

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1421  
Wednesday, September 1, 1982, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Hennage, 2nd Vice- Chairman	Freeman Gardner	Chisum Compton	Pauling, Legal Department
Higgins	Petty	Henze	
Hinkle	Young	Lasker	
Kempe, 1st Vice- Chairman	Inhofe	Matthews	
Parmeale, Chairman		Taylor	
Rice		Wilmoth	

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, August 31, 1982, at 10:20 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Parmeale called the meeting to order at 1:35 p.m.

MINUTES:

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmeale, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the minutes of August 11, 1982 (No. 1418), August 18, 1982 (No. 1419) and August 25, 1982 (No. 1420).

REPORTS:

Director's Report:

Mr. Lasker advised there will be a Comprehensive Plan Committee meeting on September 15, 1982, at 12:00 p.m. in Room 213 to discuss the Water Distribution Plan System for the City of Tulsa. Also, an APA conference will be held in San Francisco the last week in October.

PUBLIC HEARING:

Public Hearing on a Proposed Amendment to the Comprehensive Plan of the Tulsa Metropolitan Area by Adding the Mohawk Park Land Use Study for Long-Range Development as an element of the INCOG Regional Park and Recreation Plan 1980-2000.

Dane Matthews of the INCOG Staff reminded the Commission of the INCOG Regional Park and Recreation Plan that was adopted in December of 1981. At that time, it was suggested that the major parks as needed prepare and adopt master plans with activity areas, etc., and these be presented as developed for adoption as part of the plan. This plan before the Commission is for Mohawk Park. The Staff proposes to present for adoption this amendment to the Regional Park and Recreation Plan, which is also a part of the Comprehensive Plan for the City of Tulsa.

Public Hearing: (continued)

Rita Henze of the Comprehensive Planning Division explained the proposed plan. A Green Ribbon Committee was formed consisting of members from the Chamber of Commerce, the Park Staff, past Park Board members, the Police Department and the Mohawk Zoo Development Corporation in order to study the unique needs and possibilities of Mohawk Park. The plan presented for hearing today is a result of the Committee's study. The Mohawk Park Master Plan is a site plan review that details improvements to the existing park facilities and recommends additions of new facilities. Because of Mohawk's large size, the emphasis is on special interest activities that will attract park users from all around the regions. A festival pavilion is planned, which will be used for concerts. There will be an adventure playground for children. Two major recommendations have been made: Continued development of the zoo and golf course and new developments such as gardens, promenade, polo fields, a day camp for groups that may be using the nature center, riding trails and a pond. The remainder of the park will remain in its natural state. This plan is in accord with the Regional Park Plan and the Comprehensive Plan; therefore the Staff recommends the Planning Commission adopt the Mohawk Park Plan as an amendment to the Comprehensive Plan by adding it to the Regional Park and Recreation Plan.

Mr. Eugene Colleoni, Chairman of District 4, presented a letter suggesting changes in the plan (Exhibit "A-1"). The fairgrounds and Skelly Stadium are surrounded by single-family homes. The expressways subtracted from his district and the residents are trying to revive the area. He then read the memorandum submitted, which requests that the stadium, raceway and fairgrounds be moved to the Mohawk area. District 4 homeowners would appreciate consideration of this request in the hope of avoiding turning a large, single-family area into a huge parking lot.

Commissioner Rice asked Mr. Colleoni if he presented his request to the Comprehensive Plan Committee and he replied that he did not attend the meeting.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to close the public hearing.

MOTION was made by HIGGINS to adopt the plan as submitted and instruct the Staff to prepare a resolution.

Special Discussion for the Record:

Commissioner Rice wondered if the Staff could consider the suggestions made by Mr. Colleoni in light of preparation of a resolution for approval. Mrs. Matthews suggested that Mr. Colleoni submit his recommendation to the Park Department or the Green Ribbon Committee because the Staff did not prepare the plan, although they assisted in coordinating it. The Staff would be glad to consider the requests at some point.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to adopt the Mohawk Master Plan as submitted by the INCOG Staff, an amendment to the Comprehensive Plan by adding the Mohawk Master Plan to the Regional Park and Recreation Plan; and, to instruct the Staff to prepare a resolution.

SUBDIVISIONS:

For Preliminary Approval:

C. H. & I. Industrial Park (3214) NE corner of 66th Street North and North  
Mingo Valley Expressway (IM)

The Staff presented the plat with the applicant NOT represented.

The Staff noted that the building line on 66th Street North can be 50' if desired. (100' from centerline)

The Health Department advised the T.A.C. that if property is on septic system, then it should be held until percolation tests are available. There also is a drainage problem on the easterly-half of the tract. Drainage easements or elevations shall be shown as required.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of C. H. & I. Industrial Park, subject to the conditions, but withheld transmittal of the plat to the Planning Commission, pending Health Department's percolation tests. This has now been received.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Preliminary Plat for C. H. & I. Industrial Park, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines.
2. Water plans shall be approved by the applicable water authority prior to release of the final plat. Sewer plans shall be approved by the applicable authority if on sanitary sewer.
3. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.
4. Access points shall be approved by the County Engineer. (Show access points on 66th Street - a minimum of 125' from corner.)
5. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
6. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
7. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. (if not on sewer)

C. H. & I. Industrial Park (continued)

8. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information to be included in restrictive covenants.) (if not on sewer)
9. The method of water supply and plans therefore, shall be approved by the City-County Health Department.
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 the plat on any wells not officially plugged.)
11. This plat has been referred to Owasso because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; otherwise only the conditions listed herein shall apply.
12. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
13. All (other) subdivision Regulations shall be met prior to release of the final plat.

Faulkenberry Estates (3073) East 163rd Place and South Troost Avenue (AG)

The Staff presented the plat with the applicant NOT represented.

