

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1414  
Wednesday, July 14, 1982, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Gardner Hennage, 2nd Vice- Chairman Hinkle Kempe, 1st Vice- Chairman Parmele, Chairman Petty, Secretary Rice	Freeman Higgins Young Inhofe	Chisum Compton Gardner Lasker	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, July 13, 1982, at 11:28 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Parmele called the meeting to order at 1:30 p.m.

MINUTES:

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to approve the minutes of July 7, 1982 (No. 1413).

REPORTS:

Report of Receipts and Deposits:

Mr. Lasker advised this Report is in order.

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to approve the Report of Receipts and Deposits for the month ending June 30, 1982.

Rules and Regulations Committee:

Commissioner Gardner advised that the Rules and Regulations Committee met prior to this meeting to discuss amendments to the Subdivision Regulations and had requested the Staff to prepare for a Public Hearing on August 4, 1982, to consider these amendments. One amendment would allow the Director or Assistant Director of INCOG to sign plats that have been approved by the Planning Commission. Another amendment would change the amount of copies of plats and sketch plats needed by the Staff.

Commissioner Gardner also advised there will be a public hearing next Wednesday, July 21, 1982, to consider the downzoning requested by residents in the area of 38th Street and Birmingham Avenue.

Reports: (continued)

Director's Report:

Mr. Lasker presented a letter from the City Commission Secretary (Exhibit "A-1"), which referred a letter to the Planning Commission from the Burning Tree Master Association. This letter requests a time limit on PUD's. If a PUD has not been developed within 3 years, the PUD shall expire automatically. Mr. Lasker recommended this request be sent to the Rules and Regulations Committee for consideration.

ZONING PUBLIC HEARINGS:

Application No. Z-5720 Present Zoning: RS-3  
Applicant: A. Leon Staggs Proposed Zoning: OL  
Location: East of the NE corner of 77th East Avenue & 31st Street Service Rd.

Date of Application: May 14, 1982  
Date of Hearing: July 14, 1982  
Size of Tract: 62' x 142'

Presentation to TMAPC by: Leon Staggs  
Address: 4515 South Yale Avenue, Suite 119 - 74135 Phone: 663-4810

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential.

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

Staff Recommendation:

The subject tract is located 125 feet east of the northeast corner of East 31st Street South and 77th East Avenue. It fronts onto the service road of the Skelly Bypass and is surrounded on all sides by single-family residences zoned RS-3.

Given the surrounding land uses and existing zoning patterns and the fact that it is inconsistent with the Comprehensive Plan, the Staff cannot support the requested zoning. The request is "spot zoning" and if approved, would set a precedent for similar requests to the detriment of the residents. Residential values can only be maintained if the area remains totally residential.

Therefore, the Staff recommends DENIAL of the requested OL zoning.

Applicant's Comments:

The applicant had no comments, but presented a petition containing 16 signatures in favor of the rezoning (Exhibit "B-1").

Protestant: James A. Weinland Address: 2935 East 26th Place - 74114

Protestant's Comments:

Mr. Weinland could not be present but had submitted a letter in his capacity of District 5 Chairman, which stated that the proposed zoning is not in accordance with the Comprehensive Plan and would not be conducive to the neighborhood.

Instruments Submitted: Petition in Favor of rezoning, containing 16 signatures (Exhibit "B-1")  
Letter of Protest from District 5 Chairman (Exhibit "B-2")

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to DENY rezoning to OL on the following described property:

7.14.82:1414(3)

Z-5720 (continued)

Lot 19, Block 35, Boman Acres Fourth Addition to the City of Tulsa,  
Oklahoma.

Application No. Z-5721 (CZ-58

Present Zoning: RS-1

Applicant: Conrad Fitzgerald

Proposed Zoning: IL

Location: West of the NW corner of 51st Street and 49th West Avenue

Date of Application: May 18, 1982

Date of Hearing: July 14, 1982

Size of Tract: 1.8 acres

Presentation to TMAPC by: Conrad D. Fitzgerald

Address: 4916 West 50th Street - 74107

Phone: 446-3722

Relationship to the Comprehensive Plan:

The District 6 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 6 - Light to Medium Industrial Uses.

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

Staff Recommendation:

The subject tract is located just west of the northwest corner of 49th Street West and 51st Street. It is 1.8 acres in size and abutted on the north and east by large tracts of land zoned IL. It is bounded on the south by 51st Street and on the west by a large tract of land with one single-family dwelling zoned RS.

Based on the Comprehensive Plan and the physical factors of the tract and surrounding areas, the Staff can support the IL Zoning District.

Therefore, the Staff recommends APPROVAL of the requested IL zoning.

Applicant's Comments:

The applicant was not present.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned IL:

Lots 2 and 15, Block 2, Austins Subdivision, Tulsa County, Oklahoma.

Application No. Z-5722

Present Zoning: AG, RS-3  
and RM-0

Applicant: Moody (Southern Lakes Development Co.) Proposed Zoning: CO  
Location: South and west of East 91st Street South and Memorial Drive

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Date of Application: May 24, 1982  
Date of Hearing: July 14, 1982  
Size of Tract: 140 acres

Presentation to TMAPC by: John Moody  
Address: 4100 Bank of Oklahoma Tower - 74172 Phone: 588-2651

Relationship to the Comprehensive Plan:

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the CO District is not in accordance with the Plan Map for Low Intensity -- No Specific Land Use, but is in accordance with the Plan Map as a potential Corridor.

