

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1428  
Wednesday, October 20, 1982, 1:30 p.m.  
Langenheim Auditorium, City Hall,  
Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, on Tuesday, October 19, 1982, at 11:55 a.m., as well as in the Reception Area of the INCOG Offices.

Vice-Chairman Kempe called the meeting to order at 1:45 p.m.

MINUTES:

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to approve the minutes of October 6, 1982 (No. 1426).

REPORTS:

Director's Report:

Mr. Lasker announced there will not be a meeting next Wednesday.

SUBDIVISIONS:

For Preliminary Approval:

Southbrook II Addition (684) 68th Street and South Garnett Road (RS-3)  
The Staff presented the plat with the applicant represented by Gary Howell.

NOTE: This plat has a conditional final approval under the old Subdivision Regulations, subject to conditions. The Staff also noted that the street pattern is identical and only the lot sizes have changed to provide more, smaller lots. This approval has been kept current by extensions of approval from the original submittal. (This was formerly known as "Wedgewood VIII".)

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

Southbrook II Addition (continued)

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

1. Utility easements shall meet the approval of the utility companies. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to the release of the final plat.
3. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to the release of the final plat.
4. A request for a Privately Financed Public Improvement shall be submitted to the City Engineer.
5. Paving and drainage plans shall be approved by the City Engineer, including storm drainage and detention design, subject to criteria approved by the City Commission.
6. Covenants and Deed of Dedication:
  - (a) Include language for water and sewer facilities,
  - (b) include language for storm water and drainageways,
  - (c) include provision that excludes the dedication of easements and streets from the time limits or expirations, and,
  - (d) on page 3, 4th paragraph from end, seems to be out of place and would normally be included in Item "K" on page 2.
7. Show City Limits of Broken Arrow and Tulsa on Garnett, on location map or face of plat.
8. A "letter of assurance" regarding installation of improvements shall be submitted prior to the release of the plat.
9. Show area to south and west as "unplatted".
10. All Subdivision Regulations shall be met prior to release of the final plat.

Village Walk Addition (1794) SE corner of 23rd St. and South Garnett Rd (RM-1)  
The Staff presented the plat with the applicant NOT represented.

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

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

Village Walk Addition (continued)

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (Show overhead lines on south, north and west.)
2. 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. (if needed)
3. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
4. 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.
5. A "letter of assurance" regarding installation of improvements shall be submitted prior to the release of the final plat. (Including documents required under Section 3.6(5) of the Subdivision Regulations.)
6. All Subdivision Regulations shall be met prior to release of the final plat.

The Woodlands Addition (783) South Side of East 75th St., West of  
Trenton Avenue (RM-2)  
The Staff presented the plat with the applicant represented by  
Roy Johnsen.

NOTE: This plat has a SKETCH PLAT approval by the Planning Commission, subject to the conditions.

Since the Planning Commission has approved the SKETCH PLAT eliminating the requirement for expressway dedication, the Staff is reviewing the plat as an ordinary multifamily plat. The applicant has still not submitted any detailed plans on what will be built on the tract, so only a general list of conditions can be made. A site plan should be made available to utilities and City Engineer and Traffic Engineer prior to any release letters being written. Developer is urged to keep as much development away from the southwest corner of the tract as is possible, particularly any buildings. If that part of the plat can be used for parking, drainage, etc., every effort should be made to do so, in order to lower the future cost of land acquisition for the expressway, or parkway, or whatever is to be constructed.

The T.A.C., being consistent with other plats within expressway right-of-way, is NOT recommending waiver of the Major Street Plan requirements. However, since the Planning Commission has waived the Subdivision Regulations requiring conformance with the street plan on the sketch plat, the T.A.C. recommendations apply to those usual conditions on a normal plat. The Staff also noted that even though the Planning Commission may approve and release the final plat, it still must go to the City Commission for signature before it can be filed of record.

