

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1438
Wednesday, January 12, 1983, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Gardner	Hennage	Chisum	Linker, Legal Dept.
Higgins	Miller	Compton	
Hinkle	C. Young	Gardner	
Kempe, 1st Vice- Chairman	Inhofe	Lasker	
Parmeale, Chairman			
Petty, Secretary			
T. Young			

The notice and agenda of said meeting were posted in the office of the City Auditor, Room 919, City Hall, at 9:50 a.m., as well as in the Reception Area of the INCOG Offices.

Chairman Parmeale called the meeting to order at 2:10 p.m.

REPORTS:

Director's Report:

Mr. Jerry Lasker advised the Commission that the City Commission has referred the matter concerning automatic expiration of PUD's back to the Planning Commission, requesting more information. This will be studied further by the Staff and will be presented to the Planning Commission at a future meeting.

The Staff is looking at next year's program and Mr. Lasker requested the Commission inform the Staff if they have any suggestions.

CONTINUED PUBLIC HEARING:

Application Z-5765
Applicant: Moody (Pennington)
Location: 4200 South 33rd West Avenue

Present Zoning: CS, RS-3
Proposed Zoning: CG

Date of Application: October 8, 1982
Date of Hearing: January 12, 1983
Size of Tract: 250' x 140'

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

Phone: 588-2651

Relationship to the Comprehensive Plan:

The District 9 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 CG District is not in accordance with the Plan Map.

Staff Recommendation:

The subject tract is located east of the intersection of 42nd Street South and 33rd West Avenue. It is 250' x 140' in size, contains one vacant single-family structure, is zoned a combination of CS and RS-3, and the applicant is requesting CG. The tract is abutted on the northwest, north and east by single-family dwellings zoned RS-3; on the south by a single-family structure zoned RS-3; and west by single-family dwellings zoned RM-2.

Based on the Comprehensive Plan designation, the surrounding land uses, and the zoning patterns in the area, the Staff cannot support the requested zoning.

Therefore, the Staff recommends DENIAL of the requested CG or CS zoning.

For the record, the Board of Adjustment is the proper Board to address any change in the land use, since a change in zoning is unwarranted given the existing physical facts in the area.

Mr. Gardner stated that, in talking with Mr. Moody, the Staff could support OL zoning, which could be found on that portion of the tract north of the existing CS, which would give him an opportunity to apply to the Board of Adjustment.

Applicant's Comments:

Mr. John Moody represented J & G Construction Company, who propose to construct an office/wholesale warehouse complex, which would not be a retail center. A CG zoning classification would be required to allow a project of this type by right. This property touches CG zoning at the southeast corner, there is an isolated island of RS-3 that is surrounded by CS and CG and there is RM-2 zoning across the street. Corridor zoning might have been considered; or, in recognition of the industrial development in the area, CG zoning would seem appropriate. However, after discussion with Mr. Gardner, Mr. Moody is willing to accept the recommendation of OL with

Application No. Z-5765 (continued)

a Board of Adjustment special exception. The OL would apply only to the north 100 feet of the tract. The south 150 feet is presently zoned CS. Mr. Garnder explained this is an unusual request that proposes one building with offices in front and storage in the back and no access to the north or east.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned OL on the north 100 feet and to remain CS on the south 150 feet:

Legal per Notice:

The North 100 feet of the West 150 feet of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 27, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof, AND A tract of land in the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 27, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, more particularly described as follows, to-wit: Beginning at the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 27; thence South 761.7 feet; thence East 30 feet for the point of beginning; thence East 150 feet; thence South 150 feet; thence West 150 feet; thence North 150 feet, to the point of beginning.

Legal per Planning Commission Action:

OL - The North 100 feet of the West 150 feet of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 27, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof.

Z-5770 Nichols (Hardesty Development Co.) 71st Street South and South
Sheridan Road in PUD #190

Mr. Bob Nichols was present and advised the Commission that this application is to be withdrawn.

The Chair, without objection, withdrew this item.

ZONING PUBLIC HEARING:

Application No. Z-5787 & PUD #306 Present Zoning: RM-2, RM-1, RS-3, AG
and FD
Applicant: William B. Jones Proposed Zoning: CS, RM-0, RM-1, RS-3
and FD
Location: Between 91st Street and 101st Street South, both sides of Delaware

Date of Application: November 18, 1982
Date of Hearing: January 12, 1983
Size of Tract: 273.4 acres

Presentation to TMAPC by: William B. Jones
Address: 201 West 5th Street

Phone: 581-8200

Request for Continuance:

Mr. Gene Buzzard was present for several homeowners in the Sycamore Hills Addition and requested a continuance of this zoning and PUD. However, Mr. Bill Jones, attorney for the applicants, would be opposed to the continuance due to the fact that several representatives of the development company were present from California. The application has been processed accordingly and he has met with the homeowners on two occasions. This is the first he has heard of a request for continuance and ample opportunity has been given them to request a timely continuance before this hearing. Mr. Jones is aware of the problem with the right-of-way for a future expressway and will meet with public officials before the case is heard by the City Commission.

Mr. Buzzard advised that the continuance is requested to study questions about traffic studies and the creek existing on the subject tract. Definite plans have not been presented to the homeowners. Mr. Eric Westerman represented homeowners in the Cedarcrest Addition, and also, requested a continuance because they did not receive notice of this proposed change. Mr. Jones explained Cedarcrest Addition is within 300 feet of this tract, but all of the developed lots are not within 300 feet.

Chairman Parmele commented it is the policy of the TMAPC to grant a continuance if it is timely, so that everyone can be notified of such a request. Since the applicant and representatives from California are present, Chairman Parmele thought the cases should be heard.

On MOTION of PETTY, the Planning Commission voted 6-0-1 (Gardner, Higgins, Hinkle, Parmele, Petty, T. Young, "aye"; no "nays"; Kempe, "abstaining, Hennage, Miller, C. Young, Inhofe, "absent") to deny the request to continue Z-5787 and PUD #306.

Relationship to the Comprehensive Plan: (Z-5787)

The District 26 and 18 Plans, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Medium Intensity-- No Specific Land Use and Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the CS and RS-3 Districts are in accordance with the Plan Map and the RM-0 and RM-1 Districts may be found in accordance with the Plan Map.

Z-5787 and PUD #306 (continued)

Staff Recommendation: (Z-5787)

The subject tract is located north and east of the intersection of South Delaware Avenue and 101st Street. It extends north to 91st Street and west to the Arkansas River. It is 273.4 acres in size, primarily vacant, except for a few single-family structures, is zoned a combination of RM-1, RS-3, AG, and FD, and the applicant is requesting a combination of CS, RM-0, RM-1, and RS-3 zoning. The tract is abutted on the north by vacant land and several commercial uses zoned RM-2, RD, OL, and CS, on the east by single-family neighborhoods zoned RS-2, on the south by mostly vacant land zoned RM-1, OM, and AG.

That portion of the tract west of Delaware Avenue is existing RM-1 and the applicant is requesting RM-1, so the Staff sees no reason to review a change. That portion in the Arkansas River is appropriate for FD Floodway, but is not advertised for same. It is not appropriate for RM-1 zoning. The 300' strip of RM-1 along the east side of Delaware is a "may-be-found", and since it fronts existing RM-1 and OM zoning, the Staff can also support that part of the request. The RM-1 and CS requested at the northeast corner of 101st Street and Delaware Avenue is consistent with the Comprehensive Plan and would be a standard node zoning pattern, which the Staff can support. The RM-1 tract on the north side of the project is abutted on the west by RM-2 and on the east by RM-0. Given the existing zoning pattern, the Staff can support this RM-1 request. The remainder of the tract is requested to be rezoned to RS-3, which is consistent with the Plan and can be supported by the Staff.

A major concern the Staff has, however, is the Creek Freeway which remains on the adopted Major Street and Highway Plan, but is not shown on the proposed PUD #306 Site Plan. The Staff believes the Creek Freeway is not only needed, but will be needed much sooner than earlier studies indicated. In discussions with the applicants, they are willing to preserve the right-of-way at substantially higher intensities than those proposed today, if in fact the area is to become an expressway corridor sometime in the near future. However, without City commitment to build the Creek Freeway, the increased corridor densities cannot be justified.

To complicate matters there are no functional plans available for the amended location of the Creek Freeway and its interchange with Delaware Avenue and 101st Street, as depicted on the District 26 Comprehensive Plan Map. Taking the time to develop functional plans at this time serves no useful purpose if the City is not committed at this time to protecting the Creek Freeway right-of-way and developing a plan to serve the future traffic needs of the area.

The Staff could support a reasonable delay at the request of the City Engineer if it would lead to the preservation of the Freeway right-of-way. We would also be supportive of CO Corridor zoning and amendment to the PUD if the Freeway is to be reserved. However, without such commitment and agreement, the Staff would recommend APPROVAL of the zoning patterns (CS, RM-1, RS-3 and RM-0) as requested.

PUD #306 and Z-5787 (continued)

Staff Recommendation: (PUD #306)

Planned Unit Development No. 306 is located south and east of the intersection of South Delaware Avenue and 91st Street. It is 273.4 acres in size, mostly vacant, except for a few large lot single-family residences, is zoned a combination of CS, RM-1, RM-0, RM-2, and FD, and the applicant is requesting PUD approval for a combination of commercial, office, multi-family and single-family uses.