Note: This plat has a sketch plat approval, dated July 9, 1981. It was reviewed as a preliminary plat by the T.A.C. on January 14, 1982, but the applicant had not furnished the names and mailing addresses of abutting property owners so that notices could be mailed, and he had not completed percolation tests for the Health Department. Therefore, the plat was TABLED on that date pending receipt of the address list and the percolation tests. The Staff received both the address list and approval of the Health Department dated August 12, 1982, so notices have been mailed and the plat scheduled for preliminary approval at this Planning Commission meeting.

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

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Preliminary Plat for Faulkenberry Estates, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines.
2. Water plans shall be approved by the Creek County Rural Water District prior to release of the final plat. (if applicable)

Faulkenberry Estates (continued)

3. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.
4. 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 the plat on any wells not officially plugged.)
5. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
6. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Springview Estates (263) 182nd Street and South Memorial Drive (RS)

The Staff presented the plat with the applicant represented by Mr. Richard Morgan.

Note: This plat has a sketch plat approval, subject to conditions.

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

On MOTION of RICE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Preliminary Plat of Springview Estates, 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. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.
3. Access points shall be approved by the County Engineer. (Show LNA on Memorial where applicable.) (No access to Lot 1, Block 1 and Lot 2, Block 2.) (Include access relinquishment paragraph in covenants.)
4. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department.
5. The method of water supply and plans therefore, shall be approved by the City-County Health Department.
6. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat

Springview Estates (continued)

is released. (A building line shall be shown on the plat on any wells not officially plugged.)

7. Covenants, 2nd paragraph; change "telephone" to "communications", which will cover both telephone and Cable Television.
8. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the 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 the final plat.

Strawberry Hill Addition (1894) East 24th Street, West of Garnett Road (RS-3)

The Staff presented the plat with the applicant not represented.

The Staff also explained that the name had been changed from "Murphy-Gilbert Park". The Board of Adjustment approval has already been made for duplexes and the individual lot for each site. (Case #12015)

The Technical Advisory Committee and Staff recommended approval of the Preliminary plat of Strawberry Hill Addition, subject to the conditions:

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Preliminary Plat of Strawberry Hill 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. 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.
3. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
4. All Subdivision Regulations shall be met prior to release of the final plat.

The Greenery Addition (PUD #290) (194) South side of East Admiral, East  
of 177th East Avenue (AG, OL and CS)

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

Note: This plat was reviewed as a PUD Concept on June 10, 1982. Some comments were made at that time and may be applicable to this plat, unless the situation has changed since the initial T.A.C. review.

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

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Preliminary Plat of The Greenery Addition, subject to the following conditions:

1. All conditions of PUD #290 shall be met prior to release of the final plat, including any applicable provisions in the covenants, or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines.
3. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (Not applicable if on septic system)
4. 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.
5. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by the City Engineer.
6. Access points shall be approved by the City and/or Traffic Engineer. (O.K.)
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. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. (If on septic, provide percolation tests to the Health Department prior to transmittal of the preliminary plat to the Planning Commission.

Z-5599 (continued)

with percolation test results. Any grading and/or paving plans will be subject to approval of the City Engineer through the permit process. Access is limited by the property line configuration at the NW corner of the lot, but will be subject to approval of the Traffic Engineering Department. It shall be limited to the standard width.

The Technical Advisory Committee and Staff recommended approval of the waiver of the plat on Z-5599, subject to the conditions.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the request to waive plat on Z-5599, subject to the following conditions:

- (a) Grading plans through the permit process, and
- (b) Health Department approval of septic system.

Z-5734 Richard Acres (3392) SE corner of 37th West Avenue and West Skelly Drive (I-44) (CS)

This is a request to waive the plat on the West 166' of Lot 7, Block 4, (less the west 10' of the north 50' for Highway). The applicant is proposing (according to the zoning application), an auto repair shop. The Staff researched the legal descriptions and applied same to the applicant's plot plan and they do not coincide. The legal given in the zoning application is all within Lot 7, so the boundaries would be rectangular. If, when the applicant revises his plot plan, it is determined that he owns additional land between the expressway right-of-way and Lot 7, then it should have been included in the zoning application. If not, he may be crossing an RS-3 District to get to the expressway and that would be prohibited under the Zoning Code. Setbacks seem to meet the zoning, but the parking places shown on 37th West Avenue will need to be moved so they will not be on street right-of-way. When RICHMOND ACRES was platted, there was no street on the west of Lot 7. The entire street right-of-way of 25' was dedicated from the South Haven Plat. Therefore, an additional 25' of right-of-way will be needed to line up with dedications to the south and meet the Major Street Plan. The Staff sees no objection to the applicant's request provided he can revise his plot plan, provide the additional right-of-way for South 37th West Avenue and meet the requirement of the utilities, if any easements are needed. Any grading plans will be subject to approval of the City Engineer in the permit process. If access is shown to the I-44 service road, the Traffic Engineer approval will be required. (As of the date of this review by the Staff, August 23, 1982, it appears that the applicant doesn't have access to the service road.) Due to the problems pointed out by the Staff, the Technical Advisory Committee had recommended tabling the request. Later in the meeting, the applicant was present so the problems were explained, and it was agreed that there would be no objection to the waiver as long as the dedication was received for 37th West Avenue; and that the parking be relocated so as not to encroach on any right-of-way. That part of Lot 6 may need to be advertised or the zoning application amended to include it, since the applicant indicated ownership goes to the expressway right-of-way line.

The Technical Advisory Committee and Staff recommended approval of the waiver of the plat on Z-5734, subject to the conditions.



Z-5734 (continued)

The applicant was present and had no objections to the conditions.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Waiver of Plat for Z-5599, subject to the following conditions:

- (a) Dedication of right-of-way on 37th West Avenue to total 50',
- (b) relocation of parking off any dedicated right-of-way, and
- (c) grading plan approval through the permit process.

