

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1477  
Wednesday, October 12, 1983, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Beckstrom Connery Draughon Flick Higgins Hinkle, Secretary Woodard T. Young	Kempe C. Young Inhofe	Compton Jones Lasker Martin	Jackere, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, October 11, 1983, at 11:13 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Commissioner Hinkle called the meeting to order at 1:40 p.m.

MINUTES:

On MOTION of FLICK, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Flick, Hinkle, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, C. Young, Inhofe, "absent") to approve the Minutes of September 28, 1983 (No. 1475).

REPORTS:

Report of Receipts and Deposits:

The Commission was advised that this report is in order.

On MOTION of T. YOUNG, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Flick, Hinkle, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Higgins, Kempe, C. Young, Inhofe, "absent") to approve the Report of Receipts and Deposits for the month ending September 30, 1983.

Committee Reports:

Commissioner Hinkle advised the Comprehensive Plan Committee and Rules and Regulations Committee met today at noon to discuss the Brookside Area parking problem. Public hearing on that issue will be held on October 19, 1983, at 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Director's Report:

Mr. Lasker advised the TMAPC Report of Receipts and Deposits has been slightly altered to better inform the Commission of how much money is taken in for applications and how the money is apportioned. The TMAPC received approximately \$64,000 during 1982 and during the first quarter of 1983 approximately \$41,000 was taken in. The impact of the fee changes recently instituted has greatly aided the City and County revenue shortage.

CONTINUED ZONING PUBLIC HEARING:

Z-5874 Grimmer (Vandever) East of the NE corner of Peoria Avenue and 35th  
Street RS-3 to OL

Commissioner Hinkle read a letter from the applicant, Harold Grimmer, requesting that Z-5874 be continued to October 26, 1983, because this zoning request is located within the Brookside Area Special Study (Exhibit "A-1").

Mr. Harold Grimmer stated he notified all of the surrounding property owners that a continuance request had been filed to await the decision concerning the Brookside Area.

Instruments Submitted:

Letter from Harold Grimmer requesting a continuance (Exhibit "A-1").

TMAPC Action: 7 members present.

On MOTION of T. YOUNG, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Flick, Higgins, Hinkle, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, C. Young, Inhofe, "absent") to continue consideration of Z-5874 until October 26, 1983, at 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-92 Present Zoning: AG  
Applicant: Childers (H. G. and V. & Coleman) Proposed Zoning: AG-R  
Location: SE corner of 31st Street and 57th West Avenue

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Date of Application: August 28, 1983  
Date of Hearing: October 12, 1983  
Size of Tract: 40 acres

Presentation to TMAPC by: Howard Childers  
Address: 6871 West 34th Place Phone: 446-7622

Relationship to the Comprehensive Plan: CZ-92

The District 9 Plan a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity with a potential for Corridor.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested AG-R District is in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 40 acres in size and located at the SE corner of the intersection of 31st Street and 57th West Avenue. It is partially wooded, gently sloping, vacant and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north, east and south by scattered single-family dwellings zoned AG, and on the west by a large lot single-family neighborhood zoned AG and RS.

Zoning and BOA Historical Summary -- There have been no significant zoning actions that would require consideration of a classification other than those allowed under the Development Guidelines.

Conclusion -- Based on the Comprehensive Plan and past zoning actions, surrounding zoning patterns and existing land uses, the Staff recommends APPROVAL of the requested AG-R.

Applicant's Comments:

Mr. Howard Childers was present and was in concurrence with the Staff Recommendation.

Protestants: None.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Flick, Higgins, Hinkle, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Draughon, Kempe, C. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be rezoned AG-R:

A tract of land in the NE/4 of Section 20, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government thereof, more particularly described as follows: to wit:

Case No. CZ-92 (continued)

Beginning at a point on the South line of the NE/4 which point is 660' East of the center of Section 20; thence South  $89^{\circ}53'13.59''$  East a distance of 665.04' to a point on the South line of said NE/4; thence North  $0^{\circ}06'14.99''$  East a distance of 659.60' to a point; thence South  $89^{\circ}52'13.42''$  East a distance of 333.22' to a point; thence North  $0^{\circ}06'46.86''$  West a distance of 1,249.37' to a point in the approximate centerline of a county road; thence North  $52^{\circ}54'30''$  West a distance of 417.18' to a point; thence South  $0^{\circ}06'14.99''$  East a distance of 182.08' to a point; thence North  $89^{\circ}50'31.05''$  West a distance of 663.39' to a point; thence South  $0^{\circ}05'45.29''$  East a distance of 659.78' to a point; thence South  $0^{\circ}04'26.72''$  East a distance of 475.00' to a point; thence South  $0^{\circ}05'26.72''$  East a distance of 330.00' to a point; thence South  $0^{\circ}05'26.72''$  East a distance of 514.94' to the point of beginning.

Application No. CZ-93

Present Zoning: IM & IL

Applicant: Orvis (Butler)

Proposed Zoning: RMH & CS

Location: North of the NE corner of West 26th Street and 49th West Avenue

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Date of Application: August 23, 1983

Date of Hearing: October 12, 1983

Size of Tract: 48.49 acres

Presentation to TMAPC by: Bruce Orvis

Address: 3336 East 32nd Street

Phone: 744-0075

Relationship to the Comprehensive Plan: CZ-93

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential on the access handles with the major portion being a combination of Development Sensitive and Special District 1 for transition between High Intensity Industrial to the north and Low Intensity-- Residential to the south.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RMH District may be found in accordance with the Plan Map designation of Special District and is not in accordance with the Low Intensity -- Residential designation.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 48.49 acres in size and located just south of the SE corner of 21st Street and 49th West Avenue. It is wooded, steeply sloping, vacant and zoned IL and IM.