Staff Recommendation:

The subject tract is located south and west of the southwest intersection of East 91st Street South and Memorial Drive. It is 140 acres in size, vacant, zoned a combination of AG, RS-3 and RM-0, and the applicant is requesting CO zoning. It is abutted on the north by a developing single-family subdivision zoned RS-3, on the east by a vacant CS intersection node and vacant land on the east side of Memorial zoned CO under development as multifamily, on the south by an existing large lot single-family development zoned RS-1, and on the west by vacant land zoned AG and PUD #166. The southern portion of the tract is within the proposed Mingo Valley Expressway right-of-way.

Based on the Development Guidelines, Comprehensive Plan, surrounding conditions, and the fact that the CO District requires a Detail Site Plan approval process assuring quality land use relationships and transitions, the Staff can support the CO zoning. However, the Staff would point out that Section 800 (c) of the Tulsa Zoning Code states that one of the purposes of the Corridor District is to encourage high intensity multifunctional development in order to, "maximize the inter-relationship between land use and transportation and in particular, encourage development patterns compatible with the evolution of transit systems." The CO Zoning District is unusual in that it is the only zoning district where approval is based on appropriate transportation systems and individual Detail Site Plans are approved based upon where those surrounding transportation systems are in their evolution from planning to completion.

In this case, as is the CO tract to the east, the expressway is only at the proposed stage, therefore, the Staff can support only Detail Site Plans that propose no greater than medium intensity development. Based on the fact that if for some reason the proposed expressway was not built, the developed medium intensity could be supported by the existing arterial transportation system.

Z-5722 (continued)

In addition, it seems illogical to the Staff to support an application for CO zoning that covers the area of the proposed expressway, which in turn makes the remainder of the property eligible for CO zoning. If the expressway is built, the land under it is certainly not going to be used as CO, and if the expressway is not built, that portion of the tract would not be appropriate for CO zoning, even at medium intensity. This seems to be a case of speculative zoning and the Staff cannot support CO zoning for that portion designated for expressway. This does not mean that the Staff would not support a low-intensity residential application on this portion.

Therefore, the Staff recommends APPROVAL of CO zoning on that portion of the tract outside of the proposed Mingo Valley Expressway and DENIAL on the remainder.

Applicant's Comments:

Mr. John Moody was present as attorney for Southern Lakes Development Corporation and Mr. & Mrs. Joe Eades, owners of the property. Southern Lakes also owns a 28-acre tract to the west of the subject property, which is under PUD #166.

It was Mr. Moody's intent when the application was filed to exclude the portion of the property included in the Mingo Valley Expressway. A legal description for the proposed expressway has not been available, but he is in accord with the Staff Recommendation and would amend his application to that effect.

The development would be medium intensity. The developer will leave the area designated for the expressway as open space and recreational use. This will also be used as a buffer to the residential area to the south and would not be changed until it is finally determined that the expressway would not be built. At that time, nothing more than a single-family residential classification would be requested.

Mr. Moody displayed a map depicting the established zoning patterns in the area, showing the consistency of this rezoning request.

Protestants: Fran Lewis                      Address: 7425 East 98th Street  
                    Jim West                                      7463 East 98th Street

Protestant's Comments:

Mrs. Fran Lewis was concerned about the buffered area and where the more intense uses would be. Mr. Moody assured her the proposed plans would be consistent with the present development. A collector street will be provided to handle all traffic internally with private secured boulevards off it. Mrs. Lewis stated the residents in the area would support single-family development because the expressway is not assured.

Mr. Jim West could not see the necessity for CO zoning if the intent is for single-family. Mr. Moody explained again that the only single-family development would be in the expressway right-of-way if the expressway were not built. The area to the north will not be developed in the conventional, large-lot, single-family style, which is the purpose for the CO request. Some will be single-family lots; some will be duplex; and, some will be patio homes. The development concept is to utilize clustering of the units to maximize the open space areas and to place them on individual, private road cul-de-sacs.

Z-5722 (continued)

Mr. West asked if flood control had been considered since flooding is a problem. Chairman Parmele advised that a report had been received from the City Hydrologist requiring detention. Mr. Moody explained that a building permit will not be issued until a public hearing has been held to consider a Detail Site Plan, under the Corridor designation, setting forth exactly what is to be built. Conditions may be imposed at that time. Detention facilities are being planned.

TMAPC Action: 7 members present.

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CO outside the area designated for expressway use, per Staff Recommendation and amended application:

The NE/4 of Section 23, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, LESS and EXCEPT the NE/4 of the NE/4 of the NE/4, LESS and EXCEPT the South 500' of the West 1,600', and LESS and EXCEPT the South 660' of the east 1,040'.



Application No. CZ-54

Present Zoning: AG

Applicant: Bob Miller

Proposed Zoning: IL

Location: South of the SE corner of 126th Street and Garnett Road

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Date of Application: May 26, 1982

Date of Hearing: July 14, 1982

Size of Tract: 6 & 2/3 Acres

Presentation to TMAPC by: Bob Miller

Address: 10405 East 156th Street North  
Collinsville, Okla. - 74021

Phone: 272-2762

Relationship to the Comprehensive Plan:

The Garnett Road (Highway #169) Special Zoning Study which supplements the Comprehensive Plan for the Owasso Area, designates the subject property for Light Industrial use.

The IL District is in accordance with the Special Study Plan Map.

Staff Recommendation:

The subject tract is located 300' south of the southeast corner of North Garnett Road and East 126th Street North. It is 6.67 acres in size, zoned AG and the applicant is requesting IL zoning. It is abutted on all sides by mostly vacant land with scattered single-family residences zoned AG. At the northwest corner of Garnett Road and 126th Street intersection and within the Collinsville City Limits there exists several manufacturing uses.

Based on the Comprehensive Plan designation, the land use patterns and surrounding zoning patterns, the Staff can support the requested IL zoning.