The Woodlands Addition (continued)

The Staff or Planning Commission will have no control over how long the plat could be held between final approval of the Planning Commission and signature by the City Commission. That would be up to the applicant to work out with the City if the City Commission elected to delay release pending appraisals or purchase of the necessary right-of-way.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of the Woodlands Addition, subject to the conditions, and noting comments regarding the Major Street Plan requirements, which were waived by the Planning Commission on the sketch plat.

On MOTION of HENNAGE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to approve the Preliminary Plat of The Woodlands 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. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
3. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (The applicant may need to keep his development to the northeasterly part of the tract because of depth of the sewer.)
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (if required)
6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. (Drain to Arkansas River or on-site detention.)
7. All adjacent streets and/or widths thereof, should be identified on the final plat.
8. It is recommended that the developer coordinate with Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for release of the plat.)
9. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

The Woodlands Addition (continued)

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. 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.)
12. All other Subdivision Regulations shall be met prior to the release of the final plat.

NOTE: Not a condition for approval. The restrictions on building height, livability space, etc., in the covenants are more restrictive than the RM-2 zoning. Those restrictions are volunteered by the applicant.

For Final Approval and Release:

Guier Woods IV East (PUD 292) (883) 75th Pl. and S. Harvard (RS-1, RS-2)

Baystone II (3193) N/Side E. 60th St., E. of Peoria (RM-2)

Raintree II (182) SW/c 66th Pl. & S. Peoria (RM-2)

Park City Addition (3692) N. & E. of 61st & S. Madison Ave. (RM-2)

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

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to approve the final plats for Guier Woods IV East Addition, Baystone II Addition, Raintree II Addition and Park City Addition and release same as having met all conditions of approval.

For Waiver of Plat:

Z-5725 Jennings-Robards Addition (3093) 1318 E. 41st Pl. (RM-2)

This is a request to waive plat on Lots 4 and 5, Block 4, since it is already platted and all utilities are available and street improvements in place. (Plat requirement was waived on three (3) lots across the street to the north earlier this year.) The Water Department recommended a water line extension, since only a 2" line is in place and is inadequate to provide service and fire protection.

The Technical Advisory Committee and Staff recommended approval of Waiver of Plat on Z-5725, subject to the conditions.

Z-5725 Jennings-Robards Addition (continued)

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

- (a) Water line extension.

Z-5247 O'Connor Park (1293) 8144-48 East 17th Street (RM-2)

This is a request to waive plat on the East 165' of the N/2, W/2 of Block 8, of this Subdivision since nothing would be gained by a new plat. This will be developed as townhouses, but they will not be on individual lots. Title transfer will be by unit ownership (condominium) and two buildings will be constructed, containing 12 units each.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on Z-5247, subject to the conditions.

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

- (a) Sewer extension,
- (b) on-site detention or "fee in lieu of", and
- (c) utility easements if needed.

Change of Access:

Holliday Hills Center (3393) NW Corner of 61st and Yale (CS)

This is a request to add three access points on an existing shopping center. The Traffic Engineering Department has recommended approval and it is recommended the Planning Commission concur.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to approve the request to change access in Holliday Hills Center Addition.

LOT SPLITS:

For Ratification of Prior Approval:

L-15599 (2893) R.E. Bancom	L-15605 ( 794) I.N. Berman & J.L.
15601 (2183) R.A. Siemens	Diamond
15602 (3602) T.U.R.A.	15607 (2592) Kelly C. Smith
15604 (2073) J.B. McCartney	15608 (1193) George Brewer

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

Lot Splits for Waiver:

L-15597 - Charbo Development Company (182) West of 62nd Street and South Peoria Avenue (CS)

This is to split the East 333' of the South 483.29' of Lot 2, Block 1 Zandbergen Addition into four (4) lots. Three (3) lots will be for office-commercial use on the north and the larger lot on the south will be for mini-storage. (Application pending BOA #12247, 10-28-82) Two of the smaller lots have access to the end of a dedicated cul-de-sac on 62nd Street by way of an access "handle" 15' wide (each). The platting requirement was waived on the initial commercial zoning application (Z-4827) and the right-of-way for 62nd Street was dedicated by separate instrument (Book 4070, Pages 1194-97). The Water Slide on the large, mini-storage lot is to be removed. Since all the land is fully developed around this tract, the Staff sees no objection to the split. The BOA application includes the waiver of frontage on the lot-split, as well as for mini-storage. Drainage plans would be required in the permit process. Additional easements and/or utility extensions may be required.