Z-4804 Barrett and Evans Subdivision (1703) North side of Mohawk Blvd.,  
East of North Columbia Avenue (RS, CG)

This is a request to waive the plat on a portion of the N/2 of Lot 5 of the above named subdivision. A previous request to waive the plat and also approve a lot-split was approved August 16, 1978 - (#14435). The waiver of the plat was only on a portion of the property and consisted of approximately 1-acre on which a house was constructed. All the remaining portion was still "subject to a plat". The applicant is requesting approval to place a storage or commercial building on that part within the CG zoning, fronting on Mohawk Boulevard. When previous reviews were made, this area was shown within a floodplain and an exception to the Floodplain Moratorium was granted by the City Commission on March 4, 1977. The applicant indicated to the Staff that only a portion of this tract was to be used at this time, so the Staff recommended that any waiver of the plat only apply to that portion within the CG zoning and as a condition of approval require approval of the City Engineer regarding drainage; approval of the City-County Health Department if on septic, or Water & Sewer Department if not on septic system. Also, some utility and/or water/sewer lines might have to be extended and this would be a condition of approval. Driveway and access shall be subject to approval of the Traffic Engineer and an access agreement if requested by that Department.

In review by the T.A.C., Water & Sewer Department advised that no water line serves the tract and an extension would be required. No sewer is available, so the Health Department approval will be required. The City Engineer advised that the proposed building is in a floodplain area, and waiver was not recommended at this time. Since the applicant was not present and due to the numerous problems, the T.A.C. recommended the request be tabled. The Staff would advised the applicant of the problems and who to contact for further details.

After the T.A.C. meeting the applicant was advised of the requirements and contacted all the applicable agencies as recommended. Since this will be only a storage building and not require water and/or sewer services, the Health Department has no objections to the waiver. City Engineering Department had advised that the building proposed will be moved to a point 125' west of the east property line so it will be out of any floodplain. An "in lieu of" drainage fee will be required. In order to simplify the fee and the total amount required, a lot-split will be necessary to separate the actual construction area from the remainder of the tract. Therefore, the following recommendation was made by the T.A.C. and Staff:

- (1) Waiver of Plat on Z-4804 is recommended only on the portion described as approximately the east 160' of the south 100'

Z-4804 (continued)

- of the applicant's land.
- (2) Applicant should file a lot-split with the Planning Commission (prior approval), but with the following conditions:
    - (a) No deeds to be released until water and/or sewer is made available to the property.
    - (b) Applicant should understand that this lot-split is being approved for permit purposes only, and for the computation of the drainage fees. (Size and frontage will meet the CG zoning.)
  - (3) The remainder of the property in the CG and RD Districts shall remain "subject to a plat" and be reviewed again by the T.A.C. and Planning Commission when any permit is sought on the remainder.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Hennage, Higgins Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, "absent") to approve the Plat Waiver for Z-4804, subject to the T.A.C. and Staff recommendations listed above.

LOT-SPLITS:

For Ratification of Prior Approval:

L-15561 (3591) D. J. Land	L-15571 (1994) Phillip Marshall
15562 (2693) Hodges Moving & Storage Company	15572 (1994) Phillip Marshall
15563 (1683) D. L. Kennedy	15573 (1994) Phillip Marshall
15565 (1824) Teddy R. Moody	15574 (1994) Phillip Marshall
15566 (1192) Washington Irving Townhouses, Ltd.	15575 (1994) Phillip Marshall
15567 (2792) Gerald Snow	15576 (2994) Expressway Park Assoc.
15568 ( 192) RCL Oil Company	15577 (3194) Tri-Angle Development Company

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

For Waiver:

L-15525 Design Properties, Inc. (983) NW corner of East 74th Street  
South and South Yale Avenue (OL)

This is a request to waive the frontage requirement in the OL District from 75' to 5', with actual access to the lot in the rear to be by a mutual access easement aligning with the existing access point on Yale. This was reviewed by the T.A.C. on July 29, 1982, and a redesign was recommended to provide access to both the sewer and water lines. This lot configuration, as shown, is a result of that redesign. The Staff sees no objection to the request since the new design is a result of the previous T.A.C. meeting. Grading plans will be required in the permit process and Board of Adjustment approval will be required for

L-15525 (continued)

the waiver of frontage.

The Technical Advisory Committee and Staff recommended approval of L-15525, subject to the conditions.

On MOTION of KEMPE, the Planning Commission voted 5-1-0 (Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; Hennage "nay"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the waiver for L-15525, subject to the following conditions:

- (a) Board of Adjustment approval of frontage, and
- (b) grading plans approval through permit process.

L-15550 Harry Hought (963) SW corner of South 43rd East Avenue and East  
193rd Street South (AG - County)

This is a request to split a 3.75 acre (gross) tract into 1.25 acre and 2.5 acre tracts. The applicant is requesting waiver of the AG area requirement of two acres to permit the creation of the 1.25 acre tract. (Tract has adequate frontage since it is on a corner.) Net lot size would be 119' x 353'. Right-of-way dedications have been made previously (Book 3835, Page 377) as shown by County records. Approvals of the Tulsa City-County Health Department and the Board of Adjustment will be required.

The Technical Advisory Committee and Staff recommended approval of L-15550, subject to the conditions.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve waiver of L-15550, subject to the following conditions:

- (a) Approval of septic systems by the Health Department, and
- (b) County Board of Adjustment approval of the lot area.

L-15552 Chimney Ridge Development Corporation (1583) North and West of  
East 91st Street South and South Sheridan Road (RM-1)

This is a request to waive the frontage requirements in the RM-1 District to permit a separation of the recreation area in a multifamily development (townhouses) so title can be transferred to the Homeowner's Association. A previous lot-split (#15394) divided the area into the construction phases and was approved without any waiver of regulations. Access to the recreation area being separated by this split will be by private easement. Approvals of the Board of Adjustment and utilities will be required. (Grading plans were included in the overall approval of the Plat of Chimney Ridge Townhouses.) The Staff recommends approval of the request.