Therefore, the Staff recommends APPROVAL of the requested IL zoning.

Note:

It should be noted that this tract is a portion of a previous zoning case, CZ-45. The Staff and TMAPC recommended APPROVAL of IL zoning for this portion of the tract.

Applicant's Comments:

The applicant had no comment.

Protestants: None.

Instruments Submitted: Letter from Owasso Planning Commission (Exhibit "C-1") recommending approval.

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned IL:

6 & 2/3rds acres, more or less located: North 660' of the South 990' of the West 440' of the NW/4 of the NW/4 of Section 5, Township 21 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, also being Lot #4.

7.14.82:1414(9)

Application No. Z-5723  
Applicant: Gregory Dixon  
Location: NE corner of Utica Avenue and Queen Street

Present Zoning: RS-3  
Proposed Zoning: IL

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Date of Application: May 28, 1982  
Date of Hearing: July 14, 1982  
Size of Tracts: 100' x 140' and 133' x 250'

Presentation to TMAPC by: Gregory Dixon  
Address: 1619 North Utica Avenue - 74110

Phone: 834-2474

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity -- Industrial.

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

Staff Recommendation:

The subject tracts are located north of Queen Street and east of Utica Avenue. The tracts are roughly .32 and .76 acres in size. There is industrial zoned property abutting the tracts (IL) and in the general vicinity (IM). Existing uses of the present industrial zoning include a metal processing and storage facility, tire sales and storage and landscape nursery businesses.

For the above mentioned reasons the Staff recommends APPROVAL of the IL request.

Applicant's Comments:

The applicant was not present.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL:

Lots 2, 3, 4, 5, 6, 12, 13, Block 1, Elm Motte Addition, Tulsa County, Oklahoma.

Application No. Z-5724

Present Zoning: RS-3

Applicant: Holcomb (Fellows)

Proposed Zoning: IL

Location: SW corner of 36th Street North and Harvard Avenue

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Date of Application: May 28, 1982

Date of Hearing: July 14, 1982

Size of Tract: .9 acre

Presentation to TMAPC by: Allan Holcomb

Address: P. O. Box 50305 - 74150

Phone: 582-9988

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property potential Corridor District, Low Intensity -- No Specific Land Use.

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

Staff Recommendation:

The subject tract is located south of the southwest corner of 36th Street North and Harvard Avenue and is roughly .9 acre in size. The subject tract is surrounded on all sides by RS-3 zoning with several single-family dwellings in the immediate area. The tract wraps around the north and west sides of an existing Public Service substation. The subject request represents "spot zoning" since it bears no relationship with existing residential uses and zoning.

For the above mentioned reasons, the Staff recommends DENIAL of the requested IL zoning.

Applicant's Comments:

The applicant had no comment.

Protestants:

Sandra Alexander, Attorney	Addresses: 3624 N. Harvard Ave.
Mr. & Mrs. John M. Alexander	3624 N. Harvard Ave.
Mr. & Mrs. Joe Lee Potter	3424 N. Harvard Ave.
Mr. & Mrs. Luther C. Barnes	3308 E. 36th St. N.
Mr. & Mrs. Ralph Waldon	3236 E. 36th St. N.
New Jerusalem Baptist Church	3427 N. Birmingham Ave.
Thelma Andean	3848 West 55th Street
Mr. & Mrs. Hansel Newton	557 E. 39th St. North
Alice Andrews	3235 E. 36th St. North

Protestant's Comments:

Ms. Sandra Alexander represented the protestants who are opposed to the introduction of industrial zoning into this neighborhood. For the last 20 years, development in this area has consistently followed a residential and agricultural pattern. There have been no change in the conditions in this particular area which would justify the rezoning to IL. The Comprehensive Plan has designated this particular area low-intensity. The final objection is based upon the particular nature of the subject property. The parcel is extremely small and could not be used under an IL classification without Board of Adjustment special exceptions. This rezoning would only be for the landowner's benefit.

Z-5724 (continued)

Applicant's Comments:

The applicant had no comment.

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend DENIAL of IL zoning on the following described property:

The S/2 of the N/2 of the E/2 of the NE/4 of the NE/4 of the NE/4;  
LESS the East 215' of the South 75', Section 20, Township 20 North,  
Range 13 East, Tulsa County, Oklahoma.

Application No. Z-5725  
Applicant: Nicholas (41st Place Corp.)  
Location: 1316 East 41st Place South

Present Zoning: RM-1  
Proposed Zoning: RM-2

Date of Application: June 2, 1982  
Date of Hearing: July 14, 1982  
Size of Tract: .3 acre

Presentation to TMAPC by: Bailey Nicholas  
Address: P. O. Box 52219 - 74152

Phone: 743-5992

Relationship to the Comprehensive Plan:

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

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 located 600' east of the southeast corner of 41st Place South and Peoria Avenue. It is .3 acres in size, vacant, zoned RM-1, and the applicant is requesting RM-2 zoning. It is abutted on the north by vacant land zoned RM-2, on the east by a vacant single-family structure zoned RM-1, on the south by single-family residential zoned RS-3 and on the west by a parking lot zoned RM-1.

Based on the Comprehensive Plan, surrounding zoning patterns, and the existing land uses the Staff can support RM-2 zoning.

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

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-2:

Lots 4 and 5, Block 4, Jennings Robards Addition in the City and County of Tulsa, Oklahoma.

PUD #291 Staff Recommendation: (continued)

Based on these factors, the Staff cannot support the maximum floor area ratio of .40 and an unrestricted 26' building height.

Therefore, the Staff recommends APPROVAL of the requested PUD #291, subject to the following conditions and modifications:

1) That the applicant's Development Plan and Text be made conditions of approval as being representative of the intent of the development.