The Technical Advisory Committee and Staff recommended approval of L-15597, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to approve L-15597, subject to the following conditions:

- (a) Board of Adjustment approval of lot frontages,
- (b) drainage plans in the permit process,
- (c) water main extension to serve the tracts from 62nd Street, and
- (d) standard perimeter easements where needed.

CONTINUED ZONING PUBLIC HEARING:

Z-5750 Pierson (Airport Hotel Group) NW/Quadrant of Intersection of Crosstown Expressway and Gilcrease Expressway IL to CH

A letter was presented from Mr. Brian W. Pierson requesting this application be withdrawn (Exhibit "A-1"). Also submitted was a letter from Mr. Richard Studenny, attorney for the Tulsa Airport Authority, stating they are aware of the request to withdraw the application and, therefore, will not be present at the public hearing to protest (Exhibit "A-2").

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

ZONING PUBLIC HEARINGS

Application No. Z-5759 and PUD 299  
Applicant: Tannehill (Hazen)  
Location: Northeast corner of 81st and Harvard

Present Zoning: RS-1 (RS-1)  
Proposed Zoning: RM-0, OL

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Date of Application: September 2, 1982  
Date of Hearing: October 20, 1982  
Size of Tract: 4.5 acres

Presentation to TMAPC by: Tom Tannehill  
Address: 1918 E. 51st Street

Phone: 749-4694

Relationship to the Comprehensive Plan (Z-5759):

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the RM-0 District may be found in accordance with the Plan Map and OL is not in accordance with the Plan Map.

Staff Recommendation (Z-5759):

The subject tract is located at the NE corner of East 81st Street and South Harvard Avenue. It is 4.5 acres in size, vacant, zoned RS-1 and the applicant is requesting a combination of 1.6 acres of OL zoning on the corner with a 2.9 acre buffer of RM-0 around the east and north sides.

The tract is designated for low-intensity residential and surrounded on three (3) sides by low-intensity residential. In addition, after analyzing the zoning history of this intersection, it is obvious that a nonresidential zoning district (OL) north of 81st Street is clearly inappropriate. The Staff could support the zoning configuration proposed if it were an RM-1 node with an RD buffer, which would allow the applicant to accomplish the companion PUD #299 at lower densities. If the PUD were not developed and the requested OL zoning were approved, the Staff feels a commercial request might then be forthcoming to the detriment of the single-family neighborhood to the west. The difference in topography to the north and east make the higher residential densities at the intersection appropriate.

Therefore, the Staff recommends APPROVAL of RD on the portion advertised RM-0 and DENIAL of the OL zoning. We would suggest a follow-up RM-1 zoning application on the OL portion.

Staff Recommendation (PUD #299):

Planned Unit Development No. 299 is located at the NE corner of East 81st Street and South Harvard Avenue. It is 4.5 acres in size and vacant.

The Staff reviewed the Outline Development Plan and find, if zoned RD and RM-1:

- a) That it harmonizes with the existing and expected development of the surrounding areas,
- b) that it is consistent with the stated purpose and standards of the PUD Chapter, and,
- c) that it is a unified treatment of the development possibilities of the project site.