Water and Sewer Department advised the applicant to make sure the lot configuration resulted in the water and sewer lines having access to the tract. The applicant assured that water and sewer was available to the split.

L-15552 (continued)

The Technical Advisory Committee and Staff recommended approval of L-15552, subject to the condition.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the waiver for L-15552, subject to the following condition:

- (a) Board of Adjustment approval of waiver of frontage.

CONTINUED PUBLIC HEARING:

PUD 236-A Johnsen (Basta) 7500 Block of South Memorial Drive (RS-3 and OL)

A letter was presented from the applicant, Roy Johnsen, requesting this application be continued for one week in order for the neighborhood association to review the case (Exhibit "B-1").

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to continue consideration of PUD 236-A until September 8, 1982, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. PUD 293  
Applicant: Meyer (Price Holeman)  
Location: 75th Street and Lewis Avenue

Present Zoning: (RD)

Date of Application: July 1, 1982  
Date of Hearing: September 1, 1982  
Size of Tract: 2.5 acres

Presentation to TMAPC by: Lynn Meyer  
Address: 3216 East 27th Place

Phone: 749-0737

Staff Recommendation:

The subject tract is located just east of the northeast corner of South Lewis Avenue and East 75th Street. It is approximately 2.5 acres in size, has TMAPC recommendations for RD zoning, and the applicant is requesting PUD approval for a townhouse apartment complex use.

The Staff has reviewed the applicant's Development Plan and Text and can support the PUD proposal with revisions to the Site Plan and Development Standards. Therefore, we would recommend APPROVAL, subject to the following conditions:

1) That the detail Site Plan be revised to show improved circulation and access to the units located at the north end of the project.

2) Development Standards

Permitted Uses: Attached townhouse residential units developed under the RD density requirement.

Maximum Number of Dwelling Units 26\*

Maximum Building Height: 2 stories

Minimum Off-Street Parking Spaces: 78 spaces

Minimum Landscaped Open Area: 52,000 square feet

Minimum Building Setback;

from centerline of 75th, 70.0 feet\*\*

from centerline of 74th, 50.0 feet

from west & east property lines, 20.0 feet\*\*\*

between buildings, 30.0 feet

between buildings and parking. 10.0 feet

\*The applicant would have to show that the necessary livability space for each unit is obtained.

\*\*Second story could overhang the first story as long as a 25-foot setback from the property line is maintained and construction methods meet the Tulsa Building Code.

\*\*\*Second story could overhang the first story as long as a 17.5 foot setback from the property line is maintained and construction methods meet the Tulsa Building Code.

3) That no Building Permits shall be issued until a Detail Site Plan has been submitted and approved by the TMAPC, meeting these conditions.

4) That no building be occupied until a Detail Landscape Plan has been submitted and approved by the TMAPC.

PUD #293 (continued)

- 5) That no Building Permit or Occupancy 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. Lynn Meyer represented Fitz Park, the developer of PUD #293, which is located between 75th Street and 74th Street just east of Lewis Avenue. Seventy-Fourth Street is not improved and there is no expectation of it being improved in the future. The location of the PUD and zoning is appropriate to the surrounding area because the Esplanade Apartments are immediately to the north, Rock Creek Acres is also to the north and east, and PUD #182 (Southoaks) is developed in the same manner as the PUD under application. He agrees with the Staff Recommendation.

Protestant: Herbert Arst                      Address: 2441 East 73rd Place.

Protestant's Comments:

Mr. Herbert Arst represented the Esplanade Homeowner's Association. The Association's protest is not against the project to be developed, but on the basis of the traffic problem in the area. There is only one entrance to the Esplanade from Lewis and the traffic is getting worse. These 26 units would seriously hinder the traffic.

Applicant's Comments:

Mr. Meyer presented a letter from Mr. Charles Norman, attorney representing Oral Roberts University, in support of the development (Exhibit "C-1"). The traffic problem that affects Esplanade will not affect the proposed development and vice versa because the Esplanade has access directly to Lewis for a considerably higher number of units. The proposed development will have access to 75th Street and does not have the number of units contained in Esplanade. This traffic should not affect the Esplanade.

Mr. Compton explained there was a zoning case for RM-2 on this tract and the protestants of that were Oral Roberts University (represented by Mr. Norman) and the Esplanade. The Planning Commission recommended RD and the rezoning is waiting for processing with this PUD.

Instruments Submitted: Letter from Mr. Charles Norman, representing Oral Roberts University and supporting the application (Exhibit "C-1").

TMAPC Action: 6 members present.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, 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:

Lot 1, Block 1, Southern Hills Estates, a subdivision of the City of Tulsa, Tulsa County, Oklahoma.

ZONING PUBLIC HEARING:

Application No. Z-5744  
Applicant: J. Ronald Henderson (Plowman)  
Location: 1310 North Garnett Road

Present Zoning: RS-3  
Proposed Zoning: IL

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Date of Application: July 1, 1982  
Date of Hearing: September 1, 1982  
Size of Tract: 305' x 595'

Presentation to TMAPC by: Ron Henderson  
Address: 1643 East 15th Street - 74120

Phone: 585-1030

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 2 -- High 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 tract is located on the west side of Garnett Road where East Newton Place intersects with North Garnett Road. It is slightly over 4 acres in size, contains a single-family structure and accessory buildings, is zoned RS-3, and the applicant is requesting IL zoning. It is abutted on the north and east by single-family residences zoned RS-3, on the south by mostly vacant land approved IL by the City Commission (Ordinance not published), and on the west by vacant land zoned IL. 111th East Avenue abutting the west property line is unimproved.