2) Development Standards:

Area (Net): 33,750 square feet  
(Gross): 45,000 square feet

\*Maximum Floor Area: 11,250 square feet

Permitted Uses: Following Use Unit 11 Uses;  
Advertising Agency, Artists Studio, Computing Service, Copying Service, Data Processing Service, Drafting Service, General Business Offices, Interior Design Consultant, Photography Studio and Travel Agency.

\*\*Maximum Height: 26 feet

Minimum Internal Landscaped Open Space: 15%

\*Maximum Floor Area Ratio limited to .25 of gross area.

\*\*Maximum height shall be limited to 1 1/2 stories (roof line beginning at the top plate of the 1st story, total building height to ridge shall not exceed 26'); provided that second level be fully contained within the roof line, except for dormer windows facing Yale Avenue, and that no second level windows be permitted on the east side.

Parking Spaces: 1 space per 300 sq. ft. of floor area

Minimum Setback:

From centerline of Yale 85 feet  
from north property line 10 feet  
from east property line 10 feet for 1-story, 20 feet for 1 1/2 stories  
from south property line 10 feet  
from building to building 10 feet

Signs: As permitted by Section 1130.2 (6)

3) That access be limited to one curb-cut for the total frontage (3 lots) to be approved by the Traffic Engineer in the platting process.



Z-5726 & PUD #291 (continued)

the PUD. If the PUD is abandoned, the zoning would be inappropriate. The Comprehensive Plan designates the subject property for low-intensity, residential use.

The Guidelines were adopted to prohibit spot zoning that would lead to strip zoning. There is one lot to the north that would remain RM-1 because it is not under Mr. Kroll's ownership and is not under the PUD. One of the purposes of a PUD is to promote innovative land development and he does not feel this application is creative. Also, the tract is very small, which would not provide meaningful open space. The development and text is vague. There is no scheduled development for traffic circulation. This is really a speculative PUD, which is unusual.

Mr. Mickey Huddleston agreed with the statements made by Mr. Paddock. The present RM-1 was zoned as a buffer between commercial and residential. There is no concrete development plan present. The residents will not be protected because this is speculative. He presented a petition signed by 42 area residents requesting this application be denied (Exhibit "E-2").

Interested Party's Comments:

Mrs. Virginia Wester owns the property at 3323 South Yale Avenue, which is the property to the south of the subject tract and the other property in the immediate area is rented. The rented area is not maintained. If this PUD is approved and the offices built, the area will be much nicer and better maintained. At the present time, the area is an eyesore. The offices would be an improvement to the entire neighborhood.

Protestant's Comments:

Mrs. Susan Little presented pictures of the residences within 300 feet on the east side of Yale Avenue (Exhibit "E-3"). The purpose of this application is for speculation, due to the vagueness of the PUD proposal. Signs for the sale of this property have been posted since he first bought the property and are still there today. There is no schedule for development, whether new construction or renovation of the existing structures.

Mrs. Janet Bradely cannot agree that this application meets the intent of a PUD. This particular site is less than an acre in size and regular in shape with no unique physical features. The only purpose of this application is to obtain office use through the back door. She requested these applications be denied as recommended by the District 6 Planning Committee.

Applicant's Comments:

Mr. Nichols recognized the concerns of the residents in the area. This may be a small PUD; but, when developers are using existing, built-up areas of the City, all available tools must be used. The existing structures are dilapidated and Yale Avenue traffic has increased to where residential use is not feasible. The deed restrictions on the subdivision have expired. The character of the neighborhood in most of Yorkshire Estates has remained the same. But along Yale the character is different. If the subject tract is zoned office, the Commission has no control over the development. The applicant did not want that to happen and wished to protect the single-family neighborhood behind the subject tract. Commercial uses could be developed under Board of Adjustment special exception with office zoning. With a PUD, the Staff can impose restrictions and conditions. If the zoning were to remain the same, the fact is still there that Yale is a busy street and there would not be a market for owner-occupied, single-family dwellings along this street.



Z-5726 & PUD #291(continued)

The PUD cannot be abandoned automatically, but would require a public hearing before the Planning Commission and the City Commission. This plan fits the Comprehensive Plan because it is low-intensity. This is the only way the change on this arterial can effectively be recognized and yet get effective land use as part of the land resources. There will be one curb-cut, instead of the existing three cuts. The office will be used only during the daytime. A thorough investigation of this application points only to using this technique at this time. There are three steps to a PUD and a Site Plan will be presented at a later date and must meet the conditions of the Staff Recommendation.

Chairman Parmele asked how long the properties have been for sale and the applicant replied about a month or two. However, the protestants disagreed.

Chairman Parmele advised that the Commissioners have received numerous letters from the residents in the area in protest of the applications. A letter was also received from a resident directly behind the subject property who was in favor of the applications. Mr. Nichols sent letters to the residents before the application was made explaining the proposal and a couple of meetings have been held with the property owners. This is the first he has heard of any opposition to the proposal since the conditions have been placed on it.

Protestant's Comments:

Chairman Parmele recognized Mrs. Diane Sevy who stated that Mr. Nichols did get the impression that the homeowners were against the plan at the District 6 meeting. The residents are mainly against the vagueness of the plan and the speculation. There are some other impacts on the neighborhood, including traffic around the park. Cars coming from the north will have to go around the park to get to an office building. The lots have been for sale since the beginning of the year.

Commissioner Petty asked if there is a median on Yale in this area and Mrs. Sevy replied there is a median.