Therefore, the Staff can support and does recommend APPROVAL of PUD #299 subject to the following conditions and modifications:



- 1) That the applicant rezoned Area "B" to RM-1, making the project consistent with the Comprehensive Plan.
- 2) That the applicant's Plan and Text be made conditions of approval, unless modified herein.
- 3) Development Standards:  
Development Area "A"  
Area (Gross): 2.945 acres  
(Net): 2.375 acres  
Permitted Uses: Residential Townhouses  
Maximum Number of Units: 30 Units\*  
Maximum Building Height: 35 feet  
Minimum Livability Space: 1.18 acres  
Minimum Parking: 60 spaces\*\*  
Minimum Building Setbacks:  
From North & East property lines 20 feet  
From right-of-way Harvard Ave 35 feet  
From right-of-way 81st Street 35 feet  
From boundary of Development Area "B" 20 feet  
From building to building 10 feet  
From drive to building 18 feet

\*Livability and Parking Requirements must be met.

\*\*Parking must be provided outside of garages.

Development Area "B"	
Area (Gross):	1.5978 acre
(Net):	.9160 acre
Permitted Uses:	Light Office*
Maximum Floor Area (.40):	27,840 square feet
Maximum Building Height:	35 feet
	3 stories and basement
Minimum Off-Street Parking:	75 spaces
Minimum Building Setback:	
From right-of-way Harvard Avenue	50 feet
From right-of-way 81st Street	50 feet
From Development Area "A"	50 feet

\*Excludes Broadcasting or Recording Studios, Financial Institutions, Funeral Home and Pharmacy.

- 4) That no equipment for air conditioning, heating, elevator, etc., be located on the roof and that a flat roof not be permitted.
- 5) That all exterior elevations for the office building be designed in such a manner visually that there appears to be no back or service entry side, and that there will be no reflective glass on the west or north sides.
- 6) 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.
- 7) That a Detail Landscape Plan be submitted to and approved by the TMAPC, prior to occupancy of any structure.
- 8) That signs accessory to the office uses shall comply with the restrictions of the PUD Chapter and accessory to the residential shall comply with Section 420.2 (d) (2).

- 9) That an Owner's Association be created to maintain all common areas including private drives, if residential structures are sold now or in the future.
- 10) 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. Tom Tannehill represented Harvard South Development Corporation and the owner, Mr. Paul Hazen, who was also present. When this property was originally platted as Timbercrest, prior to the enactment of any zoning ordinance, this tract was specifically designated by the private restrictive covenants for commercial use. Subsequent development indicates that a commercial classification for some 10 acres would not be appropriate at this location. This property is steeply sloping and an enormous amount of grading will be necessary for development.

Mr. Tannehill did not agree with the Staff Recommendation to decrease the number of units from 43 to 30 units. He did not feel there was justification for saying RD is a better buffer than RM-0, since he would voluntarily reduce the maximum number of units permissible in the residential development from 43, as requested, to 40 units. There is almost 150 to 200 feet separating the north property line of this tract to the closest home, which is owned by Mr. Bill Roberts and sets on top of the hill about 60 feet above the north property line of this tract and about 200 feet to the north. The natural buffer is created by the height difference. The project would not be viable if only 30 units are allowed. There is no zoning or planning consideration which would denote that an RM-0 classification could not be an adequate buffer in this situation.

The Staff was concerned about the offstreet parking for all the units. Each unit will have a two-car garage and cars could be parked in the driveway. However, it is doubtful that some of the units to the south could use the driveway for parking and specific areas have been allocated for guest parking. Also, the northern tier (private street) would be accessible for private parking into these units. He requested a clarification of the zoning code requirements as far as parking in a driveway because he believes offstreet parking should be the driveway, if it fits within the square footage minimum required for offstreet parking.

Mr. Gardner explained that the problem is being able to park cars off the access lanes or streets. The only parking in this project is within the structure itself. Mr. Linker interprets the Zoning Code as separating the driveway from the offstreet parking, stating "...such space to be at least 9' in width by 20' in length, together with a driveway".

Mr. Tannehill commented that if the Commission requires two additional offstreet parking spaces in addition to the two-car garage, then they will comply with this requirement in their final site plan. However, he requests the Commission approve the zoning pattern requested (RM-0) and they will accept a reduction in units from 43 to 40.