Surrounding Area Analysis -- The tract is abutted on the north by a mixture of commercial, industrial, and residential uses zoned IL and IM, on the east by mostly vacant land zoned AG, on the south by a single-family neighborhood zoned AG and RS and on the west by industrial and residential uses zoned IL.

Zoning and BOA Historical Summary -- Past zoning actions have established an industrial use transition across the subject tract.

Conclusion -- Based upon the Comprehensive Plan and the physical features of the subject tract, the Staff can support RMH on the majority of the tract. However, we cannot support RMH zoning on the access road into the low intensity residential area abutting the tract on the south, or the extreme northern or western portions of the tract where slopes are extreme. Also, the Comprehensive Plan and Development Guidelines do not support CS zoning on the tract, but many commercial uses are allowed by exception under industrial zoning.

Therefore, the Staff recommends APPROVAL of RMH on the subject tract, per the submitted illustration and DENIAL on the remainder.

The Staff would note that they could support emergency access only to the south when the applicant is platting the tract.

Applicant's Comments:

Mr. Bruce Orvis, engineer for the applicant, stated the tract will be subdivided for rental mobile home use. There are existing water lines along

Application No. CZ-93 (continued)

49th and 26th Streets. The sanitary sewer facilities will be constructed underground and flow to the low area located on the west side of the property. The streets will be all-weather dust-free streets.

The general overall grading will be held to that necessary to provide appropriate spacing to park the mobile homes. The utilities will be supplied by the appropriate companies. The applicant proposes to place 305 mobile home units on the tract.

<u>Protestants:</u>	Steve Horn	Addresses:	4410 South 33rd West Avenue
	Val Childers		6871 West 35th Place
	Harold Carlile		2645 South 49th West Avenue
	Harold Hines		4710 West 26th Street
	Donald David		4502 West 26th Street
	Allan Corey		4612 West 26th Street

Protestants' Comments:

Mr. Steve Horn, attorney, represented many of the protestants in the subject area and is a resident in the Berryhill Subdivision. Mr. Horn submitted a protest petition, bearing 214 signatures of property owners in the immediate area who are opposed to the proposed zoning change (Exhibit "B-1"). The surrounding property owners do not feel the drainage in the area would be adequate to serve the additional dwelling units. The area has steep slopes and would require a substantial amount of dirt work. Another concern raised by the neighbors was that the sewer system could not handle the additional number of dwellings. The roads are inadequate and could not be maintained with the added traffic in the area. If the 305 mobile homes were approved it would cause a diaster to the Berryhill School system. Mr. Horn stated the mobile homes are not wanted in the area and informed the Commission of a large mobile home park located less than 5 miles from the subject property.

Mr. Val Childers, a member of the Berryhill School System, stated the Board recently discussed the proposed zoning change and the affect on the school system. It was felt that if additional children attended the school there would be extreme damage to the budget and all other aspects of the school system. This is a very trying time in school education and the budget was cut 6% last year and as a result the teaching personnel was reduced.

Mr. Harold Carlile stated he owns 10 acres on 49th West Avenue and feels if the zoning change is granted it would decrease property values in the area. He also expressed concerns with the drainage system and the flood waters in the area. The sewer system would not be adequate to serve the proposed 305 mobile home units. Mr. Carlile advised the Commission of high pressure gas and oil lines in the area, which would be dangerous to the residents on the subject property.

Mr. Harold Hines stated he owns 3 1/2 acres adjoining the subject property. He expressed the same concerns as was voiced by Mr. Carlile and requested that the zoning change be denied.

Mr. Donald David expressed his concern about the drainage in the area and stated there is an X-Ray building located northwest of the property and was fearful of the potential danger.

Application No. CZ-93 (continued)

Mr. Allan Corey stated he was strongly opposed to the zoning change because he could not foresee any benefit which the mobile home park would add to the area.

Applicant's Rebuttal:

Joe McCormick, attorney, stated he would be in agreement with the Staff Recommendation, but asked that the recommendation be more fully explained. Mr. Compton stated that the Staff supports deleting RMH from the extreme western portion and northern portion where there are severe slopes and the access road to the south. Mr. McCormick stated he had no objection to having an emergency access road if the applicant would be allowed to move the mobile homes in and out of the park, but would not wish to permit daily traffic on that road. The engineer is persuaded there will be sufficient drainage provided for the mobile home park. It was also expressed that adequate sewer facilities would be provided underground and would be pumped away from the subject property. Mr. McCormick stated that there was a high pressure easement across the tract and that it would be handled by the design of the street and lots. The X-Ray building which was previously referred to is not located on the subject property according to Mr. McCormick, and he did not feel it to be a potential danger to the surrounding property owners or the potential mobile home renters. It was felt the subject location is an excellent location for the mobile home park. Mr. McCormick submitted three (3) photographs of the subject area (Exhibit "B-3").

Commissioner Higgins was concerned with the sewer system and asked Mr. Orvis where the sewage would be pumped. Mr. Orvis informed a dispersion permit has been requested from the EPA and State Department of Health. A sewage treatment plant would be put in this area with the treated effluent to run underground in a pipe to the Arkansas River. This would be in accordance with the Comprehensive Plan and documented by the Cities of Sand Springs and Tulsa.