As pointed out in the Staff Recommendation on the application for the underlying zoning (Z-5787), the Staff has a major concern that the PUD at present, does not take into consideration the Creek and Riverside Expressway intersections as shown on the adopted Major Street and Highway Plan, or the diagonal leg of the Creek Expressway that meets up with the Jenks Comprehensive Plan and is a part of the adopted District 26 Comprehensive Plan. However, given all other factors the proposal is consistent with the Comprehensive Plan, expected development of the surrounding area, and with the stated purposes and standards of the PUD Chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #306, subject to the following conditions:

- 1) That the applicant's Outline Development Plan be made a condition of approval unless modified herein.
- 2) Development Standards:

Area	Use	Acres	Units	Bulk and Area
A	Multifamily	11.5	195	RM-0
B	Single-Family Detached	14.8	88	(SF) RS-3
C	Single-Family	16.6	95	RS-3
D	Multifamily	30.0	635	RM-1
E*	Multifamily/Office	25.3	390	(MF) RM-2 (Off.) OL
F	Multifamily	17.7	340	RM-1
G	Single-Family, Cluster, or low density Multi- family	33.0	322	(SF) RS-3 (Cluster or MF), RM-T
H	Multifamily	43.0	570	RM-0
I	Multifamily	22.1	552	RM-1
J**	Commercial	10.0		CS
K	Multifamily	8.7	222	RM-1
		<u>232.7</u>	<u>3,409</u>	
	Channel	26.0		
	River	<u>14.7</u>		
	Total Acres	<u>273.4</u>		

*Area E: North of the collector street will be 13 acres and 390 units. South of the collector street will be 12.3 acres to be developed as offices not to exceed 175,000 sq. ft. of floor space.

**Area J: To be developed to typical CS uses, with floor area not to exceed 150,000 sq. ft. (permitted by zoning, 217,800 sq. ft.).

Any units located within 100 feet of the north boundary of Sycamore Hill may not exceed one (1) story.

For commercial development of Area "J", building height shall be limited to two (2) stories and comply in all other respects with applicable ordinances.

Development of offices in Area "E" shall comply with requirements applicable to OL Districts, except that office development shall be permitted to a floor area maximum of 175,000 sq. ft. and a height of two (2) stories.

3) SIGN STANDARDS:

Commercial and Office Uses: Signs accessory to office and commercial uses shall comply with the restrictions of the Planned Unit Development Ordinance of the City of Tulsa.

Residential Uses: Signs accessory to residential uses shall comply with the restrictions of the Planned Unit Development Ordinance of the City of Tulsa, except that ground signs identifying each project may be located at each public street entrance to a project. Ground signs so located shall be constructed of masonry, brick, or heavy wood materials. Maximum height of such signs shall be eight (8) feet and shall not exceed two hundred (200) square feet of display area.

Major Entry Features: Monument signs constructed of masonry, brick, or heavy wood materials identifying the overall area may be placed at each entrance to be a maximum height of eight (8) feet and shall not exceed three hundred (300) square feet of display area.

- 4) That a Detail Landscape Plan be submitted by development area to and approved by the TMAPC prior to occupancy, including berms, fencing, and open space as outlined in the Development Text.
- 5) That a Detail Site Plan be submitted to, and approved by the TMAPC, by development area, prior to the issuance of a building permit.
- 6) That Homeowner's Associations be established to maintain any common areas.
- 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 of the PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.
- 8) That the subdivision plat shall provide for the construction of the Vensel Creek Improvement Project (PFPI #91) and that no building permits shall be issued until the improvements are either completed or

PUD #306 and Z-5787 (continued)

such improvements are guaranteed by bonding with the City of Tulsa to their satisfaction and approved by the City Engineer.

Applicant's Comments:

Mr. Bill Jones submitted copies of the Development Text (Exhibit "A-1") and two photographs showing airplane views of the site (Exhibit "A-2").

Mr. Jones informed the Commission that the applicant is The Grupe Company from Stockton, California, who have developments in various cities around the country. The property is in the area proposed for the Creek Expressway. The real estate broker retained in Tulsa advised the applicants to consult with an engineer concerning the floodplain and the plans for the expressway. The engineer advised them there are existing housing additions that are within the proposed right-of-way of the expressway, making the construction of the expressway in that location doubtful. Various City officials also conveyed the impression it is too late to develop the expressway because of existing development. However, there is the possibility that the expressway will be relocated. If it is relocated, all developers along the proposed relocation will be requesting Corridor zoning. The plan presented to the Commission assumes that the expressway will not be built and presents a low to medium density residential development.

This will be a large PUD (over 270 acres) because it is The Grupe Company's objective to engage in total community development. The subject tract has never been improved, but surrounding tracts have been developed. About 95% of this tract is in the floodplain which has caused the land to be flat with very few trees. Water from approximately 2,000 acres of land flows across this property to the Arkansas River. Mr. Jones' applicants propose to build a huge drainage ditch, which the City has already designed to accommodate the water from the entire 2,000 acres. The projected cost is 3-million dollars. The Grupe Company has agreed to construct this project under PFPI #91 and build it to City specifications. He showed the Commission where the drainage channel would be built and explained this will be a concrete-lined channel varying in width from 60 feet to 250 feet and will empty into the Arkansas River. A bridge will also be needed across Delaware which will accommodate the width of the projected primary arterial street.

The physical facts of the tract dictated how the zoning and development would occur. There is also a natural gas line across the tract, as well as transmission lines from Public Service and a pipeline from Continental Pipeline. The highest elevation on this tract is 650 feet, whereas the land in Sycamore Hills slopes from 670 feet to about 620 feet. The only portion of the tract that is above 640 feet is in the northeast and will be on the east side of the new channel. The soil is mostly sandy and has been used for agricultural purposes. The northern portion of the tract is presently zoned RM-2 and RM-1 and a substantial portion is zoned FD, RS-3 and the balance of AG. The zoning pattern is a standard 10 acres of a type 2 node (permitted at the intersection of a primary and secondary) with an RM-0 wrap-around. The RM-1 is justified by the existence of the development and zoning patterns between Delaware and the River. The tracts on the west side of Delaware and east of the tennis club are included in the PUD, but they are already zoned RM-1 and RM-2. The proposed zoning complies with the Comprehensive Plan and also complies strictly with the Guidelines for the City of Tulsa as they now exist. The proposal is for 3,409 units, but the underlying zoning would permit 3,809 units.

Streets surrounding the property were taken into consideration. To the south is a mixed primary and secondary arterial (101st Street) and to the west is Delaware which is a primary arterial, with 91st Street on the north being a secondary arterial. All access to the tract is from either secondary or primary arterials.

Mr. Jones discussed the development concept of the PUD. Development of the channel will take over a year. Due to changes in the economy and living styles of Tulsa residents over this period of time, Mr. Jones cannot say that the tract will be developed in a particular manner. There are two basic geographical areas — north and south of the channel. The channel will separate the proposed development from both Sycamore Hills and Silver Chase Additions. The development plan contemplates the existence of a major collector street that provides access to each of the Development Areas "A" through "K". Plans through the City Engineer for drainage do not provide improvement for the creek that runs through the cemetery on the east side. Development Area "B" will have to exit onto Harvard, which has been vacated south of this property by Ordinance. If this is developed according to the proposed plan, Harvard will have to be improved with consent of other property owners in the area. The Grupe Company recognizes the existence of single-family homes in the area and consequently has designated low-intensity in Development Area "B".

Area "G" is projected for single-family cluster homes or low-density multifamily, recognizing that the buffer between this tract and the property to the east would be the channel and elevation difference.

Higher intensity would be concentrated at Delaware Avenue and would decrease in intensity as the tract goes east. There will be internal circulation streets within each development area. Each project will be divided by landscaping, physical separation or fencing. There is only one exit onto 101st Street from the entire tract and is approximately 2,000 feet from the corner. Also, there are only 3 exits onto Delaware, which has almost 3,500 feet of frontage. Traffic will be stacked in the project instead of on a major street. Only one exit will be on 91st Street and two on Harvard.

This development will take about five to ten years to complete. Construction will begin on the north portion of the tract and move south with the utilities. There is adequate sewer and water around the entire tract. Each of the areas will require a subdivision plat, a detail site plan and a landscape plan.

Mr. Bill Jirsa, Vice President of The Grupe Company, presented slides of projects that the company has completed in various cities around the country. He also presented a company brochure that explains the company (Exhibit "A-3").

Mr. Jones agrees with the Staff recommendation, except on Area "B". The Staff has recommended detached, single-family under RS-3 standards and the application calls for single-family clustered homes. The PUD Text provides that any homes within 100 feet of the north line of Sycamore Hills would be single-story, rather than two-story.

Z-5787 and PUD #306 (continued)

Based on conversations with the City Engineer, the applicant will be required to contract only contractors approved by the City to construct the channel. Payment, performance, completion and maintenance would all have to be bonded. Mr. Jones requested that, once the City Engineer is satisfied that the contract has been let to a bonded contractor approved by that Department, construction could begin but no units be occupied until completion of the channel. Mr. Gardner advised that the Staff had no problems with such a request, as long as the project is bonded for completion.

Mr. Gardner continued that the Staff would prefer conventional single-family homes south of the creek, and is next to the existing Sycamore Hills Addition because it would be more compatible and consistent.

Mr. Jones then explained that Development Area "E" would be multifamily on the north side of the collector street with office or multifamily on the south with no commercial in this area.

Interested Parties: John Puroff Addresses: Box 146; Jenks, Okla.
Stewart Gibbs 9343 South Gary Ave.