In regard to Development Area "B", the plans call for a 3-story, above-ground and one-story, below-ground office building with a floor area of 27,800 square feet. The contract for purchase of the property would not allow for the reduction in the zoning proposed by the Staff. If the Planning Commission would recommend and City Commission approve the OL zoning and the PUD, Mr. Tannehill will submit, at a later date, an application for RM-1 as a condition of the PUD. This way, the property would have to be developed as proposed and be zoned as the Staff recommends. A potential user on this tract is a financial institution and the Staff is excluding this use; therefore, Mr. Tannehill is faced with a dilemma.

Commissioner Young did not wish to agree with the suggestion made by Mr. Tannehill to reapply for RM-1 zoning without some binding assurance this will be done.

<u>Protestants:</u> Gary Neal	Addresses: 502 W. 6th Street
H.B. and June Latting	320 Maravilla Drive,
J.D Mullen	Riverside, CA 92507
	8043 S. Gary Place

Protestants' Comments:

A letter was submitted from Mr. and Mrs. H.B. Latting, the property owners abutting to the east, who vigorously protest this rezoning (Exhibit "B-1").

Mr. Gary Neal was present on behalf of several of the adjoining property owners and presented a petition containing 13 signatures (Exhibit "B-2"). This petition was not circulated until the day before this meeting, but the signatures represent residents who live in close proximity and comprise a vast majority of the property that abuts the subject tract. Since the original restrictive covenants for Timbercrest Addition limited the use of this property to commercial and all of these residents purchased their homes, relying on these covenants, multifamily development should not be permitted. Commercial may increase traffic, noise and lighting, but would do less harm and invade the privacy of the residents to a lesser degree than a multifamily development. The residents would not be opposed to the Staff Recommendation if the density along the property to the north and northeast, zoned RS-1, were to be protected by a buffer of single-story duplexes or single-family residences. This should allow the developer sufficient latitude to make the economics feasible on the corner. It would also protect the seclusion and the view of the homes in the area. Development could be stairstepped down the hill to the corner. He requested the Commission approve the Staff Recommendation; and, in addition, the RD zoning could prohibit any multi-story dwellings to be placed in immediate proximity to the RS-1 structures in existence.

Mr. J.D. Mullen thought this area was suitable for residential, since other areas of the city similar to this location have been developed as single-family.

Applicant's Comments:

Mr. Tannehill stated that nothing built on this tract could be seen from the houses at the top of the hill due to the fact they are so high and the area is heavily wooded. He also requested to be allowed only 10 feet of setback on the south in Development Area "A".

Special Discussion for the Record:

Commissioner Young wondered if the Staff was adamant about the restriction of no financial institutions. Mr. Gardner explained this particular use could be a heavy traffic generator, especially with a drive-in banking facility. Most financial institutions are not built without a drive-in facility.

Commissioner Young asked if the Staff would approve the request for only a 10-foot setback on the south boundary and Mr. Gardner explained adequate open space might be provided because this is the only yard there will be. There is no livability space to speak of, except in the rear of the buildings. However, if the number of dwelling units is cut to 30, per Staff recommendation, there will be enough room. The RM-1 zoning will all be used for the OL floorspace. The only calculation used for dwelling units is the recommended RD portion and this is where the 30 units evolves. The zoning pattern would be low-density apartments (RM-1) on the corner to duplexes (RD), to the existing single-family, which the Staff feels is a proper pattern. The intensity could be decreased, moving northeast from the corner. If the Commission is concerned about the OL zoning request, it could be advertised and presented to the City Commission by the time the applicant schedules the PUD because it only takes 20 days notice to advertise, then he could come back before the Planning Commission.

Commissioner Gardner stated he would support the Staff's recommendation but would make an exception of the financial institutions, excluding the drive-in facilities. Commissioner Young agreed and also thought the RM-1 should be advertised and returned to this Commission for a formal vote.

Mr. Tannehill appreciated the Commission's concern, but advised that the 40 units were more critical to the project than the proposed office.