There was limited discussion as to the number of mobile home units proposed and the Commission questioned if the 305 units would overcrowd the tract. Mr. McCormick advised the average lot size as proposed contains 4,000 square feet. If the area designated for the sewage treatment and recreation area is deleted and the portion recommended by the Staff is deleted it would cut off about 80 mobile homes. Mr. McCormick advised the Tulsa area is presently experiencing a housing shortage and a new State Legislation may force the Commission to allow mobile homes in every subdivision. He felt housing should be provided for those who need the mobile home housing. If the total number, as proposed, is not granted it would not be an economically feasible project to undertake.

There was some discussion concerning the high pressure lines and Mr. McCormick assured the Commission that they would be addressed and taken care of by the applicant.

Commissioner T. Young stated the zoning just approved at the SE corner of 31st Street and 57th West Avenue is a continuation of this area and was recommended for approval of AG-R zoning, which would permit one mobile home unit per acre on the 40-acre tract. He felt the subject area is very sensitive in relation to the drainage and added the area has roads with restricted load limitations. The Berryhill School System is not a wealthy district and would not be able to adequately serve the

Application No. CZ-93 (continued)

proposed 305 mobile home units because the district is not capable of handling the added enrollment. The School District is not capable of expanding because it is surrounded by the Tulsa School District on one side and the Sand Springs School District on the other. The proposal would be inappropriate and out of character for the subject area. Commissioner Young suggested the property be rezoned AG-R which would permit one unit per acre.

Commissioner T. YOUNG made a MOTION and Commissioner Higgins second it to approve AG-R zoning.

Commissioner Beckstrom stated he was somewhat familiar with the subject property and felt the Commission needs to recognize that individuals do have a right to develop property which they own as long as it does not do substantial harm to the neighborhood. He did not feel it is the Planning Commissions responsibility to protect the School Board. The Commission does have responsibility toward the Comprehensive Plan and circumstances affected by their decision. It is difficult to make a decision especially when so many of the residents are opposed to the proposed zoning. Mr. Beckstrom agreed that the 305 units would not be appropriate, but did not share the same concern as Commissioner T. Young that the tract should be limited to one mobile home unit per acre. He felt some consideration should be given why the Commission feels the applicant should be denied the use of the mobile home park as far as density is concerned.

Commissioner T. Young concurred with many of Mr. Beckstrom's statements and felt the density of the proposed mobile home park should be considered. The possibility of AG-R and RE or RS with a PUD were discussed and the projected density. Mr. Compton expressed various aspects of the Comprehensive Plan which the Commission should consider in their determination. He advised the area is a special district because of the topography and because of the transition of this property from a high intensity industrial zoning to a lower intensity residential.

Discussion ensued concerning the question of density. Commissioner Higgins stated she did not feel the property should be limited to one unit per acre, but was in support of approximately 4 units per acre on the usable acreage. She suggested that the Commission question the applicant's feelings on limiting the number of mobile homes permitted.

Commissioner Woodard called the question on the MOTION made by Commissioner T. Young.

Instruments Submitted: Protest Petition bearing 214 signatures (Exhibit "B-1")  
3 Photographs (Exhibit "B-2")

On MOTION of T. YOUNG, the Planning Commission voted 3-4-1 (Flick, Woodard, T. Young, "aye"; Beckstrom, Draughton, Higgins, Hinkle, "nay"; Connery, "abstaining"; Kempe, C. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the property be rezoned AG-R.

Special Discussion for the Record:

Commissioner Hinkle asked if a new motion was the desire of the Commission since the first motion failed.



Application No. CZ-93 (continued)

Commissioner Higgins inquired of the Staff what zoning category would limit the park to approximately 4 mobile home units per usable acre contained on the subject property.

Commissioner T. Young suggested that the zoning proposed in his motion is the zoning which will be approved by the County Commission and suggested that it be forwarded to them in this fashion. Commissioner Higgins felt the Commission has the duty to give an opinion of what the Commission feels is appropriate and right.

The Commission asked if the applicant would benefit more from a denial, or a recommendation of a different type of zoning. Mr. McCormick stated the present zoning of the property makes it quite valuable and felt the zoning which was originally proposed by the applicant would be the only feasible economic zoning. Mr. McCormick did not feel that 3 to 4 units per acre would be economically feasible considering the cost of installing the sewage system, the streets and the grading.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 4-2-2 (Connery, Draughon, Higgins, Hinkle, "aye"; Beckstrom, T. Young, "nay"; Flick, Woodard, "abstaining"; Kempe, C. Young, Inhofe, "absent") to DENY the request for RMH and CS zoning on the following described property:

A tract of land in the NW/4, Section 16, Township 19 North, Range 12 East, Tulsa County, Oklahoma, being more particularly described as follows: Beginning at a point 24.75' East of the NW corner of the SW/4, NW/4, of said Section 16; thence South  $00^{\circ}-10'-17''$  West a distance of 660.36'; thence South  $89^{\circ}-54'-47''$  East a distance of 1,300.37'; thence South  $00^{\circ}-08'-30''$  West a distance of 660.17'; thence South  $89^{\circ}-55'-09''$  East a distance of 60.00'; thence North  $00^{\circ}-08'-03''$  a distance of 660.16'; thence South  $89^{\circ}-54'-44''$  East a distance of 270.12'; thence South  $89^{\circ}-54'-14''$  East a distance of 990.09'; thence North  $00^{\circ}-06'-43''$  East a distance of 660.00'; thence North  $89^{\circ}-54'-13''$  West a distance of 1,319.78'; thence North  $00^{\circ}-03'-30''$  East a distance of 565.32'; thence North  $89^{\circ}-53'-09''$  West a distance of 607.30'; thence South  $00^{\circ}-00'-30''$  West a distance of 565.51'; thence North  $89^{\circ}-54'-13''$  West a distance of 693.31' to the point of beginning, containing 48.49 acres, more or less.

