z-5647 to December 16, 1981, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-39

Present Zoning: AG

Applicant: Larry Fincannon

Proposed Zoning: IH

Location: West of 129th W. Avenue, South of Keystone Expressway

Date of Application: October 23, 1981

Date of Hearing: December 9, 1981

Size of Tract: 45.36 acres

Presentation to TMAPC by: Larry A. Fincannon

Phone: 245-7108

Address: 901 N. McKinley, Sand Springs

Relationship to the Comprehensive Plan:

The Comprehensive Plan for the Sand Springs Area designates the subject property Medium Intensity -- Industrial, Recreational/Open Space, and Special District II.

The Sand Springs Comprehensive Plan designates most of the subject tract Medium Intensity - Industrial and Special District II. It also designates a strip of land abutting the Arkansas River as Recreational/Open Space and Development Sensitive.

Staff Recommendation:

The Staff recommends DENIAL of IH and APPROVAL of IM, for the following reasons:

The subject tract is located south of the southwest corner of the Keystone Expressway and South 129th West Avenue. The tract is vacant except for an accessory building that faces 129th West Avenue. The tract is abutted by vacant AG land to the north and east and by the Arkansas River to the south and west. There is also an operating sand extraction company located south and east of the subject tract. The applicant is requesting IH zoning for a proposed industrial use.

The Sand Springs Regional Planning Commission by a unanimous vote recommended approval of unrestricted IH zoning. However, the Staff feels that given the existing zoning patterns, present land uses and the Comprehensive Plan, it cannot support the unrestricted IH zoning. The Plan calls for Medium Intensity Industrial with special consideration given to the sensitive river bank and the Staff can see no reason to change this designation.

Therefore, the Staff recommends APPROVAL of IM zoning, except on that portion sensitive to periodic flooding.

For the record, if the applicant intends to mine sand, the existing AG zoning and County Board of Adjustment approval is all that is necessary.

Applicant's Comments:

Letter was presented from the City of Sand Springs advising that they recommend approval of the requested zoning (Exhibit "D-1"). Larry Fincannon stated that he concurs with the Staff recommendation for IM. Mr. Gardner advised that the applicant might want to check into the area that floods prior to the County hearing and prior to any subdivision plat that would be required.

Protestants: None

CZ-39 (continued)

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to recommend to the Board of County Commissioners that the following described property be rezoned IM, EXCEPT on that portion sensitive to periodic flooding:

Lots 3 and 4, Section 9, Township 19 North, Range 11 East,
containing 45.36 acres

Application No. Z-5649
Applicant: John Piercey (TURA)
Location: 61st Street and Riverside Drive

Present Zoning: RM-2, RS-3
Proposed Zoning: RM-2

Date of Application: October 30, 1981
Date of Hearing: December 9, 1981
Size of Tract: 10.5 acres

Presentation to TMAPC by: Jim Bourey
Address: City Development Department

Phone: 581-5605

Relationship to the Comprehensive Plan:

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Corridor District.

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

Staff Recommendation:

The subject tract is 10.5 acres in size and is located south of the southwest corner of 61st Street and Madison Avenue. It backs up to the proposed Riverside Freeway and the Arkansas River on the west and south. Johnson Park is across 61st Street to the north and the properties to the east contain an apartment/condominium complex. The land for the proposed Freeway is zoned RS-3 and the extreme northern portion of the tract and the abutting properties to the east are zoned RM-2. The applicant is requesting RM-2 on the remainder of the subject tract for a proposed multifamily use.

The Comprehensive Plan designates the subject area Medium Intensity -- Corridor. The RM-2 is in accordance with the Plan Map designation and the surrounding land uses and zoning patterns support the requested RM-2.

Therefore, the Staff recommends APPROVAL of the requested RM-2 zoning.