Instruments Submitted: Letter from Bob Paddock, Chairman of District 6, in opposition (Exhibit "E-1")  
Protest Petition containing 42 signatures (Exhibit "E-2")  
Pictures of surrounding residences (Exhibit "E-3")

TMAPC Action: 7 members present. Z-5726

MOTION was made by GARDNER to deny the application. MOTION died for lack of a second.

On MOTION of PETTY, the Planning Commission voted 6-1-0 (Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; Gardner, "nay"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1:

Lots 15, 16, Block 3, Yorkshire Estates, an addition to the City of Tulsa, County of Tulsa, State of Oklahoma.

PUD #291 (continued)

TMAPC Action: 7 members present. (PUD #291)

On MOTION of PETTY, the Planning Commission voted 6-1-0 (Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; Gardner "nay"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for PUD:

Lots 15, 16, 17, Block 3, Yorkshire Estates, an addition to the City of Tulsa, Tulsa County, Oklahoma.

Application No. Z-5727  
Applicant: Nichols (Hood Enterprises)  
Location: 6600 South Peoria Avenue

Present Zoning: RS-2  
Proposed Zoning: OM

Date of Application: June 2, 1982  
Date of Hearing: July 14, 1982  
Size of Tract: 150' x 210'

Presentation to TMAPC by: Bob Nichols  
Address: 111 West 5th Street

Phone: 582-3222

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--Office.

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

Staff Recommendation:

The subject tract is located on the northeast corner of East 67th Street and South Peoria Avenue. It is 150 feet by 210 feet in size, vacant, zoned a combination of RS-3 and RM-1, and the applicant is requesting OM zoning. It is abutted on the north by single-family dwelling zoned RS-2, on the east by a single-family structure zoned RM-1, on the south by vacant land and two structures zoned CS and RM-2, and on the west by vacant land recently approved for RM-2 zoning.

Based on the surrounding zoning patterns and the Plan designation, the Staff recommends APPROVAL of the requested OM zoning.

Applicant's Comments:

Mr. Nichols had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OM:

The West 258.93' of Lot 4, Block 2, Keim Gardens, a Subdivision of land in Tulsa County, Oklahoma, according to the recorded plat thereof.

Application No. CZ-55

Present Zoning: AG

Applicant: Calton (Coats)

Proposed Zoning: RMH

Location: Coyote Trail and South 203rd West Avenue

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Date of Application: June 3, 1982

Date of Hearing: July 14, 1982

Size of Tract: 18 acres, more or less

Presentation to TMAPC by: Lynn B. Calton

Address: 1216 East Hartford Avenue

Phone: 258-2704

Relationship to the Comprehensive Plan:

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

Staff Recommendation:

The subject tract is located approximately 1/2 mile east of the intersection of Coyote Trail and 203rd West Avenue. It is south of Coyote Trail, 18 acres in size, vacant, zoned AG, and the applicant is requesting RMH zoning. It is abutted on the north by mostly vacant land, a salvage yard, a single-family mobile home zoned AG, on the east by vacant land zoned AG, on the south by vacant land zoned AG, and on the west by vacant land and a bar zoned AG.

The RMH zoning is consistent with the Development Guidelines' objectives of providing a variety of housing types throughout the metropolitan area and compatible with the surrounding land uses. Based on these factors, the Staff can support RMH on part of the application along the major street frontage.

Therefore, the Staff recommends APPROVAL of RMH zoning on the north approximate 5 acres (500' x 436') and RE on the balance.

NOTE:

This combination of zoning with a Planned Unit Development would permit approximately 70 mobile homes.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RMH on the north approximate 5 acres (500' x 436') and RE on the balance, per Staff Recommendation:

RMH: A tract of land in the SE/4, NW/4 and the NE/4, SW/4 of Section 26, Township 19 North, Range 10 East, Tulsa County, Oklahoma, described as follows:

Beginning at a point 300' West of the East line of the W/2, of said Section 26, and the South Right-of-Way line of Coyote Trail; thence South and parallel to the East line of the W/2 of said Section 26, a distance of 461.35'; thence West a distance of

CZ-55 (continued)

528.37' to a point on a line that is parallel to the West line of said Section 26; thence North along said line a distance of 320.28' to a point on the South Right-of-Way line of Coyote Trail; thence along the South Right-of-Way line of Coyote Trail on a curve to the right with a radius of 1,173.23' a distance of 96.71'; thence North-east along the South line of Coyote Trail to the point of beginning, containing 5.0 acres, more or less; and

RE: A tract of land in the SE/4, NW/4 and the NE/4, SW/4 of Section 26, Township 19 North, Range 10 East, Tulsa County, Oklahoma, described as follows:

Beginning at a point 300' West of the East line of the W/2 of said Section 26, and the South Right-of-Way line of Coyote Trail, and 461.35' South along a line that is parallel to the East line of the W/2 of said Section 26; thence South along said line a distance of 1,071.75'; thence West along the South line of the N/2, N/2, N/2, SW/4, of said Section 26 a distance of 528.37'; thence North and parallel to the West line of said Section 26, a distance of 1,071.75'; thence East a distance of 528.37' to the point of beginning, said Tract containing 13.0 acres, more or less.

Application No. CZ-55

Present Zoning: AG

Applicant: Calton (Coats)

Proposed Zoning: RMH

Location: Coyote Trail and South 203rd West Avenue

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Date of Application: June 3, 1982

Date of Hearing: July 14, 1982

Size of Tract: 18 acres, more or less

Presentation to TMAPC by: Lynn B. Calton

Address: 1216 East Hartford Avenue

Phone: 258-2704

Relationship to the Comprehensive Plan:

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

Staff Recommendation:

The subject tract is located approximately 1/2 mile east of the intersection of Coyote Trail and 203rd West Avenue. It is south of Coyote Trail, 18 acres in size, vacant, zoned AG, and the applicant is requesting RMH zoning. It is abutted on the north by mostly vacant land, a salvage yard, a single-family mobile home zoned AG, on the east by vacant land zoned AG, on the south by vacant land zoned AG, and on the west by vacant land and a bar zoned AG.