Application No. Z-5885 and PUD #343                      Present Zoning: CS, RS-3 & AG  
Applicant: Norman (Cortex)                              Proposed Zoning: CS, RM-1, OL & FD  
Location: South and West of South Memorial Drive and East 81st Street

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Date of Application: September 1, 1983  
Date of Hearing: October 12, 1983  
Size of Tract: 11.2 acres

Presentation to TMAPC by: Charles Norman  
Address: 909 Kennedy Building, Suite 1100                      Phone: 583-7571

Relationship to the Comprehensive Plan: Z-5885

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

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested CS, RM-1 and OL Districts are in accordance with the Plan Map designation of Medium Intensity. Within the Low Intensity designation the CS is not in accordance and the OL and RM-1 may be found in accordance.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 11.2 acres in size and located south and west of the southwest corner of 81st Street and South Memorial Drive. It is wooded, gently sloping, vacant, and zoned a combination of AG, RS-3 and PUD.

Surrounding Area Analysis -- The tract is abutted on the north by a developed duplex and single-family neighborhood zoned RS-3 and a vacant tract zoned CS, on the east by vacant land zoned CS and a multi-story office building zoned RM-1/PUD, and on the south and west by a drainage-way and multifamily neighborhood zoned RS-3/PUD.

Zoning and BOA Historical Summary -- Past zoning actions have allowed a 10-acre node of CS at the northeast corner and established that the Floodway would be handled by the protective conditions of PUDs #215 and #270.

Conclusion -- Based upon the existing land uses and zoning patterns, the Staff cannot support additional CS zoning; however, RM-1 and RS-3 zoning is appropriate on this tract and would accommodate the companion PUD. The Staff also reviewed the drainage conditions for FD zoning and find that (a) in the previous two PUDs (#215 and #270) the drainage and flood potential problems were addressed under the protective conditions of each respective PUD, (b) zoning a strip of FD along this tract would serve no real purpose since the major portion of the actual Floodway would be in the other two PUDs and (c) protection of the floodplain area is proposed under the new PUD. Finally, the Staff can support RM-1 on the tract, but cannot support it south of the existing RM-1/PUD because of the influence it would have on the tract located east of the subject tract and at the southeast corner of the intersection.

Therefore, the Staff recommends APPROVAL of a 5.6 acre irregular shaped RM-1 tract along the west side of the existing RM-1 and CS zoning districts, per Staff illustration, and the remainder of the tract to be zoned RS-3.

PUD #343 and Z-5885 (continued)

STAFF RECOMMENDATION: MINOR AMENDMENT to PUD #215 Area "C"-(PUD #343)

Planned Unit Development No. 343 is located at the SW corner of 81st Street and South Memorial Drive. It is approximately 19 acres (Gross) in size and with the Staff Recommendation of the companion Zoning Case No. Z-5885 would have an underlying zoning of CS, RM-1 and RS-3. The applicant is requesting PUD supplemental zoning to develop a light office and commercial complex on the developable portion of the tract.

The Staff has reviewed the Outline Development Plan and has two related concerns. First, a portion of the proposed PUD is a part of the existing PUD #215 and has been designated for open space and drainage use. PUD #343 proposes the same use for this area, but since it is under different ownership, the Staff feels that a restrictive covenant should be filed on this area insuring that its use not be restricted from the residents of PUD #215 Development Area "C". Secondly, in order for a restrictive covenant to be filed on a specific development area and for the uses to be limited, Development Area "C" under the new PUD #343 should be divided into Area "C-North" and Area "C-South" with the additional restrictions placed on Area "C-South".

Based upon the above review and revisions, the Staff finds the proposal is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #343, subject to the following conditions:

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

DEVELOPMENT AREA "A"

Area (Gross):	1.65 acres	71,987 sq. ft.
Permitted Uses:	Principal and accessory uses permitted as a matter of right in the OM District and drive-in banking facilities.	
Maximum Floor Area:		8,000 sq. ft.
Maximum Building Height:		30 feet
Minimum Building Setbacks:		
	From centerline of East 81st Street,	95 feet
	From centerline of South Memorial Drive,	105 feet
	From Area "B".	20 feet
Off-Street Parking Spaces:	1 space per 300 sq. ft. of floor area.	
Minimum Internal Landscaped Open Space:		15%*

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

DEVELOPMENT AREA "B"

Area (Gross) 8.06 acres 400,000 sq. ft.

Permitted Uses: Principal and accessory uses permitted as a matter of right in the CS District, except that Use Unit 21 shall not be permitted.

Maximum Floor Area:

1. Retail and Commercial 60,000 sq. ft.
2. Offices and Studios and Customary Accessory Uses. 150,000 sq. ft.

Maximum Building Height: None

Minimum Building Setbacks:

- From centerline of East 81st Street, 125 feet
- From centerline of South Memorial Drive, 135 feet
- From Area "A", 20 feet
- From Area "C". 10 feet

Off-Street Parking: As required in applicable Use Unit.

Minimum Internal Landscaped Open Space: 15%\*

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

DEVELOPMENT AREA "C-North"

Area (Gross): 3.11 acres 135,679 sq. ft.

Permitted Uses: Principal and accessory uses permitted as a matter of right in the OL District and health club and related medical and exercise facilities, including enclosed gymnasium, racquetball courts, swimming pools and outside jogging and biking trails and exercise facilities.

Maximum Floor Area: 50,000 sq. ft.

Maximum Building Height: 35 feet

Minimum Building Setbacks:

- From centerline of East 81st Street, 80 feet
- From West property line, 70 feet
- From Area "B". 10 feet

Off-Street Parking: As required in applicable Use Unit.

Minimum Open Space 20%\*

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

DEVELOPMENT AREA "C-South"

Area (Gross) 6.27 acres 272,836 sq. ft.

Permitted Uses: Open Space, drainageway, outside jogging and biking trails, and required livability space for PUD #215, Development Area "C".

Minimum Open Space 100%

- (3) Signs shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:

DEVELOPMENT AREA "A"

Ground Signs: Not more than one (1) ground sign shall be permitted and it shall have a display surface area not greater than 120 square feet or a height not greater than 20 feet.

Wall or Canopy Signs:

Aggregate display surface areas not exceeding 1½ square feet per each lineal foot of the building wall to which the sign is affixed. They shall not exceed the height of the building and projecting signs are not permitted.

DEVELOPMENT AREA "B"

Ground Signs: Not more than one (1) ground sign on each arterial street frontage (South Memorial Drive and East 81st Street South) shall be permitted (2 signs total).

Display Surface Area:

Maximum per sign, 180 sq. ft.  
Maximum Height above ground of abutting street. 20 feet

Wall or Canopy Signs:

Aggregate display surface areas not exceeding 1½ square feet per each lineal foot of the building wall to which the sign or signs are affixed shall be permitted. Wall or canopy signs shall not exceed the height of the building. No projecting signs shall be permitted.

DEVELOPMENT AREA "C-North"

One ground sign not exceeding 32 square feet in display surface area, 8 feet in height and 16 feet in length. Illumination, if any, shall be by constant light.

DEVELOPMENT AREA "C-South"

No signs are permitted.

The location and design of all ground signs shall be submitted to and approved by the TMAPC prior to installation.

PUD #343 & Z-5885 (continued)

- (4) That a Restrictive Covenant be filed of record in the County Clerk's Office allowing the residents of PUD #215 Development Area "C" the unrestricted use of PUD #343, Development Area "C-South".
- (5) That a Detail Site Plan, by Development Area, be submitted to and approved by the TMAPC prior to the issuance of a Building Permit.
- (6) That a Detail Landscape Plan, by Development Area, but submitted to and approved by the TMAPC prior to occupancy including the landscaping as described in the Text.
- (7) That no building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and 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.

Finally, the Staff would recommend APPROVAL of a minor amendment to PUD #215 allowing the deletion of approximately 6.2 acres from Development Area "C", subject to a Restrictive Covenant being filed of record allowing the residents of Development Area "C" unrestricted use of that area.

Applicant's Comments:

Mr. Charles Norman began his presentation by describing the location of the subject property. There are presently about 8 acres of commercial zoning at the subject corner and it would qualify for 10 acres under the Development Guidelines. The applicant is willing to limit the commercial development to an amount considerably less than would be permitted, a maximum of 60,000 square feet. The applicant is asking that the remaining amount of floor area that would be permitted under the existing commercial be limited to office use and the floor area permitted by the additional zoning being recommended today be restricted to office development.

The proposal overall represents a considerable decrease in the overall intensity of development. The applicant has no objection to the requirement of filing a restrictive covenant to assure the residents of the multi-family areas on the west side of the channel the right to use the open space area on the east side of the channel.

The floodplain boundaries will not be utilized for any building areas. The subdivision of Development Area "C" into the two areas is not objectionable. Mr. Norman requested that the Staff recommendations for the zoning be approved. He stated he was also in concurrence with the Staff Recommendation for the PUD and requested that it be approved.

Protestants: None.

TMAPC Action: 8 members present: Z-5885

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, C. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned RM-1, a 5.6 acre irregular shaped tract

Z-5885 & PUD #343 (continued)

along the west side of the existing RM-1 and CS zoning districts, per Staff illustrations, and the remainder of the tract to be zoned RS-3:

LEGAL PER NOTICE: Z-5885

A tract of land in a part of the E/2 of the NE/4 of Section 14, Township 18 North, Range 13 East, Tulsa County, Oklahoma, being more particularly described as follows:

Beginning at the NE Corner of "Creekwood" an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof; thence North  $89^{\circ}-59'-50''$  East along the North line of Section 14, Township 18 North, Range 13 East, Tulsa County, Oklahoma, a distance of 400.00' to a point; thence South  $0^{\circ}-04'-10''$  West a distance of 339.20' to a point; thence South  $89^{\circ}-59'-50''$  West a distance of 60.00' to a point; thence South  $0^{\circ}-04'-10''$  West a distance of 450.80' to the NW Corner of "MPSI Centre" an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof; thence South  $30^{\circ}-00'-00''$  East along the Westerly line of Said "MPSI Centre" a distance of 130.00' to a point; thence South  $5^{\circ}-48'-20''$  East continuing along the Westerly line of Said "MPSI Centre" a distance of 457.16' to the Southwesterly Corner of Said "MPSI Centre"; thence South  $55^{\circ}-00'-00''$  East along the Southerly line of Said "MPSI Centre" a distance of 205.00' to a point; thence North  $89^{\circ}-59'-50''$  East a distance of 180.00' to a point on the East line of Said Section 14; thence South  $0^{\circ}-04'-10''$  West along the East line of Said Section 14 a distance of 492.03' to a point on the Easterly line of Said "Creekwood"; thence South  $89^{\circ}-51'-14''$  West along the Easterly line of Said "Creekwood" a distance of 128.64' to a point; thence North  $30^{\circ}-42'-19''$  West continuing along the Easterly line of Said "Creekwood" a distance of 611.73' to a point; thence North  $4^{\circ}-17'-07''$  West continuing along the Easterly line of Said "Creekwood" a distance of 524.91' to a point; thence North  $47^{\circ}-35'-41''$  West continuing along the Easterly line of Said "Creekwood" a distance of 430.87' to a point; thence North  $0^{\circ}-04'-10''$  East continuing along the Easterly line of Said "Creekwood" a distance of 627.34' to the point of beginning, containing 488,454.94 square feet or 11.2134 acres, more or less.

LEGAL PER PLANNING COMMISSION ACTION: Z-5885

RM-1:

A tract of land in a part of the NE/4 of Section 14, Township 18 North, Range 13 East, Tulsa County, Oklahoma, being more particularly described as follows:

Commencing at the NE Corner of the NE/4 of Section 14, Township 18 North, Range 13 East, Tulsa County, Oklahoma; thence South  $89^{\circ}-59'-50''$  West along the North line of Said Section 14, a distance of 400.00' to the point of beginning; thence South  $0^{\circ}-04'-10''$  West a distance of 339.20' to a point; thence South  $89^{\circ}-59'-50''$  West a distance of 60.00' to a point; thence South  $0^{\circ}-04'-10''$  West a distance of 450.80' to the NW Corner of "MPSI Centre" an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official recorded plat thereof; thence South  $30^{\circ}-00'-00''$

PUD #221-B (continued)

Maximum Number of Units:

Detached single-family units	146
Duplex dwelling units	28*

Minimum Lot Width:

Single-family	60 feet
Duplexes	75 feet

Minimum Lot Size:

Single-family	6,900 sq. ft.
Duplexes	9,000 sq. ft.

Maximum Building Height: 35 feet

Livability Space Per Dwelling Unit:

Single-family	4,000 sq. ft.
Duplexes	2,000 sq. ft.

Yards:

Single-family	As required in the RS-3 District
Duplexes	As required for the duplex, exception in the RS-3 District.

Off-Street Parking: As required in the applicable use unit.

\*The duplex dwelling units shall be located on the west boundary of Area "F", across from Development Areas "C and D".

AREA "G"

Net Area: 332,362 sq. ft. 7.63 acres

Permitted Uses: Townhouses, clustered patio homes, or garden apartments and customary accessory uses, including clubhouses, pools, tennis courts, etc.

Maximum Number of Units: 72 units

Maximum Building Height: 35 feet

Livability Space Per Dwelling Unit

Livability space computed at 600 square feet per dwelling unit shall be developed within Development Area "G".

Yards: As required in RM-1 District

Off-Street Parking: As required in RM-1 District

AREA "J"

Net Area: 125,017 sq. ft. 2.87 acres

Permitted Uses: Townhouses, clustered patio homes, or garden apartments and customary accessory uses, including clubhouses, pools, tennis courts, etc.

Maximum Number of Units: 26 units

Maximum Building Height: 35 feet



PUD #221-B (continued)

Livability Space Per Dwelling Unit:

Livability space computed at 600 square feet per dwelling unit shall be developed within Development Area "J".

Yards: As required in RM-1 District

Off-Street Parking: As required in RM-1 District

- (3) That signs for each development area shall comply with the restrictions of the PUD Ordinance, Section 1130.2 (b).
- (4) That a Detail Site Plan for each area be submitted to and approved by the TMAPC prior to the issuance of a Building Permit and that the Final Plat for Development Areas "F" and "K" shall be considered the Detail Site Plan
- (5) That a Detail Landscape Plan for each area except "F" and "K" be submitted to and approved by the TMAPC prior to occupancy including the location and design of any sign and screening fence.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and 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. Charles Norman gave a brief history of the PUD as was originally approved in 1979. He advised the only purpose of the amendment is to change the internal development standards of the PUD. No change has been made on the boundaries of the PUD.

Protestants: None.

TMAPC Action: 6 members present.

On MOTION of FLICK, the Planning Commission voted 6-0-0 (Connery, Draughon, Flick, Higgins, Hinkle, Woodard, "aye"; no "nays"; no "abstentions"; Beckstrom, Kempe, 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:

All of the NW/4 of Section 28, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, according to the Official U. S. Government Survey thereof; LESS and EXCEPT the following described property as follows, to wit: Quail Ridge, Blocks 1 through 10, and Observation Point, subdivisions in the City of Tulsa, Tulsa County, Oklahoma, according to the Official Recorded Plats.



Application No. CZ-95 (continued)

Protestants' Comments:

Mr. Grant Sivadon stated he was opposed to the zoning change and felt the debris from the ballroom would be harmful to his cattle as his property is pastureland and located next to the subject tract. He felt the ballroom would create a tremendous amount of noise which would be a disturbance to the neighbors and would invade their privacy.

Mr. David Sivadon read a letter from Leroy Green, Chairman of the Board of Trustees for the City of Mounds, Oklahoma, expressing opposition to the zoning change (Exhibit "C-1"). Mr. Sivadon expressed his opposition to the ballroom because it will have the concentration of activities centered in the evenings which will be a disturbance to the community. The ballroom is out of character with the surrounding uses and Mr. Sivadon did not feel that it should be allowed.