Applicant's Comments:

Jim Bourey of the City Development Department represented TURA. This site is part of the Riverparks project that includes construction of the low-water dam and related improvements, as well as construction of approximately 1,000 inner-city residential units. TURA will sell this site to Lincoln Properties for construction of approximately 350 apartments. The proceeds from this sale will help pay for the construction of the low-water dam. The development of inner-city residences is considered extremely crucial because of the tight housing market. He feels RM-2 is justified due to the Comprehensive Plan and the physical facts of the area. TURA has also applied to the Board of Adjustment to receive a height variance to allow three full floors. Access will be from 61st and 64th Streets and will be restrictive on Riverside Drive, per the Engineering Department comments within the subdivision process.

Protestants: None.

Z-5649 (continued)

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 5-1-0 (Freeman, Gardner, Higgins, Holliday, C. Young "aye"; T. Young "nay"; no "abstentions"; Eller, Kempe, Parmele, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved RM-2:

A strip, piece or parcel of land lying in part of the E/2 (Lots 2 & 6) of Section 1, Township 18 North, Range 12 East, in Tulsa County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the East line of Said Lot 2 a distance of 100.00 feet South $01^{\circ}22'21''$ East of the Northeast corner of Said Lot 2; thence South $01^{\circ}22'21''$ East along Said East line of Lots 2 and 6 a distance of 2,013.10 feet; thence North $18^{\circ}42'23''$ West a distance of 781.14 feet; thence North $06^{\circ}36'21''$ West a distance of 764.98 feet; thence North $14^{\circ}06'22''$ West a distance of 446.26 feet; thence North $78^{\circ}40'23''$ East a distance of 407.00 feet to the point of beginning, containing 10.51 acres, more or less.

PUD 273 Stephen Turner (Ernst Prop.) 116 E. 21st St. (RM-2 & RS-2)

The Staff requested this application be continued one week for further study.

On MOTION of FREEMAN, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to continue PUD 273 to December 16, 1981, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No's Z-5650 & PUD 274

Present Zoning RS-2

Applicant: Roy Johnsen (Brown) for both appl. Proposed Zoning: Z-5650 RM-1, RS-3

Location: North of the NE/corner of 61st and Lewis Avenue

Date of Application: October 30, 1981

Date of Hearing: December 9, 1981

Size of Tract: 13.85 acres

Presentation to TMAPC by: Roy Johnsen

Phone: 585-5641

Address: 324 Main Mall

Relationship to the Comprehensive Plan: (Z-5650)

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the RS-3 District is in accordance with the Plan Map, and the RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation: (Z-5650)

The Staff recommends APPROVAL of the requested RM-1 and RS-3 zoning for the following reasons:

The subject tract is 13.85 acres in size, is vacant and located north of the northeast corner of 61st Street and Lewis Avenue. It is abutted to the north by a developed RS-2 single-family subdivision, to the east by Joe Creek and a condominium project and to the west by undeveloped OM zoning. The land to the south is zoned RM-2. The subject tract is zoned RS-2 and the applicant is requesting RM-1 and RS-3 zoning for a proposed office and multifamily use under the control of PUD #274.

The applicant is requesting RS-3 zoning on the northern portion of the tract, which abuts the existing RS-2 zoning and development to the north. On the southern portion the request is for RM-1 zoning, which will serve as a transition zone between the abutting RM-2 zoning to the south and the RS-3 single-family zoning. This same zoning pattern has been supported by the Staff twice previous and it is consistent with the Comprehensive Plan Map given the existing land uses and zoning patterns in the area.

Therefore, the Staff recommends APPROVAL of RM-1 and RS-3 zoning as requested.

Staff Recommendation: (PUD #274)

This application is being reviewed as if the requested RS-3 and RM-1 zoning under application Z-5650 were approved.