Instruments Submitted: Letter of protest from Mr. & Mrs. H.B. Latting  
(Exhibit "B-1")  
Protest Petition containing 13 signatures  
(Exhibit "B-2")

TMAPC Action: 6 members present (Z-5759).

On MOTION of GARDNER, the Planning Commission voted 5-0-1 (Gardner, Hennage, Hinkle, Kempe, Young "aye"; Higgins "nay"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to recommend to the Board of City Commissioners that RD zoning be approved on the portion advertised RM-0 and DENIAL of the OL zoning, with a follow-up RM-1 zoning application on the OL portion, based on the Staff Recommendation for the following described property:

RD

A tract of land, containing 2.945 acres, that is part of Section 9, T-18-N, R-13-E, Tulsa County, Oklahoma and Lot 6 in Block 3 of "Timbercrest Addition", a subdivision to Tulsa County, Oklahoma, said tract of land being described as follows, to-wit: "Beginning at a Point" parallel to and 80' West of the Westerly line of Lot 6, said point being 240.00' Northerly of the Southwest corner thereof; thence N 0°01'47" W along the Westerly line of Lot 6 for 228.58' to a point parallel to and 80' West of the Northwest corner of Lot 6; thence due East along the Northerly line of Lot 6 for 425.39' to the

Northeast corner of Lot 6; thence S 1°26'31" W along the Easterly line of Lot 6 for 93.56' to a corner of Lot 6; thence S 0°17'48" W along the Easterly line of Lot 6 for 374.94' to a point fifty feet South of and parallel to the Southeast corner of Lot 6; thence S 89°58'57" W along the Southerly line of Lot 6 for 131.13'; thence N 0°01'47" W and parallel to the Westerly line of Lot 6 for 240'; thence S 89°58'57" W and parallel to the Southerly line of Lot 6 for 290.00' to the "Point of Beginning" of said tract of land.

TMAPC Action: 6 members present (PUD 299).

On MOTION of YOUNG, the Planning Commission voted 5-0-1 (Gardner, Hennage, Hinkle, Kempe, Young "aye"; Higgins "nay"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to recommend to the Board of City Commissioners that the PUD on the following described property be approved, subject to the RM-1 zoning application being submitted; a reduction of the setback from Development Area "B" boundary from 20 feet to 10 feet; and, that financial institutions, excluding drive-in facilities, be allowed, subject to all other conditions set out in the Staff Recommendation:

A tract of land, containing 2.945 acres, that is part of Section 9 T18N-R13E, Tulsa County, Oklahoma and Lot 6 in Block 3 of "Timbercrest Addition", a subdivision to Tulsa County, Oklahoma, said tract of land being described as follows, to-wit:

"Beginning at a Point" parallel to and 80' West of the Westerly line of Lot 6, said point being 240.00' Northerly of the Southwest corner thereof; thence N 0°01'47" W along the Westerly line of Lot 6 for 228.58' to a point parallel to and 80' West of the Northwest corner of Lot 6; thence due East along the Northerly line of Lot 6 for 425.39' to the Northeast corner of Lot 6; thence S 1°26'31" W along the Easterly line of Lot 6 for 93.56' to a corner of Lot 6; thence S 0°17'48" W along the Easterly line of Lot 6 for 374.94' to a point fifty feet South of and parallel to the Southeast corner of Lot 6; thence S 89°58'57" W along the Southerly line of Lot 6 for 131.13'; thence N 0°01'47" W and parallel to the Westerly line of Lot 6 for 240.00'; thence S 89°58'57" W and parallel to the Southerly line of Lot 6 for 290.00' to the "Point of Beginning" of said tract of land.

and

A tract of land, containing 1.5978 acres, that is part of Section 9 T18N-R13E, Tulsa County, Oklahoma and part of Lot 6 in Block 3 of "Timbercrest Addition", a subdivision to Tulsa County, Oklahoma, said tract of land being described as follows, to-wit:

"Beginning at a Point" that is the Southwest corner of said Section 9, Thence N 0°01'47" W along the Westerly line of Lot 6 for 240.00'; thence N 89°58'57" E and parallel to the Southerly line of Lot 6 for 290.00'; thence S 0°01'47" E and parallel to the Westerly line of Lot 6 for 240.00' to a point on the Southerly line of Lot 6; thence S 89°58'57" W along said Southerly line for 290.00' to the "Point of Beginning" of said tract of land.