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

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

Applicant's Comments:

Mr. Ron Henderson is a broker and developer in the area. This request is the result of working with a great deal of property in the area. The property to the south belongs to Ramsey Industry and a business park is planned. To the west, Nordam has a major facility. The buyer of this property is working with Ramsey Industries to develop a comprehensive land development program. The surrounding property owners have no objection.

Protestants: None.

TMAPC Action: 6 members present.

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

Lots 7 and 8, Block 1, Lakeside Gardens, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Application No. PUD 295  
Applicant: David Barnes  
Location: 5121 South Columbia Place

Present Zoning: (RM-T & RD)

Date of Application: July 12, 1982  
Date of Hearing: September 1, 1982  
Size of Tract: 1.74 acres

Presentation to TMAPC by: John Moody  
Address: Bank of Oklahoma Tower

Phone: 588-2651

Staff Recommendation:

The subject tract is located south of the SE corner of South Columbia Place and East 51st Street. It is mostly vacant, approximately 1.7 acres in size, zoned a combination of RM-T and RD, and the applicant is requesting PUD supplemental zoning for a detached patio home use. It is abutted on the north by a single-family residence zoned under a PUD for office use, on the east by apartments and one single-family structure zoned RM-2 and RM-1, on the south by a single-family structure zoned RD, and on the west by single-family structures zoned RS-2.

The Staff has reviewed the applicant's Development Plan and Text and find PUD #295 is, a) consistent with the Comprehensive Plan and, (b) consistent with the stated purposes and standards of the PUD Chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #295, subject to the following conditions:

1) Development Standards

Area (Gross):	81,888.1 square feet	1.879 acres
(Net) :	75,665.6 square feet	1.737 acres
Permitted Uses	Detached Patio Homes & Accessory Uses.	
Maximum Number of Units:	21 units	
Maximum Building Height:	35 feet	
Minimum Setbacks:		
perimeter,	10 feet	
between buildings.	10 feet	
Minimum Off-Street Parking:	2 spaces per unit	
Minimum Livability Space:	1,468 square feet per unit average	
Typical Lot Size:	29' x 85'	

- 2) That the applicant's Development Plan and Text be made conditions of approval.
- 3) That no Building Permit shall be issued until a Detail Site Plan of the proposed development has been submitted to and approved by the TMAPC.
- 4) That a Detail Landscape Plan be submitted to, and approved by the TMAPC prior to occupancy of a building, including a minimum of 3 feet between any property line and paved areas and screening fence along the south 100 feet of the east property line.



PUD #295 (continued)

- 5) That signs shall be as per the PUD Chapter of the Tulsa Zoning Code.
- 6) That an Owner's Association be created to maintain all common areas, including private drives.
- 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. John Moody represented the applicant, David Barnes. This property was presented to the Commission previously under a zoning and PUD by Ernest Moody for development of an office building and a higher-density classification. The present zoning is a result of compromises by the Planning Commission under the previous zoning. The present PUD is an attempt to take a compromise zoning and design a site plan that meets the objective of the neighborhood, as well as the development standards for the owner of the property. The tract only has a net area of 75,665 square feet. It abuts multifamily zoning to the east and single-family dwellings on the west side. Therefore, a transition is needed between these two zonings. A noted architect from San Antonio was retained by Mr. Barnes and Mr. Moody thought the final plan is an exceptional job of taking a tight site of townhouse lots and devising floor plans and building plans that are individual, single-family, detached residences. The zero lot-line concept is being used. The minimum floor plan that was agreed to with the neighborhood is 1,200 square feet. There is quite a bit of detail on the exterior of the unit so that each has its own individual, attractive design, which is going to complement the neighborhood. Each home has an enclosed, patio area and will be two stories in height.

The original, 10-foot perimeter setback proposed is not going to work on the north side of the project. He is requesting approval of a 5-foot side yard along the north side of the project, as opposed to the 10-foot perimeter. The north side abuts a proposed office building complex and there is a 10-foot utility easement on the north side of the adjoining project, so there would be nothing built in that area. The actual area between the building and property line would be the 5 feet necessary to utilities. The side yard permitted by RM-T zoning is a 5-foot side yard.

Mr. Moody and the applicant have met with representatives and a number of property owners in the area. A restrictive covenant has been agreed to and no more than 21 structures will be built. The covenants include a minimum of 1,200 square feet in each of the units and providing additional parking. All buildings erected on the property will be constructed principally with brick stucco or masonry with wood trim and that each of the building fronts visible outside the exterior courtyard will have to be all of brick or masonry construction.

Interested Party: Bob Selman, Chairman, District 18  
Address: 5212 South Columbia Place - 74105

PUD #295 (continued)

Interested Party's Comments:

Mr. Selman explained that a number of families in the neighborhood met with Mr. Moody. They are not present today because it is the consensus of the neighborhood that this is as good a project as possible in this neighborhood and do support the proposal with the conditions of a homeowners' association, restrictive covenants and would like to be involved with the platting process due to the runoff and other considerations. Mr. Selman thanked the applicant for giving the residents a project they can appreciate and Chairman Parmele thanked both parties for working together.

Applicant's Comments:

The applicant had no further comments.

Mr. Compton advised that the Staff could agree with the 5' setback on the north side of the project. Only 100' of screening fence is required where the project abuts single-family and a requirement might be added to require the installation of a screening fence around the three sides of the project (north, east and south) that do not front onto the street. He believed the applicant was planning to do so, but the Staff might make this a condition of the PUD. The applicant agreed to this condition.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, 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 and the following additional conditions:

- (a) 5' setback on the north property line; and,
- (b) 6' screening fence on the north, east and south sides of the project.

The North 248.9' of the South 373.9' of Lot 3, and the North 249' of the South 374' of Lot 4, Bethel Union Heights, an Addition to the City of Tulsa, Oklahoma.