Interested Parties Comments:

Mr. John Puroff owns 40 acres across 101st Street from the subject property and has truck farmed his property. He believes the drainage channel improvements are a good idea because it will help the area if it helps the flooding problems.

Mr. Stewart Gibbs lives in Sycamore Hills and was concerned about the small bridge over Harvard. He felt this tributary should be considered because of the severe flooding problem.

Protestants: Gene Buzzard Addresses: Philtower Building
Mike Murray 9411 South Gary Avenue
Tom Wenrick 2930 East 51st Street
Roy Hogarden 9414 South Gary Avenue

Protestants' Comments:

Mr. Gene Buzzard represents a few homeowners in the Sycamore Hills. The smallest lot in Sycamore Hills is approximately .98 acre and the homes are in the \$500,000-and-up range. These residents moved into this setting for a semi-rural setting. The addition sets on top of a hill and is surrounded by natural creeks and woods. They realize that the area will be developed, but have particular concerns about development in Area "B". Although the developer has stated there are 14.4 acres, only about 3.4 acres south of the creek and 4.3 acres north of the creek could be developed. Therefore, the requested 88 units of cluster housing would be placed on approximately 7 acres instead of 14.

Also, Harvard is not a major arterial, is very narrow and ends just south of the entrance to Sycamore Hills. The City Engineering Department advised Mr. Buzzard that it is impossible to continue Harvard south because of the topography. There is a ridge that is impractical to consider traversing.

Mr. Buzzard did not feel a proper buffer zone has been applied. Multifamily development next to RS-1 is incompatible. Traffic in this area

is extremely intense, especially across the Jenks bridge. The residents are not concerned with the number of collector streets, but how much traffic is going to be "dumped" onto the main streets which are already overburdened.

After studying the slides presented by Mr. Jirsa of existing Grupe Company developments, Mr. Buzzard concluded these are intensely developed areas. He does not understand the term "...an entire spectrum of lifestyles". The protestants request that, if expensive homes are to be built, they be developed next to the existing homes, which would place them in Area "B".

Mr. Mike Murray also lives in Sycamore Hills Addition. He has been advised by the City Engineering Department that the proposed Creek Expressway will not be built and finds it inconceivable at best because of the numerous developments on the expressway route, some of which are extremely expensive. The developers of Sycamore Hills own a considerable portion of the subject tract. He has been told that the developers are neutral on this consideration, but he did not see how they could be. The area around the proposed project consists of very substantial homes. Also, the traffic is extremely intense in this area. Mr. Murray is sure that The Grupe Company constructs quality projects, but the slides shown by Mr. Jirsa illustrated the fact that the developments were constructed next to four or six lane highways.

Mr. Tom Wenrick, developer of Silver Chase Addition representing the Homeowner's Association, explained that the residences in Silver Chase average .81 acre per unit. About 92 of the lots have been sold and the houses are valued from \$350,000 to \$600,000. Mr. Wenrick is concerned about the density in Development Area "G". He is concerned about a development being rooftop to rooftop. A more gradual change of density is desired. The streets need to be widened in order to accommodate such an influx of traffic. Other developers in Tulsa have taken care of such a problem.

Another consideration would be the water pressure. Decreased water pressure is common in this area. Mr. Wenrick recommended a lower density in Area "G" as well as in Area "B".

Applicant's Comments:

Mr. Jones did not feel that one developer can solve the traffic problems in Tulsa. It is not concentrated in this area alone. This is a residential PUD and is in accordance with the Comprehensive Plan. The land has to be developed based on the street patterns planned by the City. None of the traffic from the proposed development would be routed through another addition.

The creek winding through Development Area "B" is a substantial one, but the City has not (to date) required any improvement on this segment. In order to get a portion of the 14.4 acres out of the floodplain, something would have to be done with the creek. This causes a dilemma because a 50-foot channel would be needed, as well as a new bridge over Harvard, to take care of the creek water, which would destroy many of the big trees along the creek.

Regardless of the development in Area "B", Harvard will have to be developed to the south because there is a shopping center and RM-0 already in place. Harvard is a public street and Mr. Jones was not sure how improvement could be made.

In conclusion, this PUD and zoning are in compliance with the Comprehensive Plan and Development Guidelines; the developer is spending private dollars to benefit 2,000 acres with a public improvement; and, this project will create more jobs for Tulsa residents.

Commissioner T. Young wondered if the Vensel Creek Plan called for a concrete channel from Harvard to the joining of a channel moving north and south. Mr. Henry Daubert, engineer, was present. The floodplain does not come close to the north boundary of Sycamore Hills Addition. The channel, if left in its natural state, would suffice under the Master Plan. If any improvement is made, the full length will have to be improved and meet the City's standard designs. With the steep slope, the most practical way to develop is with a lined channel. The proposed plan is to leave the branch of the creek that goes from the boundary of Sycamore over to Harvard in its natural state. His company has done an inventory of the trees and a preliminary alignment of the channel and improvement would destroy a lot of good trees. Mr. Jones explained that the total 14 acres cannot be developed if the creek is left in its natural state.

Commissioner T. Young asked if improvement to the bridge on Harvard and improvement to the creek would be a detriment to the development. Mr. Bill Jirsa answered that if the Commission restricts Area "B" to single-family on either side of the creek, the creek would not be improved. The cost benefit would not permit it. Mr. Daubert had been consulted as to the probability of expanding the existing creek to the capacity to handle flood waters to expand the buildable property without constructing a concrete-lined channel. City standards would not permit anything less than a concrete channel. It is his understanding that they would be responsible for picking up water west of Harvard. He is not being asked to resolve the problem of flooding over the bridge.

Commissioner T. Young asked if Mr. Jirsa would be willing to transfer multifamily from Area "G" into Area "B" in return for some additional drainage improvements. Mr. Jirsa explained that the overall concept is to have lower density to the east and increase density to the west. There is approximately 50 feet of grade and heavy tree coverage between this property and Silver Chase Addition. It is separated by a lot more landscaping than would be from Sycamore Hills Addition. He feels multifamily should be put more to the west.

Mr. T. Young then questioned Mr. Stewart Gibbs to determine if the residents would consider improvement on the drainage problem to be more significant than a higher density. Mr. Gibbs explained that they are not asking for improvement of the channel or bridge, merely stating the status of the area. He is more concerned with the heavy density than the fact that the people in this development might have water in their yard.

Z-5787 and PUD #306 (continued)

Commissioner T. Young asked about easements for future widening of 91st, 101st and Delaware to City standards. Mr. Jirsa advised they have complied with the Major Street and Highway Plan.

Mr. Roy Hogarden is also concerned about the 88 units being so close to Sycamore Hills.

Special Discussion for the Record:

Commissioner T. Young requested the maximum number of units that could be built under RS-2 in Area "B" on 14 acres and Mr. Compton advised approximately 52 units on 14 acres. Chairman Parmele suggested dividing Area "B" into two sections on either side of the creek, restricting the area south of the creek to detached single-family and clustered housing on the north side. Mr. Compton could agree to such a compromise because the Staff's concern is with the transition. From the discussion today, the Staff would have no problem with restricting just the south side. Chairman Parmele would like to see the south side of the creek restricted to RS-2 single-family detached housing. He is not so concerned about the north side because it also adjoins apartments to the north.

Commissioner T. Young thought such a restriction could be placed on Area "G" as well, because the Continental Pipeline runs through that area. He suggested restricting the area south of the pipeline to single-family, clustered housing and no multifamily. Then multifamily could be placed north of the pipeline.

Mr. Jirsa suggested a development standard in the PUD that would limit development in the south part of Area "B" to RS-2 development standards. In Area "G", there is a different situation. He has reviewed the northern part and the southern part in different contexts. It seems more appropriate to progress from 101st to a lower density in the corner, since the collector feeds into 101st Street. Therefore, he has planned approximately 12.8 units per acre in the southern area of "G". On the northern portion, it is his plan for approximately 6 units per acre with patio, clustered homes. Chairman Parmele advised that the Commission sees it just the opposite. The density would be the same, but the Commission would like to provide some separation from Silver Chase Addition. Mr. Jirsa still feels that the higher intensity should be along 101st Street, the major street. North of pipeline is approximately 14.8 acres and south is approximately 18.2 acres. Commissioner T. Young suggested the same acreage be used, simply reverse the uses and Mr. Jirsa agreed this could be done.

TMAPC Action: 7 members present (Z-5787):

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS, RM-1, RS-3 and RM-0 as requested with the exception of the portion of the PUD Development Area "B" south of the creek (referred to as Area "B-1") be rezoned RS-2 and the area north of the creek in Development Area "B" (referred to as Area "B-2") be zoned RS-3:

Z-5787 and PUD #306 (continued)

Z-5787 -- Legal Per Notice

CS

SW/4 SW/4 SE/4 of Section 20, Township 18 North, Range 13 East in the City of Tulsa, Tulsa County, Oklahoma, containing 10 acres more or less.

RM-0

East 300 feet of the West 960 feet of the South 960 feet, and the East 360 feet of the West 660 feet of the North 300 feet of the South 960 feet of the SW/4 SE/4 of Section 20, T18N, R13E, in the City of Tulsa, Tulsa County, Oklahoma, containing 9.091 acres more or less.

RM-1

The West 300 feet of the SW/4 of the NE/4 and the West 300 feet of the SE/4, less the South 660 feet thereof, all in Section 20, T18N, R13E in the City of Tulsa, Tulsa County, Oklahoma, containing 22.7353 acres more or less.