Planned Unit Development #274 is 13.85 acres in size, located north of the northeast corner of 61st Street South and Lewis Avenue. The subject tract is vacant, except for a single-family residence on the northwest corner. It is abutted to the north by a developed single-family subdivision, to the east and south by Joe Creek and a large condominium project and to the west by retail shopping. The applicant is requesting approval of 132,000 square feet of multi-story office floor area, 52,900 square feet of garden office floor area and 28 condominium residential units. A minimum of 35% of the site will be devoted to landscaped open space. This includes a 40-foot landscape buffer between the project and the abutting single-family residences to the north.

Z-5650 & PUD #274 (continued)

The Staff reviewed the applicant's Development Text, Conceptual Site Plan and Conceptual Landscape Plan and found the proposal in keeping with the purposes and standards of the PUD Ordinance. In addition, the Staff reviewed the case histories of previous applications on this tract and found this application consistent with earlier Staff Recommendations for the most appropriate use, while insuring minimal impact on adjacent single-family residences.

Therefore, the Staff recommends APPROVAL, subject to the following conditions:

(1) That the Development Text, Conceptual Site Plan and Conceptual Landscape Plan be made conditions of approval, including the varied off-set design of the residential structures.

(2) Development Standards:

Development Area A, Landscaped Open Space

| | |
|-----------------------|---------------------------|
| Development Area Size | 1.13 acres net |
| Permitted Uses | Landscaping and Screening |
| Minimum Width | 40 feet |

Development Area B, Multi-Story Office

| | |
|-------------------------|------------------------------------|
| Development Area Size | 5.69 acres net |
| Permitted Uses | As permitted within an OM District |
| Maximum Floor Area | 132,000 square feet |
| Maximum Building Height | 8 stories |

Minimum Building Setbacks:

| | |
|--|---|
| From centerline of Lewis | 140 feet |
| From north property line | 250 feet |
| From south property line | 250 feet |
| From east boundary of development area | 80 feet |
| Parking Ratio | 1 space per 350 square feet of floor area |

Minimum Interior Landscaped Open Space, Including Walks 24% of net area
Other Bulk and Area Requirements-As required within an OM District

Development Area C, Garden Office

| | |
|-------------------------|--|
| Development Area Size | 4.05 acres net |
| Permitted Uses | As permitted within an OL District, and is intended to permit parceling for individual ownership of buildings, having shared access and parking. |
| Maximum Floor Area | 52,900 square feet |
| Maximum Building Height | 2 stories |

Minimum Building Setbacks:

| | |
|---|---|
| From north property line | 120 feet |
| From south property line | 130 feet |
| From west boundary of development area | 75 feet |
| From east boundary of development area | 60 feet |
| Parking Ratio | 1 space per 350 square feet of floor area |
| Minimum Interior Landscaped Open Space, Including Walks | 24% of net area |
| Other Bulk and Area Requirements | As required within an OL District |

Development Area D, Residential

| | |
|---|--|
| Development Area Size | 2.98 acres net |
| Permitted Uses | Attached dwelling units and accessory recreation facilities designed to permit fee simple lots and a homeowner's association or a condominium development. |
| Maximum Number of Dwelling Units | 28 |
| Maximum Building Height | 20 feet (to top plate) |
| Minimum Livability Space per Dwelling Unit | 1800 square feet |
| Average Floor Area per D.U's, exclusive of Garages | 1800 square feet |
| Minimum Building Setbacks from boundaries of the Development Area | 20 feet |
| Parking Ratio | 2 spaces per Dwelling Unit |
| Other Bulk and Area Requirements | As required within an RM-0 District |

- (3) That access shall be solely from South Lewis Avenue.
- (4) That a detailed Landscape Plan be approved and such landscaping be installed by phases prior to occupancy of the buildings. This Plan shall be consistent with the concept and include the construction of a 6-foot solid screening fence along the north and south boundaries of the project. That the 40-foot strip on the north be heavily landscaped with trees and flowering shrubs and designed to provide a visual transition.
- (5) That signs be limited to:

Ground Signs

- a) One monument sign identifying the office project located at each entrance to the project not exceeding 8 feet in height and not exceeding a display surface area of 192 square feet.