Application No. Z-5746 Present Zoning: RM-2  
Applicant: Robson (Rykar, Doremus, Sherrod) Proposed Zoning: OL  
Location: South of the SW corner of 15th Street and South Denver Avenue

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Date of Application: July 14, 1982  
Date of Hearing: September 1, 1982  
Size of Tract: 90' x 129', more or less

Presentation to TMAPC by: Bruce Robson  
Address: 2208 East 23rd Street - 74114 Phone: 747-7581

Relationship to the Comprehensive Plan:

The District 7 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District "C" -- High Intensity Commercial.

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

Staff Recommendation:

The subject tract is located approximately 100 feet south of the southwest corner of East 15th Street and South Denver Avenue. It is 90 feet by 129 feet in size, contains two single-family structures, zoned RM-2 and the applicant is requesting OL zoning. The tract is abutted on the north by a single-family structure used as an office and zoned OL, on the east, across Denver Avenue, by single-family structures used for both offices and residences and zoned a combination of RM-2 and OL, on the south by a single-family residence zoned RM-2, and on the west by single-family residences zoned RM-2.

Based upon the Comprehensive Plan designation, the surrounding zoning patterns and land uses, and the appropriateness of the OL as a buffer for the remainder of the neighborhood, the Staff can support the OL request.

Therefore, the Staff recommends APPROVAL of the requested OL Zoning District.

Applicant's Comments:

The applicant had no comments.

Protestants: None.

TMAPC Action: 6 members present.

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

Lots 3 and 4, Block 4, Stonebraker Heights Addition, Tulsa County, Oklahoma.

Application No. Z-5717-SP-1

Present Zoning: Corridor

Applicant: Hill (Miller)

Proposed Zoning: Site Plan Review

Location: 2221 East 51st Street

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Date of Application: May 13, 1982

Date of Hearing: September 1, 1982

Size of Tract: 1.011 acres

Presentation to TMAPC by: Bob Piland

Address: 4949 East 68th Street

Phone: 492-0922

Staff Recommendation -- Site Plan Review

The subject tract is located 660' west of the NW corner of East 51st Street and South Lewis Avenue. It is approximately 1-acre in size and TMAPC recommended approval for a combination of CS and CO on June 23, 1982.

The Staff has reviewed the minutes of that meeting and the submitted site plan, and find the proposal to be; a) consistent with the Comprehensive Plan; b) in harmony with the existing and expected development of the surrounding area; c) a unified treatment of the development possibilities of the site; d) designed in a manner that provides proper accessibility, circulation and functional relationships of uses; and e) consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of the submitted Detail Site Plan, subject to the following conditions:

- 1) That the submitted plans and text be made conditions of approval, unless modified herein.
- 2) That permitted uses shall be limited to offices, customarily related accessory uses, and off-street parking for automobiles.
- 3) That the maximum aggregate floor area of each floor of the building shall not exceed 6,600 square feet, and the building shall not exceed 31,000 square feet of enclosed space.
- 4) That the maximum height of the building shall be 72 feet.
- 5) That a minimum of one (1) off-street parking space shall be provided for each 263 square feet of office space in the building.
- 6) That no more than one (1) ground sign shall be permitted, which shall not exceed 25 feet in height and 12 feet in width. Internal directional signs shall not exceed eight (8) feet in height. The design of all such signs shall be subject to the approval of the TMAPC prior to installation.
- 7) That all exterior lighting shall be directed on the building and on the parking areas.
- 8) That the landscaping shall not be less than that graphically shown on the Site Plan.
- 9) 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 Site Plan approval conditions, making the City of Tulsa beneficiary to said covenants.

Z-5717-SP-1 (continued)

Applicant's Comments:

Mr. Bob Piland is the architect for this project. He wondered if the height restriction at 72 feet included the elevator penthouse and Mr. Compton advised that the penthouse is an exception and the 72 feet would be the main structure. In that case, Mr. Piland had no objections to the Staff Recommendation.

Protestants: None.

TMAPC Action: 6 members present.

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

A tract of land in the S/2 of the SE/4 of the SE/4 of Section 30, Township 19 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the U. S. Government Survey thereof, being more particularly described as follows, to wit:

Beginning at a point on the South line of said Section 30, said point being 660' Westerly of the Southeast corner thereof; thence Northerly and parallel to the East line of said Section 30, a distance of 240' to a point on the Southerly Right-of-Way line of the 51st Street Bypass; thence Westerly along the Southerly Right-of-Way line of the 51st Street Bypass a distance of 130.33' to a point; thence Southwesterly along the Southeasterly Right-of-Way line of the 51st Street Bypass a distance of 56.41' to a point; thence Southerly and parallel to the East line of said Section 30, a distance of 227.22' to a point on the South line thereof; thence Easterly along the South line of said Section 30, a distance of 185' to the point of beginning, LESS and EXCEPT the South 35' thereof for street purposes.

CZ-59 Nichols (Hartman) 71st Street South and 193rd East Avenue AG to CS

A letter was presented from Mr. Bob Nichols requesting that consideration of this case be continued until September 8, 1982 (Exhibit "D-1").

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to continue consideration of CZ-59 until September 8, 1982, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

Z-5728 Douglas Bell (United Plating Works, Inc.) NE corner of 96th East Avenue and North 41st Street

Mr. Compton explained that this case has been referred back to TMAPC by the City Commission in their meeting of August 24, 1982, for re-hearing. Notice was given to the applicant and all protestants from the previous hearing and was to be heard again because of the mapping error. The City Commission felt the Planning Commission might not have had the entire story and might want to change the original recommendation, which was for approval of IL.

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 at the northeast corner of 96th East Avenue and East 41st Street North. It is 1.27 acres in size, contains two single-family structures zoned RS-3, and the applicant is requesting IL zoning. It is abutted on the north by an industrial use zoned IL; on the east by United Plating Works, several mobile homes, and one single-family structure zoned IL and RS-3; on the south by the American Airlines Company zoned IM; and on the west by several single-family dwellings zoned RS-3.