RM-1

The W/2 of the NE/4 of the NE/4 of Section 20, T18N, R13E in the City of Tulsa, Tulsa County, Oklahoma, containing 20.098 acres more or less.

RM-1

All of Lot 5 and the area of the Arkansas River adjoining Lot 5 bounded by the prolongation of the north and south boundaries of Lot 5 and the centerline of the Arkansas River, less the North 430.27 feet and less the South 100 feet thereof, all in Section 20, T18N, R13E, in Tulsa County, Oklahoma, containing 25.856 acres more or less.

RS-3

The SE/4 of the NE/4 of the NE/4 of Section 20, T18N, R13E, in the City of Tulsa, Tulsa County, Oklahoma, containing 10.057 acres more or less.

RS-3

A tract of land in the E/2 of Section 20, T18N, R13E in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

BEGINNING at the Southeast corner of said E/2; thence South 88° 44'04" West along the South boundary of said E/2 a distance of 1,688.63 feet; thence North 1°06'03" West a distance of 960.0 feet; thence South 88° 44'04" West a distance of 660.0 feet; thence North 1°06'03" West a distance of 3,001.36 feet; thence North 88° 40'02" East a distance of 1,484.66 feet to the Northwest corner of Sycamore Hill Addition; thence South 1°07'29" East along the West boundary of Sycamore Hill Addition a distance of 1,324.25 feet; thence continuing along the Southwesterly boundary of Sycamore Hill Addition North 88° 44'38" East a distance of 73.86 feet; South 34° 57'09" East a distance of 1,181.54 feet; and North 88° 44'48" a distance of 130.0 feet to a point in the East boundary of said E/2; thence South 1°08'55" East along the East boundary of said E/2 a distance of 1,655.66 feet to the point of beginning, containing 162.427 acres more or less.

Z-5787 -- Legal Per Planning Commission Action

CS

SW/4 SW/4 SE/4 of Section 20, T18N, R13E, in the City of Tulsa, Tulsa County, Oklahoma, containing 10 acres more or less.

RM-0

East 300 feet of the West 960 feet of the South 960 feet, and the East 360 feet of the West 660 feet of the North 300 feet of the South 960 feet of the SW/4 SE/4 of Section 20, T18N, R13E, in the City of Tulsa, Tulsa County, Oklahoma, containing 9.091 acres more or less.

RM-1

The West 300 feet of the SW/4 of the NE/4 and the West 300 feet of the SE/4, less the South 660 feet thereof, all in Section 20, T18N, R13E in the City of Tulsa, Tulsa County, Oklahoma, containing 22.7353 acres more or less.

RM-1

The W/2 of the NE/4 of the NE/4 of Section 20, T18N, R13E in the City of Tulsa, Tulsa County, Oklahoma, containing 20.098 acres more or less.

FINAL LEGAL FURNISHED BY APPLICANT:

RS-2

The S/4 of the NE/4 of the NE/4 of Section 20, T18N, R13E, in the City of Tulsa, Tulsa County, Oklahoma, LESS and EXCEPT that portion North of the Creek.

FINAL LEGAL FURNISHED BY APPLICANT:

RS-3

The SE/4 of the NE/4 of the NE/4 of Section 20, T18N, R13E, in the City of Tulsa, Tulsa County, Oklahoma, LESS and EXCEPT that portion South of the Creek.

RS-3

A tract of land in the E/2 of Section 20, T18N, R13E in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

BEGINNING at the Southeast corner of said E/2; thence South 88° 44'04" West along the South boundary of said E/2 a distance of 1,688.63 feet; thence North 1°06'03" West a distance of 960.0 feet; thence South 88° 44'04" West a distance of 660.0 feet; thence North 1°06'03" West a distance of 3,001.36 feet; thence North 88° 40'02" East a distance of 1,484.66 feet to the Northwest corner of Sycamore Hill Addition; thence South 1°07'29" East along the West boundary of Sycamore Hill Addition a distance of 1,324.25 feet; thence continuing along the Southwesterly boundary of Sycamore Hill Addition North 88° 44'48" East a distance of 73.86 feet; South 34° 57'09" East a distance of 1,181.54 feet; and North 88° 44'48" a distance of 130.0 feet to a point in the East boundary of said E/2; thence South 1°08'55" East along the East boundary of said E/2 a distance of 1,655.66 feet to the point of beginning, containing 162.427 acres more or less.

PUD #306 and Z-5787 (continued)

TMAPC Action: 7 members present (PUD #306):

On MOTION of T. Young, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions set out in the Staff Recommendation and the following exceptions:

That Development Area "B" be divided into two portions - Area "B-1: south of the channel and Area "B-2" north of the channel.

That Area "B-1" be restricted to single-family detached homes under RS-2 standards.

That Area "B-2" be restricted to single-family or single-family cluster under RS-3 standards.

That Area "G" be divided into two portions - Area "G-1" comprising 14.8 acres beginning at 101st Street extending north, and the area north of Area "G-1" be Area "G-2" comprising approximately 18.2 acres.

That Area "G-1" be single-family and single-family cluster only; and, that Area "G-2" be single-family cluster or multifamily.

PUD #306 Legal Description:

The SW/4 SW/4 SE/4 of Section 20, Township 18 North, Range 13 East, in the City of Tulsa, Tulsa County, Oklahoma, containing 10 acres more or less.

East 300 feet of the West 960 feet of the South 960 feet, and the East 360 feet of the West 660 feet of the North 300 feet of the South 960 feet of the SW/4 SE/4 of Section 20, Township 18 North, Range 13 East, in the City of Tulsa, Tulsa County, Oklahoma, containing 9.091 acres more or less.

The West 300 feet of the SW/4 of the NE/4 of the West 300 feet of the SE/4, less the South 660 feet thereof, all in Section 20, Township 18 North, Range 13 East in the City of Tulsa, Tulsa County, Oklahoma, containing 22.7353 acres more or less.

The W/2 of the NE/4 of the NE/4 of Section 20, Township 18 North, Range 13 East in the City of Tulsa, Tulsa County, Oklahoma, containing 20.098 acres more or less.

All of Lot 5 and the area of the Arkansas River adjoining Lot 5 bounded by the prolongation of the north and south boundaries of Lot 5 and the centerline of the Arkansas River, less the North 430.27 feet and less the South 100 feet thereof, all in Section 20, Township 18 North, Range 13 East, in Tulsa County, Oklahoma, containing 25.856 acres more or less.

PUD #306 and Z-5787 (continued)

The SE/4 of the NE/4 of the NE/4 of Section 20, Township 18 North, Range 13 East, in the City of Tulsa, Tulsa County, Oklahoma, containing 10.057 acres more or less.

A tract of land in the E/2 of Section 20, Township 18 North, Range 13 East in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at the Southeast corner of said E/2; thence South $88^{\circ}44'04''$ West along the South boundary of said E/2 a distance of 1,688.63 feet; thence North $1^{\circ}06'03''$ West a distance of 960.0 feet; thence South $88^{\circ}44'04''$ West a distance of 660.0 feet; thence North $1^{\circ}06'03''$ West a distance of 3,001.36 feet; thence North $88^{\circ}40'02''$ East a distance of 1,484.66 feet to the Northwest corner of Sycamore Hill Addition; thence South $1^{\circ}07'29''$ East along the West boundary of Sycamore Hill Addition a distance of 1,324.25 feet; thence continuing along the Southwesterly boundary of Sycamore Hill Addition North $88^{\circ}44'48''$ East a distance of 73.86 feet; South $34^{\circ}57'09''$ East a distance of 1,181.54 feet; and North $88^{\circ}44'48''$ East a distance of 130.0 feet to a point in the East boundary of said E/2; thence South $1^{\circ}08'55''$ East along the East boundary of said E/2 a distance of 1,655.66 feet to the point of beginning, containing 162.427 acres more or less.

A tract of land in the E/2 NW/4 NE/4 of Section 20, Township 18 North, Range 13 East in the City of Tulsa, Tulsa County, Oklahoma, more particularly described as follows:

Beginning at the Northeast corner of said E/2; thence South $1^{\circ}07'29''$ East along the East boundary of said E/2 a distance of 1,323.61 feet to the Southeast corner of said E/2; thence South $88^{\circ}40'01''$ West along the South boundary of said E/2 a distance of 661.31 feet; thence North $1^{\circ}06'49''$ West a distance of 602.69 feet; thence North $88^{\circ}35'14''$ East a distance of 480.0 feet; thence North $1^{\circ}06'49''$ West a distance of 720.0 feet to a point in the North boundary of said E/2; thence North $88^{\circ}35'14''$ East a distance of 181.06 feet to the Point of Beginning, containing 12.150 acres more or less.

Application No. CZ-69
Applicant: Floyd Simpson
Location: 7101 North Peoria Avenue

Present Zoning: RS-2
Proposed Zoning: CG

Date of Application: November 22, 1982
Date of Hearing: January 12, 1983
Size of Tract: 210' x 300'

Presentation to TMAPC by: Floyd Simpson
Address: 7101 North Peoria Avenue - 74126
Phone: 425-6409

Relationship to the Comprehensive Plan:

The District 24 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Peoria Special District -- Commercial Development.