- b) One monument sign per entrance identifying the condominium project not exceeding a display surface area of 192 square feet.

Wall or Canopy Signs

- a) Wall or canopy signs shall be limited to one sign for the multi-story office building, not exceeding a display surface area of 64 square feet, and one sign for each of the other office buildings within the project, not exceeding a display surface area of 32 square feet for each sign.
- (6) That special attention be given to retaining the significant natural vegetation through the use of selective clearing, retaining walls, tree islands, tree wells, etc.
 - (7) That a Detailed Site Plan be approved, which is consistent with the approved Conceptual Plan, prior to the issuance of a building permit.
 - (8) That a subdivision plat be approved by TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants, prior to the issuance of a building permit.

Applicant's Comments:

Roy Johnsen appeared on behalf of Vector Properties, the proposed developer of the property. The tract of 14.8 acres total was the subject of a previous zoning case in which OMH was requested on the front portion to permit two high-rise, multi-story towers. This initial proposal was for 300,000 square feet. That proposal was reduced at the City Commission meeting to 260,000 square feet with 10-story and 8-story buildings. The basic issue that was discussed at the Planning Commission and the City Commission was the use of the OMH, which was a higher intensity form of office zoning than is customarily applied in the outlying areas. However, directly across the street is CS, which is generally viewed as a high-intensity zoning. To the immediate south on the Lewis frontage is also CS. He feels the basic flavor of the Lewis frontages are high-intense and of a retail nature.

The front portion of the property is already zoned OM to a 400-foot depth. The proposed zoning before you relates to the interior of the property. The Staff recommendation states that the requested zoning is consistent with the Comprehensive Plan for District 18 and is consistent with past zoning actions and recommendations by Staff. Therefore, this seems to be a textbook type of zoning pattern, one previously supported by the Staff, supported by the Staff now and also consistent with this Commission's previous decision of 400 feet of OM.

Vector Properties' history is to develop quality office space in both suburban locations and downtown areas. Their initial interest in this project was for quality suburban office space. With the OM zoning existing there, a multi-story building could be built without a PUD. This proposal is for a single, 8-story building within a PUD that is also tied compatibly with the interior of the property. The minimum setbacks proposed for the 8-story office building from the north and south boundaries would be

250 feet. If this were developed in a conventional manner under the existing OM zoning, the setbacks would be approximately 200 feet. The mid-portion of the tract is identified as a garden-office parcel, consisting of four buildings, two-story in height and providing 52,000 square feet of office space. What they are hoping to do is market the buildings to small companies that want to own their own buildings. This is proving to be successful in Tulsa. The interior of the parcel would be 28, high-quality condominium dwelling units. The land use arrangement seems to be of a textbook mode, more intense on the front through less intense uses to single-family. The interior land use relationships are sound. Throughout previous hearings on this tract, there was concern along the north boundary. The proposal will have a development area limited to landscaping and open space with a minimum dimension of 40 feet along the north boundary. This would insure that the most sensitive area, the single-family, would have a committed landscaped buffer. A loop road is proposed throughout the project with each of the three development areas utilizing it for access. Another key design feature is a provision of an attractive foreground and entryway on the west. The plan proposes a 6-foot screening fence on the north and south boundary. Joe Creek is on the east side. There are apartments to the south. The only abutting single-family residential is directly to the north.

Mr. Johnsen is generally in accordance with the Staff recommendations and conditions. He has agreed on an average of 1800 square feet of living space per dwelling units in the condominiums; and, with a garage attached, a unit would cost approximately \$140,000 or more on today's market, which shows the high quality of the project. In conclusion, Mr. Johnsen felt this project meets the standards of basic zoning patterns and also meets the standards that are consistently applied to a PUD. He requested this zoning and PUD be approved so that this project can be developed.