Application No. PUD 198-B  
 Applicant: Graber (Nash & Lagere)  
 Location: Southeast corner of 61st and Lakewood

Present Zoning: (RM-1, RM-2,  
 PUD 198-A)

Date of Application: September 16, 1982  
 Date of Hearing: October 20, 1982  
 Size of Tract: 4.2 acres

Presentation to TMAPC by: Jim Graber  
 Address: 5200 S. Harvard

Phone: 747-8028

Staff Recommendation:

Planned Unit Development No. 198-B is located at the southeast corner of East 61st Street and South Lakewood Avenue. The applicant is requesting to revise the development conditions for Development Area "A", which is a 4.2 acre tract located on approximately the south two-thirds of the total PUD.

The Staff has reviewed the approved conditions and compared them to the proposed application and find the following:

ITEM	PUD #198-A	PUD #198-B	DIFFERENCE
Area:	4.2 acres	4.2 acres	No change
Permitted Uses:	Townhouse/Cluster and Accessory	Apartments & Accessory	Reduced Size of Units
Maximum number of units:	44 Units	84 Units	+40 Units*
Minimum Livability Space:	1,200 sq. ft. - 1.21 acre	1,050 sq ft. - 2.02 acres	+.81 acre
Off-Street Parking:	3 per unit - 132 spaces	Per Code - 156 spaces	+24 spaces
Maximum Building Height:	26 feet	35 feet	No change because of Code revisions
Minimum Building Setbacks:			
North & South Boundaries	15 feet	15 feet	No change
West Boundary	20 feet	20 feet	No change
East Boundary	15 feet	15 feet	No change
Between Buildings	10 feet	10 feet	No change
From Access Driveways	20 feet	10 feet	-10 feet

\*Underlying zoning permits approximately 130 dwelling units.

In addition, a review of the Outline Plan shows two access points will be provided onto Lakewood Avenue and one onto Maplewood Avenue or East 62nd Street, but no internal cross access is shown.

An analysis of the changes shows that the applicant is proposing more units as a whole, but the type of units are 1 and 2 bedroom apartments as opposed to 2 and 3 bedroom townhouses with the overall land coverage being less than the initial PUD. Because of this, the livability space overall will actually increase by .81 acre. There would also be only a 24 parking space increase in this proposal because PUD 198-A was proposing 3 parking spaces per unit.

PUD #198-B (continued)

Finally, we found a reduction of what would basically be the front yard from 20 feet to 10 feet because the townhouse proposal was providing a 20-foot driveway to each unit.

Based on the above review, the Staff can support and recommends APPROVAL of PUD #198-B, subject to the following conditions:

- 1) That the applicant's Plans and Text be made conditions of approval, unless modified herein.
- 2) Development Standards:

ITEM	PUD #198-A	PUD #198-B	DIFFERENCE
Area:	4.2 acres	4.2 acres	No change
Permitted Uses:	Townhouse/Cluster and Accessory	Apartments & Accessory	Reduced Size of Units
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North & South Boundaries	15 feet	15 feet	No change
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East Boundary	15 feet	15 feet	No change
Between Buildings	10 feet	10 feet	No change
From Access Driveways	20 feet	10 feet	-10 feet

\*Underlying zoning permits approximately 130 dwelling units.