The RMH zoning is consistent with the Development Guidelines' objectives of providing a variety of housing types throughout the metropolitan area and compatible with the surrounding land uses. Based on these factors, the Staff can support RMH on part of the application along the major street frontage.

Therefore, the Staff recommends APPROVAL of RMH zoning on the north approximate 5 acres (500' x 436') and RE on the balance.

NOTE:

This combination of zoning with a Planned Unit Development would permit approximately 70 mobile homes.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of GARDNER, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RMH on the north approximate 5 acres (500' x 436') and RE on the balance, per Staff Recommendation:

RMH: A tract of land in the SE/4, NW/4 and the NE/4, SW/4 of Section 26, Township 19 North, Range 10 East, Tulsa County, Oklahoma, described as follows:

Beginning at a point 300' West of the East line of the W/2, of said Section 26, and the South Right-of-Way line of Coyote Trail; thence South and parallel to the East line of the W/2 of said Section 26, a distance of 461.35'; thence West a distance of

CZ-55 (continued)

528.37' to a point on a line that is parallel to the West line of said Section 26; thence North along said line a distance of 320.28' to a point on the South Right-of-Way line of Coyote Trail; thence along the South Right-of-Way line of Coyote Trail on a curve to the right with a radius of 1,173.23' a distance of 96.71'; thence North-east along the South line of Coyote Trail to the point of beginning, containing 5.0 acres, more or less; and

RE: A tract of land in the SE/4, NW/4 and the NE/4, SW/4 of Section 26, Township 19 North, Range 10 East, Tulsa County, Oklahoma, described as follows:

Beginning at a point 300' West of the East line of the W/2 of said Section 26, and the South Right-of-Way line of Coyote Trail, and 461.35' South along a line that is parallel to the East line of the W/2 of said Section 26; thence South along said line a distance of 1,071.75'; thence West along the South line of the N/2, N/2, N/2, SW/4, of said Section 26 a distance of 528.37'; thence North and parallel to the West line of said Section 26, a distance of 1,071.75'; thence East a distance of 528.37' to the point of beginning, said Tract containing 13.0 acres, more or less.

Application No. Z-5728 Present Zoning: RS-3  
Applicant: Bell (Williams, Caple) Proposed Zoning: IL  
Location: NE corner of 96th East Avenue and North 41st Street

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Date of Application: June 3, 1982  
Date of Hearing: July 14, 1982  
Size of Tract: 1.27 acres, more or less

Presentation to TMAPC by: United Plating Works, Inc.  
Address: 4118 North Mingo Road - 74116 Phone: 835-4683

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity--No Specific Land Use.

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

Staff Recommendation:

The subject tract is located just west of the northwest corner of East 41st Street North and Mingo Road. It is 1.27 acres in size, contains 6 mobile home dwellings, zoned RS-3, and the applicant is requesting IL zoning. It is abutted on the south and north by industrial uses zoned IL and IM, on the east by a plating business zoned IL, and on the west by single-family residences zoned RS-2.

The surrounding land uses and existing zoning patterns support the "may be found" relationship of the IL District and Comprehensive Plan.

Therefore, the Staff recommends APPROVAL of the IL zoning.

Applicant's Comments:

The applicant had no comments.

Protestant: R. R. Westmacott Address: 4120 North 96th East Avenue

Protestant's Comments:

Mr. Westmacott was unsure about where the zoning request was and was concerned that it would run to 95th Street. Chairman Parmele advised him it would not.

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned IL:

The West 185' of Lot 20, Block 2, Mohawk Village, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; LESS the West 25' of the North 100' thereof, dedicated to Public Use.



Z-5729 King (Becker) East of the SE corner of 17th Place and Quincy Ave.  
RS-3 to RM-T

A letter was presented from Stephen King, the applicant, requesting a one-week continuance on this item (Exhibit "F-1"). However, John Moody advised he may be representing the applicant who will be applying for a companion PUD. He requested this case be continued until September 8, 1982, which would allow time to advertise for a PUD, prepare plans and allow the homeowners in the area to review the plans.

Instruments Submitted: Letter from applicant requesting continuance  
(Exhibit "F-1")

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to continue consideration of Z-5729 to September 8, 1982, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5730

Present Zoning: RM-2, RS-3

Applicant: Swenson (Vaughn, Taylor, Scholten)

Proposed Zoning: CG

Location: North of the NE corner of Charles Page Boulevard and South Nogales

Date of Application: June 3, 1982

Date of Hearing: July 14, 1982

Size of Tract: irregular

Presentation to TMAPC by: Gae Widdows

Address: 1640 South Boston Avenue

Phone: 583-2624

Relationship to the Comprehensive Plan:

The District 10 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property High Intensity -- Commercial.

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

Staff Recommendation:

The subject tract is located north of the northeast corner of Charles Page Boulevard and Nogales Avenue. It is two small single-family lots with one vacant and one containing a single-family dwelling. It is abutted on the north and west by single-family dwellings zoned RM-2, on the east by the Inner Dispersal Loop, and on the south by a vacant lot zoned CS.