Commissioner T. Young asked if Atlanta Street could be made a cul-de-sac. Mr. Gardner advised that it dead-ends at the subject property. Mr. Johnsen stated the road is only 1 lot in depth and that people would not think it was a through street. Mr. Gardner commented that the PUD would legally prohibit access and that physically there would be a screening fence and 40 feet of heavily-landscaped area to prohibit access.

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|---------------------------------|---------------------|
| <u>Protestants:</u> Jane Gibson | 2422 E. 57th Street |
| Don Betts | 2428 E. 57th Street |
| W.R. Blake | 5641 S. Atlanta |

Protestant's Comments:

Jane Gibson spoke for several residents. Her house is on the north boundary. Mr. Johnsen answered several of her questions in his presentation. She is pleased with this concept and felt it is a better plan than the original one and does not want Atlanta open. The main objection is that the traffic will still be a problem, which was their concern at the previous hearings. Fifty-seventh Street is not a through street and a lot of cars try to go through their neighborhood. There is no through street between Harvard and Lewis. The only way out is on Lewis. This high of a density is still going to make traffic too heavy. They are concerned about emergency vehicle response time and traffic flow. This is a high accident area now. The residents feel the owner is manipulating the zoning to allow what was denied the last time. The 8-story building is not in character with the existing neighborhood because the other prevailing buildings are only 2-story except for the one high-rise office to the south.

Z-5650 & PUD #274 (continued)

The existing condominium project on the south side of this project is in favor of this proposal and she felt the buildings could be moved closer to them instead of the single-family residences. The residents were concerned about the flooding but felt that the generous landscaped open space would take care of that and the Corps of Engineers assured her the flooding would be taken care of.

Mrs. Gibson requested the screening fence be over 6 feet, perhaps 8 feet, since this is in their backyards. She requested the Commission reconsider the PUD without an 8-story office building on the front.

Commissioner T. Young wished to point out that the existing OM zoning would permit the office building even if the PUD is not approved.

Don Betts was concerned about parking along 57th Street and asked if there could be any restrictions. Mr. Gardner advised that he would have to apply to the City Traffic Engineer; however, the Staff could make a request during the City Commission hearing of this case. He suggested the restriction be during the day-time hours only.

W.R. Blake was also concerned about the parking on the residential streets and the traffic, since traffic will try to exit through the residential area.

Applicant's Comments:

Mr. Johnsen felt that moving the buildings to the south would present a problem because it is necessary to balance the parking area. If it were extended south, the distance from the parking to the office would increase. He thought Mrs. Gibson's concept about the adequate setback is sound, but he feels the setback of 250 feet is adequate. The studies made on high-rise buildings have determined that the 2 to 1 setback that the OM District customarily requires are adequate and have been successful near and adjacent to single-family. Their proposal would be 250 feet from the property line, which is more than required and still does not include the distance from the property to the houses. Mr. Johnsen felt Mrs. Gibson should be aware that the residents have accomplished a great deal during their protest. This request is substantially less than the original proposals. The landscaping that is proposed would not be required if developed conventionally.

He agreed that an eight foot screening fence could be put in; however, he felt this would be a mistake because this high a fence can be oppressive. The residents might be better served by having a 6-foot fence with landscaping. The over-all effect may be superior to the 8-foot fence. The intended fence would be 6-foot with masonry post.

TMAPC Action: 6 members present.

Z-5650

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Parmele, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1 and RS-3:

Z-5650 & PUD #274 (continued)

All of that part of the S/2 S/2 NW/4 SW/4 and part of the N/2 N/2 SW/4 SW/4 of Section 32, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the official U.S. Government survey thereof; more particularly described as follows, to-wit:

Beginning at the Southwest Corner of said N/2 N/2 SW/4 SW/4 thence N 0°08'15" E along the West boundary of said Section 32 a distance of 659.25 feet to the Northwest Corner of said S/2 S/2 NW/4 SW/4; thence S 89°56'06" E along the North boundary of said S/2 S/2 NW/4 SW/4 (South boundary of Amended South Lewis Terrace; an Addition in the City of Tulsa) a distance of 1289.68 feet to a point 30.00 feet from the Northeast Corner thereof (Southeast Corner Lot 1, Block 6, Amended South Lewis Terrace Addition); thence S 44°40'36" W a distance of 926.26 feet to a point in the South boundary of said N/2 N/2 SW/4 SW/4 (North boundary of L & M Square, an Addition in the City of Tulsa) 10.00 feet from the Northeast Corner of Lot 10, Block 1, L & M Square Addition; thence N 89°55'21" W along the South boundary of said N/2 N/2 SW/4 SW/4 (North boundary of L & M Square Addition) a distance of 640.00 feet to the point of beginning; containing 636,163 square feet or 14.60429 acres, LESS AND EXCEPT the West 4-0 feet thereof.

PUD #274

Additional Discussion for the record:

Commissioner T. Young noted that if this tract were developed conventionally, Atlanta would have to be opened, which would increase traffic on Atlanta and 57th Street. However, the arguments made by the residents during the hearing for the OMH zoning are still persuasive.

Commissioner Higgins asked the residents if they are sure they want the 8-foot fence. Mr. Betts suggested polling the people who live along this tract to see what they want. This would give them a choice.

Commissioner T. Young asked the residents if they could support this proposal, in view of what could happen if the property were developed in a conventional manner. Mrs. Gibson could only speak for herself, but felt if the residents keep fighting the applications, they could end up with something they really do not want. They have no choice, but would prefer a 6-story building.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Parmele, Petty, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be approved for PUD, subject to the conditions specified in the Staff recommendation with either the 6- or 8-foot fence alternatives being decided upon by a majority vote of the people living on the south side of 57th Street and abutting the subject tract:

The South-Half of the South-Half of the Northwest Quarter of the Southwest Quarter (S/2 S/w NW/4 SW/4) and the North-Half of the North-Half of the Southwest Quarter of the Southwest Quarter (N/2 N/2 SW/4 SW/4) of Section Thirty-Two (32), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, LESS AND EXCEPT a tract of land more particularly described as follows, to-wit:

BEGINNING at the SE corner of said N/2 N/2 SW/4 SW/4; Thence N 0°03'50" W along the East Boundary of said N/2 N/2 SW/4 SW/4 a distance of 329.83 feet to the NE corner of said N/2 N/2 SW/4 SW/4; Thence continuing N 0°03'50" W along the East boundary of said S/2 S/2 NW/4 SW/4 a distance of 101.38 feet; Thence S 44°59'40" W a distance of 611.37 feet to a point in the South boundary of said N/2 N/2 SW/4 SW/4; Thence N 89°51'00" E along the South boundary of said N/2 N/2 SW/4 SW/4 a distance of 432.74 feet to the Point of Beginning.

OTHER BUSINESS:

PUD #112 - Minor Amendment, David C. Cameron (Burning Tree Plaza) S & E of the SE/c
of 61st & Memorial Drive

Staff Recommendation:

The subject tract is located at the northeast corner of East 64th Street South and East 63rd Street South. It is a portion of Burning Tree Plaza.

The applicant is requesting that the more specific terminology "zero-lot line patio homes" be used instead of the present terminology of "patio-homes."

After reviewing the submitted plat and the PUD #112 Development Plan and Standards, the Staff viewed this to be a minor amendment and recommend APPROVAL.

TMAPC Action: 6 members present.

On MOTION of HOLLIDAY, the Planning Commission voted 6-0-0 (Freeman, Gardner, Higgins, Holliday, C. Young, T. Young "aye"; no "nays"; no "abstentions"; Eller, Kempe, Petty, Parmele, Inhofe "absent") to approve this Minor Amendment to PUD 112, Burning Tree Plaza.

There being no further business, the Chair adjourned the meeting at 3:20 p.m.

Date Approved _____

December 23, 1981

R. J. D. f

1st Vice — Chairman

ATTEST:

Cherry Kempe
Secretary