The reason this entire area was assigned the designation Medium Intensity--No Specific Land Use under the Comprehensive Plan, was for the purpose of permitting a gradual, logical transition of the single-family neighborhood into more intense nonresidential uses, consistent with the Airport and associated industries, which completely surround this small residential community. In addition, a second method of lessening the impact of this transition is not to allow spot zoning to occur in the neighborhood, but rather, permit zoning along the perimeter of the neighborhood and proceed in a logical sequence into the interior. The subject tract is abutted on three sides by industrially zoned land, and therefore, the Staff can support the requested IL as a logical extension of zoning. The Zoning Code will require screening along the entire western boundary of the subject tract and during the platting process, access can be restricted to 41st Street only, which will minimize the impact on the houses to the west.

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

Applicant's Comments:

The applicant was not present.

Protestants: Sandra Alexander, attorney  
R. R. Westmacott  
Burl Beddingfield

Addresses: 3624 N. Harvard Ave.  
4120 N. 96th E. Ave.  
4144 N. 96th E. Ave.

Protestant's Comments:

Ms. Sandra Alexander represented Mr. R. R. Westmacott, who is a property owner in the area. Mr. Westmacott was present at the previous hearing; however, the map displayed by the Staff did not show the street where Mr. Westmacott lives. Therefore he was confused as to the location of his property in relationship to the tract under application. He thought his property was over a block and a half to the west. Actually, he is located directly across the street. He did not express his concerns to the Commission during the original hearing. Later, Mr. Westmacott contacted the Staff and was informed of a mapping error and a new map was prepared, which was presented to the City Commission. The City Commission felt the Planning Commission did not have the benefit of all information relating to the particular area.

Mr. Westmacott requests this application be denied because the land uses permitted under IL would be detrimental to his health, safety and welfare, as well as the other residents. Ms. Alexander did not feel the policies dictated by the Comprehensive Plan or the Zoning Code were considered. The Comprehensive Plan has designated "no specific land use" for the area; however, it does indicate the area should be used for medium intensity. This indicates that, at the time the Comprehensive Plan was updated, it was not possible to determine the best land use. Flexibility was allowed in the development of the area dependent upon how the character of the neighborhood evolved. The current RS-3 classification is in accordance with the Comprehensive Plan. The proposed IL could be in accordance if conditions in the area had changed, or were in the process of changing. However, conditions have not changed and are not changing. Ms. Alexander conducted a land use survey which showed the majority of sites are residential. Tracts currently zoned IL are either vacant or being used for residential purposes. The property on the northwest corner of 41st Street North and Mingo Road contains one dwelling unit and 12 mobile homes. The result of this is that an intensive level of residential use has been placed within 15 feet of an industrial land use. The owner of the lot in the northern part of the tract under application has indicated no intention of converting the land to industrial use at any time in the foreseeable future. Therefore, his home will also become another nonconforming land use. The Staff's remark in the recommendation that by the placement of a platting restriction, this area will only have access to 41st Street North, will have problems working, because there are two separate properties and access to the northern property is only located on 96th East Avenue. She questioned whether the City could place such a restriction. Petitions were filed with the City Commission Secretary on August 19, 1982, with 30 signatures of protest.

Mr. Burl Beddingfield has lived in the area since 1936. There have been no changes in the neighborhood except for residential development. This is a residential district. He was unable to attend the first hearing, but would like to voice his objection now. North 96th East Avenue in this block is only 25 feet in width, which would not accommodate industrial activity. The road is already used by American Airlines employees and traffic is quite congested.

Mr. Compton advised that access and right-of-way can be handled in the platting process. Restrictions can be placed at that time. There is a 75' setback requirement on IL from any residential district which would give additional buffer. The area was designated as medium intensity



Z-5728 (continued)

knowing there would be some transition because of the Airport and associated uses. The best way to make that transition is to go from one existing IL area and move away in a logical sequence.

Commissioner Kempe moved approval of the application with the explanation that the access and other problems will be addressed in the platting process.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, 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, State of Oklahoma, according to the Recorded Plat thereof; LESS the West Twenty-Five (25) feet of the North 100 feet thereof, heretofore dedicated to public use.

PUD #190-1 Charles Norman - Charter Oaks - 76th Street and Joplin Avenue

Staff Recommendation: - Minor Amendments to PUD #190 - Development Area CL-1

Planned Unit Development No. 190 is approximately 405 acres in size and located between South Yale Avenue and South Sheridan Road, south of East 71st Street. It was approved for a comprehensive approach to a variety of land uses based on a sub-area development process. Development Area CL-1 is a sub-area of the PUD that was proposed to be for a cluster housing use and the applicant is requesting two minor amendments to the development standards for this area, which would change setback requirements and increase the density from 97 to 98 units.

The Staff has reviewed the information submitted by the applicant and the minutes of meetings concerning this area and find:

- (A) That at the July 25, 1979 TMAPC meeting, Area CL-1's total number of units was reduced to 87 and that at the July 15, 1981 TMAPC meeting, Area CL-1's total number of units was increased by 11 units to 98. Then on September 9, 1981, in a major reallocation amendment Area CL-1 was mistakenly allocated only 97 units.

The Staff views this one unit increase back to what had previously been approved as minor in nature and recommends APPROVAL, subject to the commercial area being reduced from 48 to 47.

- (B) The approved setbacks from all uses are as follows:

Minimum yard abutting a street	-- 20 feet,
Minimum setback between buildings	-- 15 feet,
Minimum rear yards	-- 15 feet,

and that the setbacks requested would be as follows:

A minimum building setback for detached single-family dwellings shall be;

Front yard (front entry garage)	-- 20 feet,
Front yard (side entry garage)	-- 10 feet,

PUD #190-1 (continued)

- Side yards -- 5 feet, except where there is a minimum of 10 feet between buildings and each building is at least 3 feet from the property line,
- Rear yard -- 15 feet, except that porches, patios and decks shall be permitted in rear yards.

A minimum building setback for duplex dwelling units shall be;

- Front yard (front entry garage) -- 20 feet,
- Front yard (side entry garage) -- 10 feet,
- Side yards -- 0 feet on one side and 5 feet on the other, except regarding the latter where there is a minimum of 10 feet between buildings and each building is at least 3 feet from the property line,
- Rear yard -- 15 feet, except that porches, patios and decks shall be permitted in rear yards.

A minimum building setback for triplex and fourplex dwelling units shall be;

- Front yard (front entry garage) -- 20 feet,
- Front yard (side entry garage) -- 10 feet,
- Side yards -- 0 feet provided buildings containing 3 or 4 dwelling units shall be separated by at least 15 feet,
- Rear yard -- 15 feet, except that porches, patios and decks shall be permitted in rear yards.

Given the fact that the area would be developed with small lots and the only place a side entry garage would be possible is on a corner lot, the Staff feels this would create a situation where the majority of the homes would be set back 20 feet with only the corner units being set back 10 feet. We cannot support this as minor in nature and would recommend a uniform 18-foot front yard setback and 18-foot side yard setback where there is a side entry garage. The remainder of the request the Staff can support.

Therefore, the Staff feels that the modified setback requests are minor in nature and would recommend APPROVAL, subject to the following conditions:

(A) Detached Single-Family Units:

- Front yard 18 feet,\*\*
- Side yard 5 feet, except where there is a minimum of 10 feet between buildings - one building may be 3 feet from the property line. The front of the side entry garages on any lot shall be at least 18 feet from the side lot line,
- Rear yard 15 feet.\*

(B) Duplex Units:

- Front yard 18 feet,\*\*
- Side yard 0 feet on one side and 5 feet on the other, except regarding the latter where there is a minimum of 10 feet between buildings - one building may

PUD #190-1 (continued)

be 3 feet from the property line. The front of the side entry garages on any lot shall be at least 18 feet from the side lot line, Rear Yard 15 feet.\*

(C) Triplex and Fourplex Units:

Front yard 18 feet,\*\*  
Side yard 0 feet provided buildings containing 3 or 4 dwelling units shall be separated by at least 15 feet. The front of the side entry garages on any lot shall be at least 18 feet from the side lot line,  
Rear yard 15 feet.\*

\*Provided that non-roofed porches, patios and decks shall be permitted in rear yards.

\*\*Provided that on Lot 7, Block 3; Lot 7, Block 2; Lot 1, Block 2; Lot 1, Block 7; and Lot 10, Block 8, the front yard setback shall be 10 feet and the garages shall provide entry from the side yard.

Applicant's Comments:

Mr. Norman could not be present, but is aware of the conditions.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of RICE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the request for minor amendment to PUD #190-1, subject to the conditions set out in the Staff Recommendation.

PUD #275-SP-1 Alberty (Benchmark Condos) SW corner of 91st Street and Yale Avenue

Staff Recommendation: Detail Site Plan -- Phase I Development Area "B"

Planned Unit Development No. 275 is located at the SW corner of East 91st Street and South Yale Avenue. The total PUD is approximately 56 acres in size and was approved for 13 acres of shopping center and office and 43 acres of residential condominium dwelling units. The applicant is phasing the residential portion of the PUD and is requesting Detail Site Plan approval on the 6.39 acre Phase I.

The Staff has reviewed the minutes of the meeting concerned with the Case, the Development Plan, and the Development Text and compared them to the submitted Detail Site Plan and find the following:

<u>ITEM</u>	<u>APPROVED</u>	<u>SUBMITTED</u>	<u>REMAINING</u>
Net Area:	43.04 acres	6.39 acres	36.65 acres
Permitted Uses	Residential Condominium Dwelling Units and Accessory Uses.	Same	Same
Maximum No. Units:	511 Units	80 Units	431 Units
Maximum Building Height:	26 1/2-story	Same	Same
Minimum Livability Area:	23.94 acres	3.36 acres	20.31 acres
Minimum Parking:	1.5 for efficiency or 1-bedroom; 2 for 2 or more bedrooms; (148 required)	Same 158 spaces	Same
Minimum Building Setback:			
From centerline of 91st St.	85 feet	86 feet	
From interior streets	20 feet	20 feet	Same
From west boundary	30 feet	35 feet	
From other buildings	15 feet	25 feet	

Based upon the above review the Staff recommends APPROVAL of the Detail Site Plans for PUD #275 - Development Area "B", Phase I.

It should be noted that the Staff can support the landscaping graphically illustrated on the Detail Site Plan and recommends approval of the Landscape Plan.

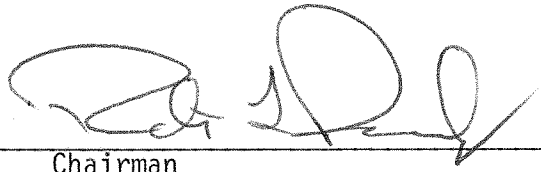
TMAPC Action: 6 members present.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Hennage, Higgins, Hinkle, Kempe, Parmele, Rice, "aye"; no "nays"; no "abstentions"; Freeman, Gardner, Petty, Young, Inhofe, "absent") to approve the Detail Site Plan and Landscape Plan for PUD #275, subject to the conditions set out in the Staff Recommendation.

There being no further business, the Chair adjourned the meeting at 3:10 p.m.

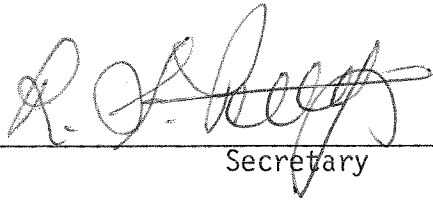
Date Approved \_\_\_\_\_

9-15-82



Chairman

ATTEST:



Secretary