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

Staff Recommendation:

The subject tract is 1.45 acres, more or less, in size and is located on the northeast corner of Peoria Avenue and 71st Street North. The tract contains two structures and is abutted to the east by a church. North, south and west of the subject tract are residential single-family dwellings. The structure to the south appears to be converted for commercial business. Southwest of the subject tract is industrial zoned property containing an auto repair and small salvage without zoning approval.

The Staff recommends DENIAL of the requested CG zoning and APPROVAL of CS zoning due to the Comprehensive Plan and the surrounding conditions.

For the record, auto repair would require Board of Adjustment approval if the property were zoned CS.

Applicant's Comments:

Mr. Floyd Simpson owns the subject property and would like to rezone the tract to open a garage. Chairman Parmele explained that the Staff is recommending approval of CS and a Board of Adjustment special exception could be granted to operate a garage.

Protestants: Raymond Gorley Addresses: 1634 East 75th Street
 Jerry Harris 7234 North Trenton Avenue
 Glenna Cooley 7128 North Peoria Avenue

Protestant's Comments:

Mr. Raymond Gorley lives in the Golden Hills Addition and is a member of the Golden Hills Baptist Church, which is next to the subject property. He is protesting the rezoning request as a church member due to the problem of disturbance on Sunday morning. There have been problems with the salvage which is across the street from the Church and adjacent to additional property owned by the Church. As a representative of the Church, he requests the tract remain residential.

Mr. Jerry Harris is also a member of the Church and stated that the garage is already operating. There are car chassis setting around the tract. He also mentioned the salvage which is a nonconforming use and is afraid the

Application No. CZ-69 (continued)

subject tract will end up as a salvage yard. The residents were not aware until now that these tracts were nonconforming.

Mr. Gardner explained that the Staff conducted a study of North Peoria a few years ago and there were no junk or salvage yards at that time. Therefore, these uses are illegal, not merely nonconforming. An auto-repair would be permitted in an IL zone, but not a salvage. He informed the residents to get in touch with the County Building Inspector concerning the illegal uses.

Chairman Parmele explained that the CS zoning recommended by the Staff would force the applicant to apply to the Board of Adjustment, who could put restrictions on business hours, screening fence, etc.

Mrs. Glenna Cooley felt the Commission had answered all of her questions; however, between 66th Street North and 76th Street North there are 20 pieces of property that have repair or body shops, used cars or salvage. She realizes that North Peoria is good for business, but there are also homes in this area.

Applicant's Comments:

The applicant had no further comments.

TMAPC Action: 6 members present.

On MOTION of HINKLE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; "abstentions"; Hennage, Miller, C. Young, T. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned CS, per Staff Recommendation:

Lot 7, Block 7, Golden Hills Addition, Tulsa County, Oklahoma.

CZ-70 Russell R. Rumsey North side of 98th Street North, West of what would
be Peoria Avenue AG to RMH

A letter was presented from Mr. Dwight L. Smith with Eller and Detrich requesting this item be continued for two weeks (Exhibit "B-1"). Also presented was a letter of protest from Dr. Jack C. Fenimore, Superintendent of Sperry Public Schools (Exhibit "B-2") and a protest petition containing 68 signatures (Exhibit "B-3").

On MOTION of HINKLE, the Planning Commission voted 5-0-1 (Gardner, Higgins, Hinkle, Parmele, Petty, "aye"; no "nays"; T. Young, "abstaining"; Hennage, Kempe, Miller, C. Young, Inhofe, "absent") to continue consideration of CZ-70 until January 26, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-71

Present Zoning: AG

Applicant: Jack E. Avant

Proposed Zoning: RMH

Location: 4/10 of a mile West of Highway #11 on 136th Street North

Date of Application: November 30, 1982

Date of Hearing: January 12, 1983

Size of Tract: 60 acres

Presentation to TMAPC by: Jack E. Avant

Address: 542 E. Chestnut; Skiatook - 74070

Phone: 288-6512

Request for Continuance:

Mr. Charles Seger represented property owners to the west of the proposed tract. Notice was not received except from the sign on the property and they have not had time to study the situation. The applicant objected to the request.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, T. Young "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, Inhofe "absent") to deny the request for continuance.

Relationship to the Comprehensive Plan:

The District 13 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity Development - Maximum 5 dwelling units per acre.

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

Staff Recommendation (Amended):

The subject tract is 60 acres (more or less) in size and is vacant. It is surrounded on all sides by single-family dwellings on large lots. The subject tract is located south of 136th Street North and west of Highway #11. According to the "Tulsa Metropolitan Area, A General Guide to Floodplain Areas of Local Streams" the eastern portion of the tract is located in the 100-year floodplain.

Due to the fact that a portion of the tract is located in the 100-year floodplain and based on the existing surrounding land use and densities, the Staff recommends DENIAL of the RMH request and APPROVAL of RS on that portion identified by the applicant and County Engineer as being out of the 100-year floodplain.

A letter was also presented from the Community Planning Division advising that the Skiatook Board of Trustees has given full support to the proposed RMH development (Exhibit "C-1").

Applicant's Comments:

Mr. Jack Avant advised that the map is inaccurate. To the west of the stream, the ground rises sharply to an elevation of 100 feet. Only about 10 acres on the east side would flood. Mr. Gardner agreed that the map is in error. The

portion in the floodplain is across the handle of land to the east and northeast. With this information, the Staff would amend its recommendation to approve RS zoning and the County Board of Adjustment could approve mobile homes on RS-size lots. The Skiatook Board of Trustees based their decision on Mr. Avant's proposal and the only zoning pattern that would be required to allow the project to be built as proposed would be the RS category with Board of Adjustment approval. Mr. Avant advised that the density would be low due to the outcome of the percolation tests. These will be on separate septic systems, so each lot has to be at least 1½ acre. Commissioner Petty would agree with the amended Staff Recommendation if this is the case.

MOTION was made by PETTY, second by GARDNER, to approve the amended Staff Recommendation for RS zoning.

Special Discussion for the Record:

Chairman Parmele did not want to require Mr. Avant to go to the Board of Adjustment. The septic system would require large lots. Evidently, the mobile home use is appropriate.

Instruments Submitted:

Memo from Community Planning Division advising of Skiatook decision
(Exhibit "C-1")
Letter of protest due to sewage system (no name on letter)
(Exhibit "C-2")

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 5-1-0 (Gardner, Higgins, Hinkle, Kempe, Petty "aye"; Parmele "nay"; no "abstentions"; Hennage, Miller, C. Young, T. Young, Inhofe "absent") to recommend to the Board of County Commissioners that the following described property be rezoned RS, less and except that portion designated as floodplain, per the amended Staff Recommendation:

Legal per Notice

The N/2 of SW/4 of NE/4 and S/2 of NW/4 of NE/4 and SW/4 of NE/4 of NE/4 and a parcel described as follows: Beginning at the NW corner of the NE/4 of Section 35 T-22-N R-12-E. Thence S 89°59'54" along the North line of the NE/4 a distance of 383.3 ft.; thence S 0°00'06" W a distance of 466.7 feet; thence S 89°59'54" a distance of 933.4 feet; thence S 0°17'54" W a distance of 194.0 feet; thence N 89°51'58" W a distance of 1,319.97 feet to a point on the West line of said NE/4. Thence N 0°22'25" E along said West line a distance of 657.67 feet to the point of beginning, containing 60 acres more or less.

Legal per Planning Commission Action:

(To be determined by applicant and County Engineer.)

Application No. Z-5788 and PUD 307 Present Zoning: RS-3
Applicant: Nyander (Jewish Federation of Tulsa) Proposed Zoning: OM
Location: 2021 E. 71st Street South

Date of Application: December 2, 1982
Date of Hearing: January 12, 1983
Size of Tract: 20 acres

Presentation to TMAPC by: Jewish Federation of Tulsa
Address: 2021 E. 71st Street South - 74136 Phone: 495-1100

Relationship to the Comprehensive Plan:

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

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

Staff Recommendation (Z-5788):

The subject tract presently contains Camp Shalom, which is a Community Recreational and Culture Center and related facilities. North and south of the Center is an apartment complex. West of the subject tract is an office park and to the east an office complex under construction.

The Staff recommends APPROVAL of the requested OM zoning due to the existing OM zoning on three sides of the subject tract. It would be impractical for the tract to develop as single-family at this time due to the surrounding conditions. The Staff also recommends that the Comprehensive Plan for District 18 be amended to reflect this change.

Staff Recommendation (PUD #307):

Planned Unit Development No. 307 is located west of the northwest corner of South Lewis Avenue and 71st Street. It is 20 acres in size, contains an existing community recreational and culture facility and the applicant is requesting a PUD to allow an elderly housing and extended care facility to be added to the existing recreational facility. If the accompanying OM zoning application is approved as recommended, the underlying zoning would then be OM. The tract is abutted on the north by apartments zoned RM-1, on the east by a two-story office complex zoned OM, on the south by Kensington Shopping Center and an apartment complex zoned CS and OM and on the west by an office complex zoned OM and PUD.

The existing facility contains slightly less than 44,000 square feet of floor area, which in turn requires 88,000 square feet of the lot area to be used to support this facility under the OM zoning. This in return would allow the remainder of the tract, 783,200 square feet, to be used to support the residential and extended care dwelling units. The OM zoning equates to RM-2 standards and the above cited square-footage would support in excess of 600 units on the subject tract.

Based upon this review and a review of the submitted Outline Development Plan, the Staff finds PUD #307 to be:

Z-5788 and PUD #307 (continued)

- 1) Consistent with the Comprehensive Plan;
- 2) in harmony with the expected development of the area; and
- 3) consistent with the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #307, subject to the following conditions:

- 1) That the applicant's Outline Development Plan be a condition of approval.
- 2) Development Standards:

Existing Facility
(South Portion)

Gross Area:	12.1 acres
Permitted Uses:	Existing
Maximum Floor Area:	Existing
Maximum Building Height:	Existing
Minimum Setbacks:	
From East, West and South Property Line:	Existing
From North Development Line:	0 feet
Minimum Parking:	Existing

Elderly Housing and Extended Care Facility
(North Portion)

Gross Area:	7.9 acres
Permitted Uses:	Elderly Housing Apartments, Extended Care Facility, Administration Office, Dining Facilities and Accessory Uses.

Maximum Number of Units:	171 units
Multi-Story Housing -	
Phase I:	60 units
Phase II:	60 units
<u>Total</u>	<u>120 units</u>

Health Care Facility -	
Phase I:	34 units
Phase II:	17 units
<u>Total</u>	<u>51 units</u>

Maximum Building Height:	6 stories
Minimum Setbacks:	
From South Development Line:	40 feet
From East Property Line:	140 feet
From North Property Line:	80 feet
From West Property Line:	20 feet

Minimum Parking:	
Phase I:	117 spaces
Phase II:	106 spaces

Minimum Livability Space:	4.25 acres
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Z-5788 and PUD #307 (continued)

- 3) That a Detail Site Plan be submitted to and approved by the TMAPC, prior to the issuance of a building permit.
- 4) That one sign be permitted at the entrance off of 71st Street and that it shall not exceed 32 square feet of surface area, 20 feet in height and illumination (if any) shall be by constant light.
- 5) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy, including sign location and design.
- 6) 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:

The applicant had no objections to the Staff Recommendation and conditions.

Protestants: None.

Z-5788 - TMAPC Action: 6 members present.

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

The East one-half of the Southwest Quarter of the Southeast Quarter of Section 6, Township 18 North, Range 13 East, Tulsa County, State of Oklahoma.

PUD 307 - TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, T. Young, Inhofe "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the conditions set out in the Staff Recommendation:

Z-5788 and PUD #307 (continued)

The East Half of the Southwest Quarter of the Southeast
Quarter of Section 6, Township 18 North, Range 13 East,
Tulsa County, State of Oklahoma.

Application No. Z-4900-SP-1 Present Zoning: (C0)
Applicant: Johnsen (Grant) Site Plan Review
Location: South of the SE corner of 71st Street and Mingo Road

Date of Application: December 2, 1982
Date of Hearing: January 12, 1983
Size of Tract: 16.6 acres

Presentation to TMAPC by: Roy Johnsen
Address: 324 Main Mall - Suite 900 - 74103 Phone: 585-5641

Staff Recommendation - Site Plan Review:

The subject tract is located approximately 1,000 feet south of the south-east corner of 71st Street and South Mingo Road. It is 16.58 acres in size, vacant, zoned C0, and the applicant is requesting Site Plan approval.

The applicant is proposing a suburban residential community of multi-family dwellings, which is intended to be built in two phases. Phase I will consist of 297 dwellings developed on 11.5 acres, and Phase II will be not more than 175 dwellings developed on a tract of 5.04 acres.

The applicant has submitted a text which covers in detail the manner in which both Phases are to be developed. In addition, he has submitted a Site Plan which is intended to be the final and Detail Site Plan for Phase I and an Illustrative Site Plan of Phase II.

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

Therefore, the Staff recommends APPROVAL of the Detail Site Plan and Text for Phase I and the Illustrative Site Plan and Text for Phase II, subject to the following conditions:

- 1) That the applicant's Plans and Texts be made conditions of approval.
- 2) Development Standards:

	<u>PHASE I</u>	
Phase I Gross Area:		11.54 acres
Permitted Uses:		Multifamily dwellings and customary accessory uses, including clubhouse, pool, tennis courts and other recreational facilities.
Maximum No. of Dwelling Units:		297 units
Minimum Livability Space per Dwelling Unit:		300 square feet
Maximum Land Coverage of Buildings		28%

Z-4900-SP-1 (Continued)

Maximum Building Height:	43 feet
Maximum Number of Stories:	3 stories
Minimum Setback Between Buildings:	10 feet
Minimum Building Setback From Centerline of Abutting Arterial Public Street:	100 feet
Minimum Building Setback From Centerline of Abutting Nonarterial Public Street:	50 feet
Minimum Building Setback From Other Boundaries of Phase I:	10 feet
Off-Street Parking:	1-1/2 spaces per 1 bedroom unit and 2 spaces per 2, or more bedroom units.

Signs: Signs shall be limited to 3 monument signs not exceeding six (6) feet in height and eighteen (18) feet in width.

PHASE II

Phase II Gross Area:	5.04 acres
Permitted Uses:	Multifamily dwellings and customary accessory uses, including clubhouse, pool, tennis courts and other recreational facilities.
Maximum No. of Dwelling Units:	175 units
Minimum Livability Space Per Dwelling Unit:	300 square feet
Maximum Land Coverage of Buildings:	28%
Maximum Building Height:	43 feet
Maximum Number of Stories:	3 stories
Minimum Setback Between Buildings:	10 feet
Minimum Building Setback From Centerline of Abutting Nonarterial Public Street:	50 feet
Minimum Building Setback From Other Boundaries of Phase II:	10 feet
Off-Street Parking:	1-1/2 spaces per 1 bedroom unit and 2 spaces per 2, or more bedroom units.

Signs: Signs shall be limited to 1 monument sign not exceeding six (6) feet in height and eighteen (18) feet in width.

- 3) That a Detail Site Plan for Phase II be submitted to, and approved by, the TMAPC prior to the issuance of any building permits in that area.
- 4) That a Detail Landscape Plan by phase be submitted to, and approved by, the TMAPC prior to occupancy, including the design, lighting and landscaping of all signs.
- 5) That no building permit shall be issued until the property has been included within a subdivision plat, submitted to, and approved by

Z-4900-SP-1 (continued)

the TMAPC, and filed of record in the County Clerk's Office, incorporating within the restrictive covenants and CO conditions of approval, making the City of Tulsa beneficiary to said covenants.

Applicant's Comments:

Mr. Roy Johnsen was present and had no objections to the Staff Recommendation. There will be a subsequent Detail Site Plan on Phase II. This Site Plan today is on the irregularly shaped tract in Phase I.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the Site Plan on the following described property be approved, per conditions set out in the Staff Recommendation:

A tract of land located in a part of Lots 1 and 2 of Section 7, Township 18 North, Range 14 East, Tulsa County, Oklahoma, being more particularly described as follows:

Commencing at the Northwest corner of Section 7, Township 18 North, Range 14 East, Tulsa County, Oklahoma, said point also being the Northwest corner of Lot 1 of said Section 7; thence South 0⁰⁰'00" West along the West line of said Section 7 a distance of 952.80 feet to the point of beginning; thence South 90⁰⁰'00" East a distance of 360.00 feet to a point of curve to the left; thence along said curve to the left having a central angle of 45⁰⁰'00", a radius of 335.00 feet, an initial tangent bearing of South 90⁰⁰'00" East a distance of 263.11 feet to a point; thence North 45⁰⁰'00" East a distance of 244.31 feet to a point; thence South 45⁰⁰'00" East a distance of 315.49 feet to a point; thence South 90⁰⁰'00" East a distance of 243.22 feet to a point on the east line of Lot 1 of said Section 7; thence South 0⁰⁹'58" West a distance of 427.90 feet to a point on the East line of Lot 2 of said Section 7; thence North 90⁰⁰'00" West a distance of 524.36 feet to a point of curve to the right; thence along said curve to the right having a central angle of 8⁵⁹'07", a radius of 195.00 feet, an initial tangent bearing of North 11⁰⁰'53" East a distance of 30.58 feet to a point; thence North 20⁰⁰'00" East a distance of 21.45 feet to a point; thence North 70⁰⁰'00" West a distance of 60.00 feet to a point; thence North 90⁰⁰'00" West a distance of 660.47 feet to a point on the West line of said Section 7; thence North 0⁰⁰'00" East along the West line of Section 7 a distance of 310.00 feet to the point of beginning, containing 502,690.79 square feet or 11.540 acres more or less.

AND

A tract of land located in a part of Lot 2 of Section 7, Township 18 North, Range 14 East, Tulsa County, Oklahoma, being more particularly described as follows:

Commencing at the Northwest corner of Section 7, Township 18 North, Range 14 East, Tulsa County, Oklahoma, said point also being the

Z-4900-SP-1 (continued)

Northwest corner of Lot 1 of said Section 7; thence South $0^{\circ}00'00''$ West along the West line of said Section 7 a distance of 1262.80 feet to a point; thence South $90^{\circ}00'00''$ East a distance of 660.47 feet to a point; thence South $70^{\circ}00'00''$ East a distance of 60.00 feet to a point; thence South $20^{\circ}00'00''$ West a distance of 21.45 feet to a point of curve to the left; thence along said curve to the left having a central angle of $8^{\circ}59'07''$, a radius of 195.00 feet, an initial tangent bearing of South $20^{\circ}00'00''$ West a distance of 30.58 feet to the point of beginning; thence South $90^{\circ}00'00''$ East a distance of 524.36 feet to a point on the East line of Lot 2 of said Section 7; thence South $0^{\circ}09'58''$ West along the East line of said Lot 2 a distance of 507.47 feet to a point; thence North $89^{\circ}50'02''$ West a distance of 55.52 feet to a point of curve to the right; thence along said curve to the right having a central angle of $23^{\circ}50'02''$, a radius of 250.00 feet, an initial tangent bearing of North $89^{\circ}50'02''$ West a distance of 104.00 feet to a point; thence North $66^{\circ}00'00''$ West a distance of 120.00 feet to a point of curve to the left; thence along said curve to the left having a central angle of $24^{\circ}00'00''$, a radius of 200.00 feet, an initial tangent bearing of North $66^{\circ}00'00''$ West a distance of 83.78 feet to a point; thence North $90^{\circ}00'00''$ West a distance of 101.96 feet to a point of curve to the left; thence along said curve to the left having a central angle of $7^{\circ}03'13''$, a radius of 285.00 feet, an initial tangent bearing of North $7^{\circ}03'13''$ East a distance of 35.09 feet to a point; thence North $0^{\circ}00'00''$ East a distance of 40.00 feet to a point of curve to the left; thence along said curve to the left having a central angle of $25^{\circ}00'00''$, a radius of 425.00 feet, and initial tangent bearing of North $0^{\circ}00'00''$ East a distance of 185.44 feet to a point; thence North $25^{\circ}00'00''$ West a distance of 50.00 feet to a point of curve to the right; thence along said curve to the right having a central angle of $36^{\circ}00'53''$, a radius of 195.00 feet, an initial tangent bearing of North $25^{\circ}00'00''$ West a distance of 122.57 feet to the point of beginning. Containing 219,670.66 square feet or 5.043 acres more or less.

Application No. PUD 190-D
Applicant: Nichols
Location: 71st Street and South Sheridan Road

Present Zoning: (RS-3)

Date of Application: December 2, 1982
Date of Hearing: January 12, 1983
Size of Tract: 69.9253 acres

Presentation to TMAPC by: Robert J. Nichols
Address: 115 West 5th Street, Suite 800 - 74103 Phone: 582-3222

Request for Continuance:

Ms. Ann Winkler, 5508 East 76th Street, stated that the neighborhood only heard about this application last Sunday. From comments made in the October meeting, the residents believed it would take 6 months to re-apply.

Mr. Bob Nichols advised that changes have been made in the application and two meetings have been held with the Homeowner's Association and groups in the area. Notice has been given and posted on the property.

TMAPC Action: 7 members present.

On MOTION of PETTY, the Planning Commission voted 7-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, T. Young, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, Inhofe, "absent") to deny the request for continuance.

Staff Recommendation:

Planned Unit Development No. 190-D is a subarea of PUD #190, Minshall Park. It is approximately 70 acres in size, vacant, approved for single-family use, and the applicant is now requesting an amendment to allow a combination of duplex, small lot single-family, and large lot single-family.

The applicant is proposing to develop a total of 287 dwelling units by using the 190 units allocated to this subarea, plus 47 units from the original PUD allocation that have not been allocated to a specific subarea, plus 50 additional units supported by using RS-3 Duplex density on 14.18 acres along the west side of the tract. The Plan as presented, is the result of several meetings with the Staff, neighborhood representatives and the applicant.

The Staff has reviewed this request and feels that the RS-3 Duplex density along the west side of the tract is appropriate because of the existing multifamily to the west and the mixture of duplexes and single-family to the north. In addition, the Staff has reviewed the Outline Development Plan and find PUD #190-D to be; a) consistent with the Comprehensive Plan, b) in harmony with the existing and expected development of the area, and c) consistent with the PUD Chapter.

Therefore, the Staff recommends APPROVAL of PUD #190-D, subject to the following conditions:

- 1) That the applicant's Outline Development Plan be a condition of approval.
- 2) Development Standards:

Application No. 190-D (continued)

1. Duplex Development Area:

Gross Area:	11.02 acres
Permitted Uses:	Single-family attached dwellings (no more than two dwellings), two-family dwellings (duplexes), single-family dwellings, open space area, public streets.
Maximum No. of Units:	68 units
Minimum Livability space:	2,500 square feet per D.U.
Minimum Lot Area:	8,000 square feet
Minimum Lot Frontage	80 feet
Cul-De-Sac Lot Frontage (measured from building line):	50 feet
Maximum Building Height:	35 feet
Minimum Front Yard (abutting public street):	18 feet
Minimum Side Yard:	5 feet
Minimum Rear Yard:	20 feet

2. Single-Family Development Area:

Area "A"

Gross Area:	+ 4.28 acres
Permitted Uses:	Single-family detached dwellings, open space area, public streets.
Maximum No. of Units:	11 units
Minimum Livability Space	4,000 square feet per D.U.
Minimum Lot Area:	9,200 square feet
Minimum Lot Frontage:	80 feet
Cul-De-Sac Lot Frontage (measured from building line):	50 feet
Maximum Building Height:	35 feet
Minimum Front Yard (abutting public street):	18 feet
Minimum Side Yard:	5 feet
Minimum Rear Yard:	20 feet

Area "B"

Gross Area: + 55.90 acres

1.12.83:1438(32)

PUD No. 190-D (continued)

Permitted Uses:	Single-family detached dwellings, open space area, public streets.
Maximum No. of Units:	208 units
Minimum Livability Space:	2,500 square feet per D.U.
Minimum Lot Area:	5,000 square feet
Minimum Lot Frontage:	50 feet
Maximum Building Height:	35 feet
Minimum Front Yard (abutting public street):	18 feet
Minimum Side Yard:	0 feet
Minimum Rear Yard:	20 feet
Minimum Setback between Buildings:	5 feet

- 3) That a Homeowner's Association be established to maintain all common areas.
- 4) That the approval of the final plat will serve as the Detail Site Plan approval.
- 5) 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. Bob Nichols had no objection to the Staff Recommendation and conditions. The livability space included in the Staff Recommendation includes both on-lot and common green space provided in the green belt. He could not provide the livability space on-lot.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the major amendment PUD #190 be APPROVED on the following described property:

A part of the N/2 of the S/2 and a part of the SW/4 of the NW/4 of Section 10, Township 18 North, Range 13 East, Tulsa County, Oklahoma, being more particularly described as follows:

Commencing at the Northwest corner of the N/2 of the S/2 of Section 10, Township 18 North, Range 13 East, Tulsa County, Oklahoma; thence South 89°57'10" East along the North line thereof a distance of 644.57 feet to the point of beginning. Said point also being the Northeast corner of Lot 1, Block 1 of "Ridge Park", an Addition to the City of Tulsa,

Tulsa County, Oklahoma, according to the official recorded plat thereof and also being the Southeast corner of Lot 10, Block 6 of "Woodcrest Estates", an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof, thence continuing South $89^{\circ}57'10''$ East along the South Boundary of said Woodcrest Estates a distance of 180.86 feet to the Southeast corner of Lot 8, Block 5, of said "Woodcrest Estates"; thence North $0^{\circ}00'27''$ East along the East Boundary of said Block 5 a distance of 440.00 feet to the Northeast corner of Lot 5, Block 5 "Woodcrest Estates"; thence South $89^{\circ}57'10''$ East along the South Boundary of "Woodcrest Estates", a distance of 495.19 feet to the Southeast corner of Lot 7, Block 4, of "Woodcrest Estates", said point also being on the West Boundary of Block 2, of "Minshall Park III", an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof; thence South $0^{\circ}00'04''$ East along the West Boundary of Block 2 of "Minshall Park III" a distance of 100.00 feet to the Northwest corner of Lot 11, Block 2 of "Minshall Park III"; thence South $26^{\circ}57'46''$ West along the West Boundary of Block 2 of "Minshall Park III" a distance of 399.26 feet to the Southwest corner of Lot 13, Block 2 of "Minshall Park III"; thence South $89^{\circ}57'10''$ East along the South Boundary of "Minshall Park III" a distance of 1486.76 feet to the Southeast corner of Lot 6, Block 9 of "Minshall Park III"; thence South $75^{\circ}34'10''$ East along the South Boundary of "Minshall Park III" a distance of 348.23 feet to the Southwest corner of Lot 1, Block 10 of "Minshall Park III"; thence South $30^{\circ}57'49''$ East along the West Boundary of Block 10 of "Minshall Park III" a distance of 69.97 feet to the Northwest corner of Lot 22, Block 10 of "Minshall Park III"; thence South $13^{\circ}53'11''$ West along the West Boundary of Block 10 of "Minshall Park III" a distance of 741.68 feet to the Southwest corner of Lot 28, Block 10 of "Minshall Park III"; thence South $76^{\circ}23'58''$ West along the West Boundary of "Minshall Park III" a distance of 63.79 feet to the Northwest corner of Lot 29, Block 10 of "Minshall Park III"; thence South $22^{\circ}46'55''$ East along the West Boundary of "Minshall Park III" a distance of 283.27 feet to a point; thence South $0^{\circ}04'15''$ West along the West Boundary of "Minshall Park III" a distance of 160.00 feet to the Southwest corner of Lot 1, Block 12 of "Minshall Park III" said point also being a point on the South line of the N/2 of the S/2 of said Section 10; thence North $89^{\circ}55'45''$ West along the South line of said N/2 of the S/2 a distance of 1989.64 feet to a point; thence North $3^{\circ}00'00''$ West a distance of 115.00 feet to a point; thence North $28^{\circ}00'00''$ West a distance of 135.00 feet to a point; thence North $10^{\circ}00'00''$ West a distance of 331.41 feet to a point; thence North $55^{\circ}00'00''$ West a distance of 367.61 feet to a point on the Southerly Boundary of Lot 1, Block 1 of "Ridge Park"; thence North $35^{\circ}00'00''$ East along the Southerly Boundary of "Ridge Park" a distance of 210.71 feet to a point of curve to the right having a central angle of $18^{\circ}01'15''$, a radius of 455.00 feet, an initial tangent bearing of North $35^{\circ}00'00''$ East a distance of 143.11 feet to a point of curve to the left having a central angle of $84^{\circ}01'15''$, a radius of 25.00 feet, an initial tangent bearing of North $53^{\circ}01'15''$ East a distance of 36.66 feet to a point of curve to the right having a central angle of $31^{\circ}01'18''$, a radius of 232.25 feet, an initial tangent bearing of North $31^{\circ}00'00''$ West a distance of 125.75 feet to a point; thence North $0^{\circ}01'18''$ East along the East Boundary of Block 1 of "Ridge Park" a distance of 119.22 feet to the point of beginning and containing 3,045,947.87 square feet or 69.9253 acres more or less.

Application No. Z-5789
Applicant: Wilkinson
Location: South and East of Pine and Mingo Road

Present Zoning: IL
Proposed Zoning: RMH

Date of Application: December 2, 1982
Date of Hearing: January 12, 1983
Size of Tract: 25 acres

Presentation to TMAPC by: C. W. Wilkinson
Address: 3500 West El Paso - Broken Arrow - 74012 Phone: 252-9385

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 Two. Industrial development is encouraged.

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

Staff Recommendation:

The subject tract is vacant, except for a mobile home on the front portion. There is mostly vacant property to the north, south and east. West of the subject tract are various commercial establishments along with single-family residential. The majority of the subject tract is located within the 100-year Floodplain.

RMH zoning and use would make a good interim use of the subject tract until such time that the tract can be utilized as industrial. The Staff recommends APPROVAL of RMH zoning on that portion of the tract that does not lie within the 100-year Floodway as determined by the applicant's engineer and City Hydrology Department. The Staff recommends that the portion within the 100-year Floodway remain AG zoning.

For the record, that portion outside of the 100-year Floodway may require several feet of fill before it will qualify for development.

Applicant's Comments:

Mr. C. W. Wilkinson was present and advised the Commission that the proposed project would establish 130 lots. Engineers have determined the floodplain area and he will comply with the City's standards. Two area residents were present earlier in the meeting who approve of the proposal because it would bring the sewer into the area.

Protestant: Don Pool, attorney Address: 1515 South Denver Avenue

Protestant's Comments:

Mr. Pool advised the Commission he represents Diamond Electric Company who holds first mortgage on 2-1/2 acres in the northeast corner of this tract and a second mortgage on the balance. In addition, his client was granted 1/3 interest in the property as security. Mr. Wilkinson has an option to re-purchase the interest, secured by the mortgages. Both mortgages are in default and subject to litigation. A lawsuit was filed in November 1982. As an owner of an interest in this property, his client objects to any zoning change during litigation. If Mr. Wilkinson can provide a signed real estate contract contingent on the zoning change, Mr. Pool will withdraw the protest. Mr. Wilkinson advised that he will

Z-5789 (continued)

be the owner and developer of the property.

Mr. Linker advised that, under the Zoning Code, all owners have to consent to the change. Chairman Parmele suggested a continuance in order for these parties to reach an agreement.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, T. Young, "absent") to continue consideration of Z-5789 until January 26, 1983, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa, Oklahoma.

CZ-72 Wilkinson South of the SE corner of 131st Street and 129th East Avenue
RS to RM-1

Mr. C. W. Wilkinson was present and requested this item be withdrawn. A letter to that effect had previously been submitted (Exhibit "D-1"), as well as a letter from the Broken Arrow Planning Commission recommending denial (Exhibit "D-2").

The Chair, without objection, withdrew this item.

Application No. PUD 308

Present Zoning: (RM-0, RD)

Applicant: Oakley (Wilkinson, Coleman)

Location: South of East 19th Street South and 525 feet East of South Memorial

Date of Application: December 2, 1982

Date of Hearing: January 12, 1983

Size of Tract: 2.35 acres

Presentation to TMAPC by: C. W. Wilkinson

Address: 3500 West El Paso - Broken Arrow - 74012 Phone: 252-9385

Staff Recommendation:

Planned Unit Development No. 308 is located approximately 600' east of the southeast corner of 19th Street and Memorial Drive. It is 2.35 acres in size, contains one single-family dwelling, is zoned a combination of RM-0 and RD, and the applicant is proposing a PUD for 27 single-family townhouses on zero lot-line type lots. Each lot will have access to a private roadway, which will provide a loop through the development and two access points onto 19th Street. The tract is abutted on the north by single-family dwellings (one used as a day care facility) zoned RS-1 and RS-2, on the east by single-family zoned RS-1, on the south by vacant land zoned OL, and on the west by Skaggs Shopping center zoned CS and OL.

The Staff has reviewed the submitted Outline Development Plan and find that PUD #308 is consistent with the Comprehensive Plan, harmonizes with the existing and expected development possibilities, and is consistent with the PUD Chapter of the Tulsa Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #308, subject to the following conditions:

1) That the applicant's Outline Development Plan be made a condition of approval.

2) Development Standards:

Area (Gross):	102,558.22 square feet
(Net):	94,495.72 square feet
Permitted Use:	Single-Family Zero Lot-line Townhouses
Maximum No. of Units:	27 units
Maximum Building Height:	35 feet
Minimum Livability Space:	41,000 square feet
Minimum Off-Street Parking:	67 spaces
Minimum Building Setbacks:	
From North Property Line:	25 feet
From East Property Line:	25 feet
From South & West Property Lines:	
a) From covered patio and storage building:	18 feet
b) From main structure:	25 feet

PUD #308 (continued)

- 3) Signs shall conform to the requirements of Section 420.2 (d) (2) of the Tulsa Zoning Code.
- 4) That a Detail Site Plan, meeting the graphical intent of the Development Plan, be submitted to, and approved by the TMAPC, prior to the issuance of a building permit.
- 5) That a Detail Landscape Plan be approved by the TMAPC and in place prior to occupancy, including a 6-foot screening fence along the south and east boundaries.
- 6) That a Homeowner's Association be created to maintain all common areas, including private drives and landscaped areas.
- 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. C. W. Wilkinson had submitted the Development Text (Exhibit "E-1"). He has discussed this with the Staff and is in agreement with the recommendation.

Protestants: E. A. Waterfield
Gilbert Fellini

Addresses: 8820 East 16th Street
8416 East 19th Street

Protestant's Comments:

Mr. E. A. Waterfield commented that this tract is within the O'Connor Park restrictive covenants, which states no structure can be built on less than an acre. He believes Mr. Wilkinson is in violation of these covenants. Another zoning was appealed in court and the judge ruled in the protestant's favor. This was appealed to the Supreme Court, which upheld the previous Court's decision. Chairman Parmele explained this is a legal matter. The Commission could approve the PUD, but construction would be contingent on the legal questions. Mr. Waterfield was concerned about the drainage, which will be compounded by such an increase in density. Also, the streets are narrow. Chairman Parmele read the report from the City Hydrologist concerning drainage.

Mr. Gilbert Fellini wanted to know if the zoning was going to be changed. Chairman Parmele explained the requested PUD.

Applicant's Comments:

Mr. Wilkinson advised that the restrictive covenants expired in 1974. Other developments have been built on less than an acre.

TMAPC Action: 6 members present.

On MOTION of PETTY, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, T. 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's Recommendation:

PUD #308 (continued)

The North Half of the West 322.5 feet of the East Half of Block 9,
O'Conner Park, an addition to the City of Tulsa, Tulsa County,
State of Oklahoma, according to the recorded plat thereof.

OTHER BUSINESS:

PUD #139-2 Jones (Oklahoma Ltd. Partnership) North and West of East 59th Street and South Peoria Avenue

Staff Recommendation, Minor Amendment:

Planned Unit Development #139 is located north and west of 59th Street South and Peoria Avenue. It contains 18.6 acres of land of which 17.1 is zoned RM-1 and the remaining 1.5 acres on Peoria is zoned CS.

The PUD was allocated a total of 280 units with 152 of those units allocated to Block 1 and the N/2 of Block 2 and the remaining 128 units allocated to Block 3. All 152 units in Blocks 1 & 2 have been built, while only 121 units were built in Block 3.

A reallocation of the remaining 7 units from Block 3 to Block 1 would not increase the overall density of the PUD. Therefore, the Staff can support this request as minor in nature. The Staff has reviewed the applicant's site plan and feels that the proposed development is in keeping with the intent and purpose of the PUD, and therefore, recommends APPROVAL of the minor amendment for reallocation of 7 units, per the site plan submitted.

Applicant's Comments:

Mr. Bill Jones was present and had no comments.

TMAPC Action: 6 members present.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Gardner, Higgins, Hinkle, Kempe, Parmele, Petty, "aye"; no "nays"; no "abstentions"; Hennage, Miller, C. Young, T. Young, "absent") to approve this minor amendment to PUD #139, per the site plan submitted.

There being no further business, the Chair adjourned the meeting at 5:40 p.m.

Date Approved _____

January 26, 1983

[Handwritten Signature]

Chairman

ATTEST:

[Handwritten Signature]

Acting Secretary