- 3) That emergency access be provided between the two parking lots along the north portion of the tract.
- 4) 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.
- 5) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy.
- 6) That signs shall conform to the requirements of Section 420.2(d) (2).
- 7) That no building permit shall be issued until the requirements of Section 260 of the Code has been met and amended covenants submitted to and approved by the TMAPC and filed of record in the County Clerk's Office, incorporating within it the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Jim Graber was present on behalf of the applicant. This application raises the number of units from the original PUD but is actually a lower number than the zoning would allow. There are two accesses, one from Maplewood Avenue and one from Lakewood Avenue. He agrees with the Staff Recommendation for emergency access. The proposed units will be medium to high rent and will be built for future condominium conversions. All the living units will be above the commercial to the north because of the steep terrain.

Protestant: Ms. Corrine Bode

Address: 6113 S. Lakewood

Interested Party: Mr. Ross D. Clark  
Mr. John Benjamin

Addresses: 4720 E. 51st St. - 74135  
6030 S. Lakewood

Protestant's Comments:

Ms. Corrine Bode lives in and owns a duplex across the street from the subject property. The street is very small and she did not think 84 units could be accommodated, since the subject tract contains a steep hill. She was not notified of this hearing through the mail and requested a continuance in order to contact other residents. Commissioner Young explained that a continuance must be requested three days in advance of the hearing. He also explained that the PUD gives the Commission controls over the development which would not be the case if the owner developed the land under straight zoning.

Interested Party's Comments:

Mr. John Benjamin is in favor of this project because this particular area is considered a public nuisance due to trail bikes and four-wheel drive vehicles that are driven over the property at all times. There is quite a bit of water runoff and he is present on behalf of the residents in his neighborhood to encourage approval of this application as a means to improve the area.

A letter was submitted from Mr. Ross D. Clark supporting the project (Exhibit "C-1").

Applicant's Comments:

Mr. Graber commented that there will be no cross traffic except for emergency access, so the maximum number of units that would affect Lakewood Avenue would be 42 units. There is a retention pond planned, which should help the runoff problems.

Instruments Submitted: Letter of support from Mr. Ross D. Clark (Exhibit "C-1")

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be approved for PUD 198 as amended, subject to the conditions set out in the Staff Recommendation:

All of Lot 1, Block 2, Del Prado, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, less and except the North 160' thereof containing 183,000 square feet.



PUD 300 Johnsen (Design & Decoration Center) NE/c 81st & Sheridan (CS, RM-0, PUD 222)

A letter was presented from Roy Johnsen requesting this item be continued until November 3, 1982 (Exhibit "D-1").

On MOTION of YOUNG, the Planning Commission voted 6-0-0 (Gardner, Hennage, Higgins, Hinkle, Kempe, Young "aye"; no "nays"; no "abstentions"; Freeman, Parmele, Petty, Rice, Inhofe "absent") to continue consideration of PUD 300 until November 3, 1982, at 1:30 p.m. in Langenheimer Auditorium, City Hall, Tulsa Civic Center.

Due to lack of quorum, the following items were continued until November 3, 1982, at 1:30 p.m. in Langenheimer Auditorium, City Hall, Tulsa Civic Center:

PUD 111-B Sullivan (Salvation Army) NE & NW of 31st St. S. & 136th E. Ave. (RS-3)

Z-5760 Nichols (Billingsley) 4903 E. 2nd RS-2 to RM-1

PUD 301 Nichols (Billingsley) 4903 E. 2nd (RS-2)

Other Business:

PUD 213 Charles Norman Community Village, S. of 31st St. & 90th E. Ave.

PUD 190 Shack, Smith Southslope Condominiums, Development Area "B"

PUD 267 Norman Village South SE/c 101st & Sheridan

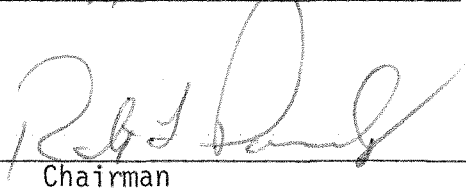
PUD 246 Norman Corporate Oaks Planning Unit NE/c 71st & Yale

PUD 190-16 Lonnie Day Lot 4, Block 5, Minshall Park I

The meeting adjourned at 3:00 p.m.

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

11-3-82

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary

