

TULSA METROPOLITAN AREA PLANNING COMMISSION
 MINUTES of Meeting No. 1399
 Wednesday, March 17, 1982, 1:30 p.m.
 Langenheim Auditorium, City Hall, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Higgins	Freeman	Chisum	Jackere, Legal Department
Hinkle	Gardner	Compton	
Kempe, Vice Chair.	Holliday	Gardner	
Parmeale, Chairman	Petty	Lasker	
Rice	Inhofe	Wilmoth	
Young			

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, March 16, 1982, at 10:29 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Parmeale called the meeting to order at 1:30 p.m. and declared a quorum present.

MINUTES:

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Higgins, Hinkle, Kempe, Parmeale, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve the minutes of March 3, 1982 (No. 1397).

REPORTS:

Chairman's Report:

Chairman Parmeale wished to discuss changing the number of members constituting a quorum from 6 to 5 members. Mr. Jackere stated he did not have the most current State Statutes with him and could not give an opinion at this time. He requested time to research this request. Any change to the Comprehensive Plans or Subdivision Regulations requires 6 votes because of the current 11-member status. Chairman Parmeale brought up the fact there are two ex-officio members who should not be considered in making a quorum according to Robert's Rules of Order. Mr. Jackere could not give an answer today.

On MOTION of YOUNG, the Planning Commission voted 7-0-0 (Higgins, Hinkle, Kempe, Parmeale, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to instruct the Staff to request a Legal Opinion concerning changing the quorum required for a TMAPC meeting from 6 members to 5 members.

Director's Report:

Mr. Lasker advised the Board members that the 2nd Annual INCOG Golf Tournament will be held on April 17, 1982, at the Sapulpa Golf Course.

SUBDIVISIONS:

For Final Approval and Release:

The Enclave (PUD #166) (2383) 91st Street and South 69th East Avenue
(RM-1, RS-3)

The Staff advised the Commission that all letters of release had been received. The Staff also advised the Commission that this plat is within the Haikey Creek Watershed and also had been reviewed and approved by the Regional Metropolitan Utility Authority (RMUA) in accordance with procedures outlined in their directive dated January 18, 1982. Final approval and release was recommended.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice and Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve the final plat and release same as having met all conditions of approval on THE ENCLAVE.

Motel Six First (594) North and East of 11th Street and Garnett Road
(CS)

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

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice and Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve the final plat and release same as having met all conditions of approval on MOTEL SIX FIRST.

Request to Change Access:

Airport Industrial Center (3304) West side of North 145th East Avenue,
South of East Marshall Street (IL)

This request is to relocate two access points on Lot 9, Block 3, of this subdivision. No additional access points are being created and only the two accesses are being moved to accommodate development on the tract. The Traffic Engineering Department has approved the request and the Staff recommended the Planning Commission concur.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request to change access on Lot 9, Block 3, of AIRPORT INDUSTRIAL CENTER.

Request to Withdraw Preliminary Plat:

Oller Ranch Estates (3190) NE corner of West 55th Street and Tower Road
(AG)

Mr. Wilmoth advised normally a plat would expire after one year; however, the applicant has some problems with Health Department approval. If the lots are made bigger, he may be able to go to an acreage basis along the section line. The Staff has advised

3.17.82:1399(2)

Oller Ranch Estates (continued)

the applicant that the remainder of the property that does not front the section line road may have to be platted eventually. The Staff had no objection to the request.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request to withdraw the preliminary plat for OLLER RANCH ESTATES.

Request to Waive Plat:

Z-4438 William Richert (1803) SW corner of East 46th Street North and
North Lewis Avenue (CS, OL)

This request is to waive plat on the remainder of Z-4438, an unplatted tract of land. On May 12, 1977, the T.A.C. reviewed a partial request to waive plat on the westerly portion which contained a single-family residence and a mobile home. The Planning Commission approved that partial waiver on May 18, 1977. (The T.A.C. had no objections and/or requirements at that time.) Dedications for 46th Street North and Lewis Avenue had been made on previous lot-splits. The applicant now is requesting waiver on the remainder of Z-4438 to permit construction of a convenience store on the corner. The existing duplex on the south is to remain at this time, and a lot-split is working to consolidate and/or change the lot lines accordingly. (L-15409) The lot-split will also require a waiver of frontage since the convenience store will only have 145' of frontage, whereas, the requirement is 150' in a CS District. Approval will be subject to the Board of Adjustment approval.

The Technical Advisory Committee and Staff recommended APPROVAL of the waiver of plat and L-15409.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve the waiver of plat for Z-4438, and approval of L-15409, subject to Board of Adjustment approval of the frontage.

Z-5675 J. S. Bates (3094) NE corner of 48th Street and South Mingo Road
(IL)

This is a request to waive plat requirement on Lots 13-24 inclusive, Block 25 of Alsuma Addition. The Staff notes that the applicant asked for plat waiver on Lots 13-24 inclusive, but filed a zoning application on Lots 13-21 inclusive. This discrepancy was resolved prior to Planning Commission hearing. Original plat and atlas sheets show only 25' of right-of-way dedicated on Mingo Road. Therefore, Lot 13 would need to be a street dedication to meet the 50-foot right-of-way requirement of the Major Street Plan. Lots 14 and 15 would have to remain clear, since the building setback line from Mingo is 100 feet from the centerline. Considerations in the request to waive plat then would be: (a) Dedication of right-of-way on Mingo; (b) access control on Mingo; (c) grading and drainage plans for City Engineer; and (d) any utility easements and/or extensions required, including sewer mains.

Z-5675 (continued)

The Technical Advisory Committee and Staff recommended approval of the waiver of plat on Z-5675, subject to (a), (b), (c), and (d) above.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve the request to waive the platting requirements for Z-5675, subject to the following conditions:

- (a) Dedication of right-of-way on Mingo Road;
- (b) access control on Mingo Road;
- (c) grading and drainage plans for City Engineer; and
- (d) any utility easements and/or extensions required, including sewer mains.

LOT-SPLITS:

For Ratification of Prior Approval:

L-15042 (593) Ed Schermerhorn
L-15043 (593) M. D. Burris
L-15415 (1614) H. L. Ingram
L-15420 (783) (PUD #128) Kensington Condos, Inc.
L-15421 (783) (PUD #128) Kensington Condos, Inc.
L-15422 (783) (PUD #128) Kensington Condos, Inc.
L-15423 (783) (PUD #128) Kensington Condos, Inc.
L-15424 (783) (PUD #128) Kensington Condos, Inc.
L-15425 (783) (PUD #128) Kensington Condos, Inc.
L-15426 (783) (PUD #128) Kensington Condos, Inc.
L-15427 (783) (PUD #128) Kensington Condos, Inc.
L-15428 (783) (PUD #128) Kensington Condos, Inc.
L-15429 (783) (PUD #128) Kensington Condos, Inc.
L-15430 (2692) Charles C. Mayo
L-15432 (3093) First Home Service Corp.
L-15434 (1083) Orthopedic Specialists of Tulsa, Inc.
L-15435 (2782) Charles Cousins, ET AL
L-15436 (1683) Design Properties

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") that the approved lot-splits listed above be ratified.

LOT-SPLITS FOR WAIVER:

L-15405 A. J. Jackson (2384) South side of East 91st Street, SW of South
177th East Avenue (AG - County)

This is a request to clear title on a 1.03 acre tract that was split off of a 30-acre tract. The property has an existing residence served by Broken Arrow utilities, and the necessary dedication for 91st Street has been made. At the time of the T.A.C. review it was not known if the tract was on sewer or septic system, so that would be a condition of approval.

L-15405 (continued)

The Technical Advisory Committee and Staff recommended approval of L-15405, subject to the conditions.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve L-15405, subject to the following conditions:

- (a) Board of Adjustment approval of frontage and area; and
- (b) Health Department approval if on septic, or City of Broken Arrow approval if on their sewer system.

L-15407 J. F. Wiggins (793) 1838 East 17th Street (RS-3)

The applicant was present and aware of the conditions.

This is a request to split one whole lot and two half-lots with a total of 100' frontage into two lots. One lot will have 52.5' of frontage and contains an existing dwelling. The second lot will have 47.5' of frontage and is vacant. The Staff notes that most of the lots on this block have been split (prior to Planning Commission jurisdiction) into lots that have frontages varying from 41.5' on up to the platted width of 50'. This tract had 100' of frontage and the tracts on each side had 75'. Since the majority of the lots in the area are much less than even the 50' they were originally platted as, the Staff sees no objection to the creation of a 52.5' lot and a 47.5' lot, which would be compatible with the existing lot configuration in the neighborhood.

The Water and Sewer and utilities requested an 11' easement on the south to cover existing facilities.

The Technical Advisory Committee and Staff recommended approval of L-15407, subject to the conditions.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve L-15407, subject to the following conditions:

- (a) Board of Adjustment approval of frontages, and
- (b) an 11' utility easement on the south side of the lot.

L-15409 Lonnie McDaniel (1803) SW corner of East 46th Street North and North Lewis Avenue (CS, OL)

This request is to consolidate and/or change the lot lines to permit construction of a convenience store on the corner of the lot. The existing duplex on the south is to remain at this time. A waiver of frontages will be required, since the store will only have 145' of frontage, whereas the requirement is 140' in a CS District. (A request to waive plat was approved earlier in the meeting.)

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve Lot-Split L-15409, subject to the following condition: (a) Board of Adjustment approval of frontage.

L-15410 Lloyd Mihoover (2393) North and East of 35th Place South and
Norfolk Avenue (RS-3)

The applicant asks for a waiver of the bulk and area requirements to create a 37.5' and a 50' x 150' lots. The smaller lot has an existing residence and will have only 5,250 square feet, the other lot will meet the minimum size with 7,000 square feet, the Land Use Map shows several 50' x 140' lots in the area. This application will be subject to approval of the utilities, and the Board of Adjustment.

There was no objection by the T.A.C. to the split, but Water and Sewer Department indicated they needed to make sure sanitary sewer was available.

The Technical Advisory Committee and Staff recommended approval of L-15410, subject to the condition.

The applicant was not present, but is aware of the condition for Board of Adjustment approval of frontage and area. However, the Technical Advisory Committee was not aware that the existing structure is a duplex on the 37.5' lot. This would normally require 9,000 square feet in an RS-3 District. There would be a problem with the 1.7' from the property line on the east. Mr. Wilmoth suggested this be tabled.

Mr. A. E. Wieson, 1119 East 35th Place, lives adjacent to this tract to the east. The actual measurement of the lot is 35.7' instead of 37.5'. The duplex is already built and it would be impossible to get a 50' lot without coming within 1.7' of the duplex. He presented a Plot Plan (Exhibit "A-1") which gives the measurements. A copy of the surveyor's map was submitted to the Board of Adjustment.

Mr. Wilmoth advised the entire lot is approximately 12,000 square feet, which is adequate for one duplex with Board of Adjustment approval. However, with the duplex on the small lot, there is no way the minimum setback could be met. This information was not available at the T.A.C. meeting and they were under the impression this was to split a duplex down the party wall.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to refer this request back to the Technical Advisory Committee for review due to the additional information submitted.

L-15414 David Duvall (3324) 1520' North of 126th Street North on the West
side of North 143rd East Avenue (AG)

This is a request to split a 2.74 acre tract into two tracts, which will require a waiver of the frontage to permit an access handle for the westerly tract. Also a waiver of the area is required for both tracts since they will be less than 2 acres each. The application would be subject to approvals of the Health Department for septic systems and the Board of Adjustment for the frontage and area.

The Technical Advisory Committee and Staff recommended approval of L-15414, subject to the conditions.

L-15414 (continued)

On MOTION of RICE, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve L-15414, subject to the following conditions:

- (a) Board of Adjustment approval of area and frontage, and
- (b) Health Department approval of septic systems.

PUD #282 (continued)

Minimum Internal Landscaped Open Space: 16.5% 188,500 sq. ft.*

Signs: As permitted by Section 1130.2 (b).

*Landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas, and pedestrian areas, but does not include any parking, building or driveway areas.

KENSINGTON CENTER PHASE II
DEVELOPMENT AREA STANDARDS

Area (Gross):	13.66 acres	595,032 sq. ft.
(Net):	12.40 acres	540,246 sq. ft.

Permitted Uses:

Principal and accessory uses permitted as a matter of right in the CS Commercial Shopping District, including structure parking.

Maximum Floor Area: (excluding mall and atrium areas)	318,385 sq. ft.
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Maximum Building Height:	150 feet
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Minimum Building Setback:

From Centerline of South Wheeling Avenue:	90 feet
From centerline of East 73rd Street:	90 feet

Minimum Number of Parking Spaces:

As required by the Tulsa Zoning Code (Use Unit) based on maximum of 318,385 sq. ft. of floor area Phase II.

Minimum Internal Landscaped Open Space: 13.6% 80,900 sq. ft.*

Signs: As permitted by Section 1130.2 (b).

*Landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas, and pedestrian areas, but does not include any parking, building or driveway areas.

- (4) That the Service Center shall not be expanded now or in the future unless an amendment to PUD #282 redistributing the development intensities is submitted and approved by the TMAPC.
- (5) That no Building Permits shall be issued until a Detailed Site Plan, by Phase, shall have been submitted to and approved by the TMAPC.
- (6) That a Detailed Landscape Plan, by Phase, be submitted and approved prior to occupancy of any building, including as a minimum that graphically illustrated by the Development Plans.

PUD #282 (continued)

- (7) That no Building Permit shall be issued until the property has been included within a subdivision plat submitted to and approved by the TMAPC and filed of record in the County Clerk's Office, incorporating within the restrictive covenants and PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Norman explained this application represents 47 acres not included in PUD #128, which was approved in 1972, although this property has been under common ownership with the remainder of the original Riverside Company acquisition under the general name of Kensington. The Riverside Company constructed the mile and a half of relocated Joe Creek Channel that made development of all property between 71st and 81st Streets possible. The grading in process now is for Phase I and is not being done in anticipation of approval for this PUD. Phase I could be constructed with the existing CS zoning, without a PUD. The purpose of the PUD application is to allocate the unused floor area from the Sipes-Kensington Shopping Center into the northwestern part of the property and to divide the allowable floor area and parking requirements between Phase I and Phase II.

Phase I will include the new Kensington Sheraton Hotel that will contain approximately 395 rooms, be 10 stories in height, and feature an atrium design with enclosed open space to the ceiling. The proposed anchor department store will be Sakowitz and a major part of the enclosed retail mall will be constructed in Phase I along with an office building.

Mr. Norman has also asked that a previous Board of Adjustment approval be extended to exclude the enclosed mall areas and the atrium area within the hotel from counting as part of the allowed commercial floor area. This is consistent with the Board of Adjustment practice on previous developments. The property has been platted as Block 6, Kensington and the Service Center has been replatted as Kensington Fashion Center. Mr. Norman also requested a waiver of the plat requirement. He has no objection to detail site plan review and incorporating the provisions of the PUD into restrictive covenants. He is anticipating some administrative problems in managing a PUD of this size and complexity. For example, about 6 acres on a complex legal description has been split for the financing of the hotel development, which is included in Phase I and the Phase II legal description will follow a complicated architectural line and may be difficult to establish.

In order to meet the parking requirements for the ultimate development that will be permitted, structural parking will be required. This has not been designed because all the uses are not known and the parking requirements would vary depending on the use units in the project. Also, there will be cross easements to carry out the purposes and intent of the PUD, as well as meeting the needs of the various owners within the project.

This project has been in the planning stage for several years and represents the latest thinking in development. All the right-of-way has been dedicated for 71st Street and Lewis Avenue. Wheeling Avenue and 73rd Streets are collector streets that are in place and fully improved. Any utility easements needed internally can be provided by separate instrument. Mr. Norman anticipates he will return within 30 to 45 days for the final detailed site plan approval. Hopefully, construction will begin on the buildings in May.

PUD #282 (continued)

Mr. Wilmoth advised that the T.A.C. has already looked at the plat and had no objection to the request to waive the plat. However, since this involves a formal map change, a separate agenda item would be needed and voted on separately. The T.A.C. would not need to look at it again. Mr. Jackere agreed this would need to be an agenda item at another meeting.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for PUD, subject to the conditions set out in the Staff Recommendation:

All of Block 6, Kensington, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, less and except Lot 1, Block 1, Kensington Fashion Center, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof; AND

Lot 1, Block 1, Kensington Fashion Center, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat thereof.

OTHER BUSINESS:

PUD #216 - Minor Amendment: Stephen Turner - Hunter's Point

Staff Recommendation:

The subject tract is Lot 10, Block 1, Hunter's Point, a part of PUD #216. The applicant is requesting a minor amendment to construct a detached accessory building (garage in the front yard).

The Staff has reviewed the subject Site Plan and find that even though the house and garage do not have a common wall, a single roof covers both structures extending over the drive and gives the appearance that the house is a single structure. All other bulk and area requirements have been met.

Therefore, the Staff can support and does recommend APPROVAL of the requested minor amendment.

Instruments Submitted: Letter from Turner/Fox Association, Inc., submitting Site Plans (Exhibit "B-1").

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request for minor amendment to PUD #216.

PUD #182 Mark T. Sherman - Lot 1, Block 1, Southoaks Acres

Staff Recommendation:

The subject tract is located at the northwest corner of South Atlanta Avenue and East 75th Street South. The subject tract is a lot in the Southoaks Acres Subdivision and is pending a lot-split. The applicant is requesting a minor amendment to allow splitting an existing duplex into two lots, each unit on a separate lot.

The Staff has reviewed the request and recommends APPROVAL of the minor amendment, subject to the lot-split approval.

Instruments Submitted: Letter Requesting Amendment (Exhibit "C-1").

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request for minor amendment to PUD #182, subject to lot-split approval.

PUD #127 Charles Norman - Collegiate Square

Staff Recommendation:

The applicant is requesting approval of a minor amendment to Planned Unit Development #127 to provide that Lots 9, 10, 11, & 12, Block 2; Lots 10, & 14, Block 3; and Lots 10, 11, & 12, Block 4, Collegiate Square may be split into two lots after the construction of attached single-family dwelling units.

The Staff has reviewed this request and found the duplex units are permitted in this development area of PUD #127 and that each lot would

PUD #127 (continued)

require an additional approval of the TMAPC, per the Subdivision Regulations. Therefore, the Staff recommends APPROVAL of this Minor Amendment; provided that no lot-split occur unless the units are completed or are under construction (slab floor and plumbing completed).

Mr. Compton advised this request was before the Board last week; however, some of the lots were excluded from the agenda.

Instruments Submitted: Letter from Charles Norman requesting amendment (Exhibit "D-1")

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request for minor amendment to PUD #127, subject to the provisions that no lot-split occur unless the units are completed or are under construction, per Staff Recommendation.

PUD #276 - Charles Norman (Mid-America) North and East of East 41st Street and South Hudson Avenue

Staff Recommendation:

Planned Unit Development #276 is located at the NW corner of 41st Street South and the Skelly Bypass. The TMAPC approved this PUD December 23, 1981.

The applicant is requesting a minor amendment to change some of the setbacks previously approved for Development Areas "A" and "B".

The Staff has reviewed the request and can support it as being minor in nature and consistent with the approved PUD. Therefore, the Staff recommends APPROVAL of the following requested changes:

DEVELOPMENT AREA "A"

	<u>Approved</u>	<u>Requested</u>
From the south property line:	110 feet	100 feet
From the north property line:	400 feet	370 feet
From the west property line:	110 feet	100 feet
From the east property line:	80 feet	50 feet

DEVELOPMENT AREA "B"

	<u>Approved</u>	<u>Requested</u>
From the south property line:	145 feet	no change
From the north property line:	180 feet	no change
From the west property line:	200 feet	195 feet
From the east property line:	120 feet	110 feet

Applicant's Comments:

Mr. Norman explained this does not represent a change in plan, merely a discovery of error in the scale on the drawings that were originally submitted. The scale used on the submitted drawings was 1" to 80' and this was discovered during the platting process. This request for a minor amendment is to make the setbacks conform to what was in the plan. The error was in the written material.

PUD #276 (continued)

Instruments Submitted: Letter from Charles Norman requesting this amendment.
(Exhibit "E-1")

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request for minor amendment to PUD #276.

PUD #137-B Charles Norman - 4100 East Addition

Staff Recommendation:

Planned Unit Development #137-B is located 660 feet east of the north-east corner of 41st Street South and South Garnett Road. It has been previously platted as 4100 East.

The applicant is requesting a second amendment to the Certificate of Dedication of 4100 East, which incorporates the provisions of Planned Unit Development #137-B as approved by the TMAPC on August 26, 1981, and by the Board of Commissioners of the City of Tulsa on October 20, 1981.

The Staff has reviewed and revised Covenants with the approved PUD conditions and find that they are consistent, and therefore, recommends APPROVAL of the requested Second Amendment to the Certificate of Dedication of 4100 East, subject to approval of the City Legal Department.

Mr. Jackere was concerned about this change from multifamily to office use. Mr. Norman explained the "B" Amendment to the PUD was to make the change from multifamily to office use. This minor amendment is to change the covenants in accordance with the approved major amendment to the PUD.

Instruments Submitted: Letter from Charles Norman requesting the amendment.
(Exhibit "F-1")

TMAPC Action: 6 members present.

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Higgins, Hinkle, Kempe, Parmele, Rice, Young, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") to approve this request for a Second Amendment to the Certificate of Dedication of 4100 East (PUD #137-B), subject to approval of the City Legal Department.

Z-5637 Charles Norman (Helmerich & Payne) East of Garnett Road, South of
East 41st Street

Applicant's Comments:

Mr. Norman advised this application was presented to the Planning Commission late in the fall of 1981 and was a request by Helmerich and Payne to change the zoning on property located south of 41st Street and north of Broken Arrow Expressway and east of Garnett Road from IR to Corridor District. During the course of the hearing, there were several proposals made as to what portion of the property should be recommended for rezoning to Corridor. He had included in the legal description essentially all the property owned by Helmerich and Payne north of the Broken Arrow Expressway. Mr. Norman had a different understanding of what was approved than the interpretation made by the Staff. This discrepancy was not noticed until

preparation began for the Ordinance. The corner 10 acres of CS zoning or the area zoned RM-1 was never intended to have been requested for Corridor zoning. Apparently it was the Commission's intent to place the small platted lots that are part of South Park Addition within the Corridor District. These are not appropriate for the Corridor District because of the difficulty of including smaller lots within a Corridor District Site Plan and they are facing a developed area. The CS should not be in the District because the Site Plan is not consistent with a development concept for a typical CS corner that would have to be platted separately in order to be developed. Mr. Norman is asking that the minutes be corrected to indicate that the Commission intended the following legal description be zoned Corridor District. He has worked with the Staff on the legal description and is satisfied if the Commission concurs with the interpretation.

Mr. Gardner explained the Staff did not recommend as much as was approved, so the Staff can concur with the request. Mr. Norman advised there were no protestants to the application. Mr. Jackere stated this would not represent a change in the zoning, merely a clarification of the minutes; therefore, the procedure is correct.

Instruments Submitted: Letter from Charles Norman explaining his request. (Exhibit "G-1")

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 5-0-1 (Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; Young "abstaining"; Freeman, Gardner, Holliday, Petty, Inhofe, "absent") that the minutes of November 18, 1981, be clarified that it was the intent of the Planning Commission to recommend approval, per the following amended Legal Description:

Corrected Legal Description: All the W/2 of Section 29, Township 19 North, Range 14 East, lying North of the Broken Arrow Expressway Right-of-Way, except: The North 660 feet thereof and less all of South Park Center Addition and less starting at the North-east corner of the NW/4; thence South a distance of 660 feet to a point of beginning; thence due West to a point on the East Right-of-Way line of South 118th East Avenue; thence South a distance of approximately 660 feet; thence East a distance of 900 feet; thence North a distance of 660 feet to the point of beginning.

There being no further business, the Chair adjourned the meeting at 2:15 p.m.

Date Approved _____

April 7, 1982
Rob Stump

Chairman

ATTEST:

Cherry H. Kempe
Secretary