The area is designated for high intensity commercial uses by the Comprehensive Plan. It is obvious that the subject property is not well-suited for single-family residential, would not maintain itself at this location for the long term. However, the tract is abutted on two sides by an established single-family neighborhood and the Staff feels the plan is in error and that intensities of the uses allowed in the CG and CS Districts are incompatible with the area. Because the tract has good access to Charles Page Boulevard and because it is a small piece of land abutting the expressway system, the Staff can support OM Medium Office zoning. This zoning would serve as a buffer or transition district, would permit a high utilization of the land, and in our opinion, the best nonresidential use for the property. OM zoning would also permit off-street parking, which may be needed to serve the CS zoning along Charles Page Boulevard without actually placing any commercial buildings or uses opposite the single-family.

Therefore, the Staff recommends DENIAL of CG and CS and APPROVAL of OM zoning.

For the record, an auto repair, bar and other similar uses permitted in CG and CS Districts would adversely affect the area.

Applicant's Comments:

Ms. Gae Widdows has no objection to the Staff Recommendation for OM. The properties have been condemned and do not lend themselves readily to the residential use. The proposed use would be for light business or office which could be used under an OM zoning.

Z-5730 (continued)

<u>Protestants:</u> James D. Armstrong	Addresses: 216 S. Nogales Ave.
Billie Armstrong	216 S. Nogales Ave.
Rev. J.D. Chin	Nogales Ave. Baptist Church
Alvin Floyd, Attorney	706-1-2 S. Boston Ave.
Dr. Lawrence McElwaine	2548 W. Latimer Pl.
Mrs. Ann Scholten	209 S. Nogales Ave.

Protestant's Comments:

Mr. James Armstrong lives directly across the street from the subject tract. The present use of this structure is a traffic hazard. Cars are parked across the sidewalk and on the sidewalk all hours of the day. The residents feel that the applicant should make the building look like an office instead of a residence. The business was opened in violation of the Zoning Code.

Mr. Gardner advised that the house is being used as a bail bond office, which is a high-traffic generator. The zoning would have to be changed in order to have a new structure built. Obviously, the property was cut off by the Expressway system and is not suited for residential use. Off-street parking requirements must be met, even if it continues to be used as a bail bond business.

Mrs. Billie Armstrong explained that this structure is suitable for residential use. It was completely remodeled and all the neighbors inspected it. There is also a place in the basement that could be rented as an apartment. She does not feel this business should come into a residential neighborhood. There are children, widows and retired people living in this area and the customers of the business stay in their cars all night, many are drunks and have walked into the other houses in the area.

Rev. J.B. Chin is pastor of Nogales Avenue Baptist Church which is about 1 block north of the subject tract. He does not object to reputable businesses in the neighborhood or even to a bonding firm, if it is reputable. However, he questions the way this business was set up. No permit was granted. The residents have been verbally abused and money has been used as a weapon. Rev. Chin is speaking on the residents' behalf because there is fear. If the fears could be alleviated, the parking could be resolved and the company can be demonstrated to be a reputable one, he would have no objections.

Mr. Alvin Floyd was present as attorney for Dr. Lawrence McElwaine who owns property to the north of the subject tract. He is also personally familiar with the area. A criminal bond company, of necessity, must do business with people who are guilty as well as innocent of crimes. Those type of people are frequently undesirable, particularly in residential areas. Dr. McElwaine is opposed to rezoning in this area for anything other than residential. The property is suitable for residence use and was used as such before the bonding company moved in without permission. There is property available on Charles Page Boulevard where a structure could be built.

Mrs. Ann Scholten lives next to the subject property. The applicants have approached her husband, requesting to buy her property for a parking lot. She does not want her house torn down for a parking lot because she has lived there for many years. There are constant disturbances from the expressway and from people patronizing this business.

Applicant's Comments:

Ms. Widdows commented that Mrs. Scholten's husband is one of the applicants. When the property was first purchased, the applicant thought it was zoned for commercial because of all the commercial in the area. When it was discovered this property is zoned residential, the applicant tried to comply and it is their understanding that OM would accommodate this business.

The office is open only during the daytime hours and there are only about 10 to 20 cars a day to the business. The street is heavily traveled anyway. The properties are unsuitable for residential use, especially the vacant lot. There is not enough space to build a house on that lot. The applicant does not feel the proposed use would create any noise pollution and would not be unsightly.

Chairman Parmele asked Mr. Gardner what the neighbors could do about some of the problems of this business. Mr. Gardner explained that normal office use would not be opened all hours. An RM-2 District would permit office use per Board of Adjustment special exception and the Board, in reviewing this, would be reluctant to approve a non-residential use unless they were convinced from a planning standpoint that this would be correct. The Board could place controls on an exception that the Planning Commission cannot, such as hours of operation. Chairman Parmele stated he was trying to look at the application for a land use standpoint, but the problems associated with the business are complicated. Mr. Gardner suggested the Planning Commission continue the zoning application and make a recommendation to the Board of Adjustment that they permit office development through the exception process, but put reasonable restrictions such as hours of operation in order to be more compatible with the neighborhood. The Board of Adjustment might interpret a flat denial of the zoning application to mean there should not be any office in that area. But if the zoning is continued and a recommendation made to the Board of Adjustment that office is appropriate with proper safeguards and restrictions, the Board would have some direction. This is considered a difficult site because of the proximity to the expressway.

MOTION was made by Commissioner Rice to continue consideration of this rezoning and make a recommendation to the Board of Adjustment, based on the recommendation made by Mr. Gardner. This would not be a recommendation to deny the application. Mr. Gardner suggested this be continued to August 18, 1982, which would give the applicant sufficient time to make application to the Board of Adjustment. This would be an option for the applicant. If they choose not to do this, the Planning Commission will be faced with a decision on August 18 about the zoning. MOTION was seconded by Commissioner Kempe.

TMAPC Action: 7 members present.

On MOTION of RICE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe "absent") to continue consideration of this application until August 18, 1982, at 1:30 p.m. in Langenheim Auditorium, City Hall, Tulsa Civic Center, and that a recommendation be made to the Board of Adjustment if application is made.

CZ-56 Bode (Sokolosky) NW corner of 96th Street North and Highway #75  
RE to RMH

A letter was presented from Jack Finley, Engineer for the applicant, requesting this case be continued to July 28, 1982, in order to change the zoning request to RS (Exhibit "G-1").

Instruments Submitted: Letter requesting continuance (Exhibit "G-1")

TMAPC Action: 7 members present.

On MOTION of HENNAGE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to continue consideration of CZ-56 to July 28, 1982, at 1:30 p.m., in Langenheimer Auditorium, City Hall, Tulsa Civic Center.

Application No. PUD 292  
Applicant: Arnold (Design Properties)  
Location: 73rd Street and Harvard Avenue

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Present Zoning: (RS-1, RS-2)

Date of Application: June 3, 1982  
Date of Hearing: July 14, 1982  
Size of Tract: 6.48 acres, more or less

Presentation to TMAPC by: Jack Arnold  
Address: 7318 South Yale Avenue - 74136

Phone: 494-2731

Staff Recommendation:

Planned Unit Development No. 292 is located at East 75th Place and South Harvard Avenue. It is 6.48 acres in size, vacant, except for street and utility improvements, zoned a combination of RS-1 and RS-2, and the applicant is requesting PUD supplemental zoning to develop a private large lot single-family development. It is abutted on the north by a duplex development zoned as PUD #188, on the east by single-family residences zoned RS-1, and on the south and west by single-family developments zoned RS-2.

The Staff has reviewed the applicant's Development Plan and Text and find PUD #292;

- 1) is consistent with the Comprehensive Plan,
- 2) harmonizes with the existing and expected development of the surrounding area,
- 3) is a unified treatment of the development possibilities of the project site, and
- 4) is consistent with the stated purposes and standards of the PUD Chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #292, subject to the following conditions:

1) Development Standards

Net Area:	6.48 acres
Number of Dwelling Units:	16
Minimum Lot Width:	75 feet
Minimum Lot Size:	9,000 square feet
Maximum Building Height:	26 feet
Livability Space:	5,000 square feet
Minimum Betback:	
From private street	25 feet
from centerline of Harvard Avenue	75 feet
from north, west and south property lines	20 feet
from building to building	10 feet

- 2) That the applicant's Development Plan and Text be made conditions of approval.

PUD #292 (continued)

- 3) That South Gary Place and 75th Place have been vacated or closed by ordinance prior to the issuance of any building permits.
- 4) That no building permit shall be issued until a Detail Site Plan has been submitted to, and approved by the TMAPC, including;
  - a) design of the entryway,
  - b) design and location of the fence surrounding the project, and
  - c) design and location of landscaping which will be maintained by homeowner's association.
- 5) That a Homeowner's Association be created to maintain all common areas, including private drives, entryway and landscaping.
- 6) That signs conform to the standards set aside in Section 420.2 (d) (2) of the Tulsa Zoning Code.
- 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 the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Jack Arnold agreed with the recommendations made by the Staff. He displayed a rendering of the proposed structures (Exhibit "H-1"). There will be a masonry wall around the project with a wooden fence on the south side.

Protestants: None.

Instruments Submitted: Architect's Rendering (Exhibit "H-1")

TMAPC Action: 7 members present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Gardner, Hennage, Hinkle, Kempe, Parmele, Petty, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Higgins, Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for PUD, per Staff Recommendations:

Beginning at a point 334.55' West of the Southeast corner of the SE/4 of the NE/4 of Section 8, Township 18 North, Range 13 East; City of Tulsa, Tulsa County, Oklahoma; thence North 89°-55'-15" West along the North Boundary of Walnut Creek Amended, a distance of 323.00'; thence North 0°-11'-40" East along the East Boundary of Lots 21 and 20 of Guier Woods IV, a distance of 348.00'; thence North 37°-02'-09" East along the East Boundary of Lots 19 and 18 of Guier Woods IV, a distance of 251.27'; thence North 0°-11'-40" East along the East Boundary of Lots 18 and 17 of Guier Woods IV, a distance of 126.00'; thence South 77°-22'-10" East along the South Boundary of Guier Woods III, a distance of 463.72' to the West Right-of-Way of South Harvard Avenue; thence Southeasterly along the West Right-of-Way of South Harvard Avenue on a curve to the right having

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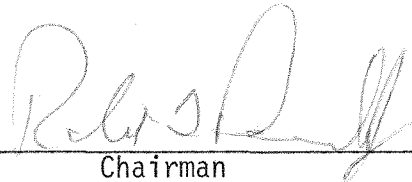
PUD #292 (continued)

a radius of 604.07' and a central angle of  $24^{\circ}-16'-06''$ , a distance of 255.86'; thence South  $31^{\circ}-05'-50''$  West along the West Right-of-Way of South Harvard Avenue, a distance of 346.51'; thence South-easterly along the West Right-of-Way of South Harvard Avenue on a curve to the left having a radius of 868.50' and a central angle of  $2^{\circ}-47'-26''$ , a distance of 42.30' to the point of beginning, containing 282,157 square feet, or 6.48 acres.

There being no further business, the Chair adjourned the meeting at 3:45 p.m.

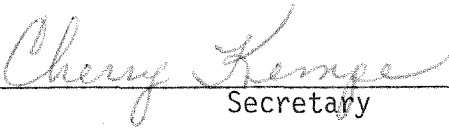
Date Approved

7-28-82



Chairman

ATTEST:



Secretary