Mr. Gene Sivadon stated he owns property immediately west of the subject property and his driveway is situated about 1/8 mile west of the proposed ballroom site. The roads in the subject area are narrow and full of chug holes and will not be maintained with the added traffic. Mr. Sivadon also expressed concern with the evening time activities and the noise involved with such recreation.

Mr. George Shaner stated he owns the property south of the subject tract where he recently constructed two houses. Mr. Shaner suggested that the application be denied to retain the integrity of the neighborhood.

Applicant's Rebuttal:

Mr. Harper felt there would be no problem with debris drifting into Mr. Grant Sivadon's property because there is a law prohibiting an individual taking drinks outside the facility. The ballroom will be well insulated and will have a double steel wall to protect the neighborhood from noise disturbance. An armed security guard will be stationed at the subject tract to monitor the activity.

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-1 (Beckstrom, Connery, Flick, Higgins, Hinkle, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Kempe, C. Young, T. Young, Inhofe, "absent") to recommend to the Board of County Commissioners that the following described property be zoned CS on the east 10 acres and DENIAL of CS on the balance of the request.

Per Legal Notice:

The north 14.64 acres of Lot 1, Section 3, Township 16 North, Range 12 East, Tulsa County, Oklahoma

Per Planning Commission Action:

The east 10 acres of the north 14.64 acres of Lot 1, Section 3, Township 16 North, Range 12 East, Tulsa County, Oklahoma.

SUBDIVISIONS:

For Final Approval and Release:

C-Bar-C Ranch 2nd Addition (2690) South 203rd West Avenue, South of  
Coyote Trail (RMH, RE)

and

Elmcrest Park (PUD #257) (3293) SE corner of 51st Street and South  
Columbia Place (OM)

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

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, C. Young, T. Young, Inhofe, "absent") to approve the final plat of C-Bar-C Ranch 2nd Addition and Elmcrest Park and release same as having met all conditions of approval.

OTHER BUSINESS:

WAIVER OF PLAT REQUIREMENT:

Temporary Open Air Activities (Use Unit 2, Sub. Sec. 1202.2)

Recommendation: On March 30, 1982 the Zoning Code was amended by Ordinance #15307 which requires that special exceptions granted by the Board of Adjustment within Use Units 2, 4, 5, and 20, shall be "subject to a plat" and no building permit or zoning clearance permit shall be issued until the tract has been platted or the provision waived by the TMAPC upon a determination that the platting purposes have already been achieved.

The Code lists certain open air activities such as:

- Carnival
- Christmas tree sales
- Circus
- Construction facilities (off-site)
- Tent Revival

Since these activities are of a temporary nature the filing of a plat would be unnecessary and a time consuming burden on the applicant. Therefore, the Staff recommends that the Planning Commission adopt a policy of waiving the platting requirement for the above listed temporary open air activities, and that this recommendation and policy be transmitted to the Board of Adjustment so that the processing of application for temporary open air activities may be expedited. This policy would be in effect until the Zoning Code could be amended to exempt these temporary uses from the platting requirement.

Temporary Open Air Activities (Use Unit 2, Sub. Sec. 1202.2) continued

TMAPC Action: 7 members present.

On MOTION of HIGGINS, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, C. Young, T. Young, Inhofe, "absent") to waive the plat requirements for temporary open air activities such as carnivals, Christmas tree sales, circus, construction facilities (off-site) and tent revival for a six (6) month period awaiting Zoning Code amendments.

PUD #296-2 J. Douglas Shrout East of the SE corner of 17th Place and Quincy Avenue

Staff Recommendation - Detail Site Plan Review - Minor Amendment

Planned Unit Development No. 296 is located at the southwest corner of Rockford Avenue and East 17th Place. The tract had been approved for 8 dwelling units, but as a result of District Court hearing the applicant is now reducing the total units allowed from 8 to 6 dwelling units. In addition, the livability space will be increased by 3,600 square feet to 21,600 square feet and the parking will be reduced to 16 spaces (two for each unit plus four guest parking).

Since it is a reduction of units and an increase in livability space, the Staff can support the request as a minor amendment. Therefore, the Staff recommends APPROVAL of the revised Detail Site Plan, subject to the following conditions:

- (1) That the Revised Site Plan and Revised Text be made a condition of approval.
- (2) Development Standards:

Development Area "A"

Net Area:	6,566.96 sq. ft.
Permitted Uses:	The existing single-family detached residence is to be retained and renovated.
Maximum No. of Dwelling Units:	1 unit
Maximum Building Height:	Existing Height
Off-Street Parking:	As required by the RS-3 District
Minimum Setbacks from Perimeter of Development Area "A":	North -- 20 feet East -- 15 feet South -- 4 feet West -- 10 feet
Minimum Open Space Provided by PUD:	4,600 sq. ft.

Development Area "B"

Net Area:	28,895.54 sq. ft.
Permitted Uses:	Single-family attached townhouse dwellings on individual lots.
Maximum No. of Dwelling Units:	5 units

PUD #296-2 (continued)

Maximum Building Height:	35 feet
Off-Street Parking: 2 per unit (with (4) guest spaces)	
Minimum Lot Width:	20 feet
Yards:	
Rear (Northern Building),	20 feet*
Rear (Southern Building)	35 feet*
One Side	5 feet
Other Side	5 feet
Minimum Open Space Provided by PUD:	17,000 sq. ft.

\*Does not include attached storage building.

- (3) That a Homeowner's Association be created to maintain all common areas, including private drives and landscaped areas.
- (4) That a Detail Landscape Plan be submitted and approved by the TMAPC prior to occupancy of any structure, including landscaped entry and parking islands, saving of specimen trees in Development Areas "A" and "B", and screening.
- (5) That no Building Permit shall be issued until a Detail Site Plan has been submitted to and approved by the TMAPC.
- (6) That one monument sign, not to exceed 12 square feet in surface area or 3 feet in height, be permitted near the driveway entrance adjacent to the RM-2 zoning.
- (7) That no Building Permit be issued until the property has been included within a subdivision plat, submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants and PUD conditions of approval, making the City of Tulsa beneficiary to said covenants.

After review of the submitted Detail Site Plan, the Staff has found it to be in compliance with the Planned Unit Development, and therefore, recommend APPROVAL of the Detail Site Plan as submitted.

Mr. Alan Jackere, Legal Counsel, stated that the fact this PUD is in litigation has nothing to do with the Commissions' consideration of the proposed minor amendment to the previously approved PUD.

Mr. Doug Shroust submitted a handout consisting of 9 conditions of the PUD which he requested be implemented in the PUD Text (Exhibit "D-1"). The list was read to the Commission and briefly discussed. Mr. Compton suggested the Detail Site Plan be approved by the Commission and that they accept the statement including the 9 items submitted by Mr. Shroust as being a part of the PUD Text which has already been made a condition of approval. He felt that some of the items submitted did not address zoning matters and should not be incorporated within the restrictive covenants.

Lee Priceforth, Swan Lake Homeowners Association president, was present to address the Commission and was in concurrence with the Staff Recommendation.

TMAPC Action: 7 members present.

On MOTION of FLICK, the Planning Commission voted 7-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, C. Young, T. Young, Inhofe, "absent") to approve the Detail Site Plan and Staff Recommendation with the following conditions included in the PUD Text.

1. Reduce number of townhomes to be built from seven to five units with no reduction in size of units from previously approved plan.
2. Re-orient resulting duplex unit, after dropping third unit, from an east-west orientation to a north-south orientation.
3. Eliminate easternmost townhome unit from original four-plex resulting in new tri-plex.
4. Locate resulting tri-plex a minimum distance of 35' from south property boundary rather than 20' for a total increased setback of 15'.
5. Eliminate four guest parking spaces from a previously approved total of 8 to a total of 4 guest spaces in addition to the 10 residential spaces.
6. Locate parking and drive areas in such a way to create larger unpaved areas around existing trees. Trees depicted in green on the settlement plan to remain (8" Hackberry and 36" "half dead elm" are gone now.)
7. A detention pond, with earth berm, drainage swale, disapator, etc., will be created in the southeast corner of the property per Hammond design.
8. A Homeowner's Association will be created and will specify on the face of the plat that the maintenance of the paved areas will be Homeowner's Association responsibility.
9. The perimeter screening fence on the south boundary will be moved a minimum of two feet north of the property line to allow for maintenance of the vegetation to the south.

MISC.: Any further minor amendment will be submitted to Swan Lake Homeowner's Association designee 10 days prior to filing.

Perimeter fence to be installed after grading operation is completed.

PUD #306 - Detail Site and Landscape Plans Review:

Staff Recommendation:

The subject tract is approximately 273.5 acres of presently unimproved land located between 91st Street and 101st Street, on both sides of South Delaware Avenue, and is approved for a variety of residential, office and commercial uses. The applicant is now requesting some minor amendments to the bulk and area requirements and Detail Site Plans Review of Development Areas "A and C" and Detail Landscape Plans Review of Development Areas "A, C, and Phases 1 and 2 of D".

The Staff has reviewed the submitted Detail Site Plans and find the following:

Development Area "A"

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Gross Area (includes 1/2 of adjacent St. R/W)	12.66917 acres	Same
91st Street R/W	0.92499 acre	Same
College Place R/W	0.65500 acre	Same
Drainage Easement	1.05293 acres	Same
Net Area	10.03625 acres	Same
Maximum No. of Dwelling Units:	195 units	
Permitted Uses:	Attached residential dwelling units and related accessory uses such as off-street parking, private drives, clubhouses, recreational facilities, including tennis courts and swimming pool and open space areas.	Same
Maximum Building Heights:	35 feet	Same
Minimum Building Setbacks:		
From 91st Street R/W	20 feet	Same
from College Place R/W	20 feet	Same
from Development Area "C"	11 feet	Same
from west boundary of Drainage Easement	10 feet	Same
Side Yard from Lot Line	0 feet	Same
Rear Yard from Lot Line	10 feet	Same
Front Yard from Lot Line	0 feet	Same
Garage from Lot Line	0 feet	Same
Between Buildings (except between garages)	10 feet	Same
Minimum Landscaped Open Space Area per Dwelling Unit	1,200 sq. ft.	Same
Minimum Parking Spaces (includes garages) per D. U.	2.0 spaces	Exceeds
Minimum Lot Area (includes corresponding garage lot)	1,600 sq. ft.	Same



Development Area "C"

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Gross Area (includes 1/2 of College Place R/W):	16.66 acres	Same
College Place R/W,	1.07 acre	Same
Drainage Easement,	0.75 acre	Same
Net Area.	14.83 acres	Same
Reserve Area "A" (Private Street):	2.21 acres	Same
Maximum Number of Dwelling Units:	95 units	
Permitted Uses: Detached single-family dwelling units with off-street parking, private drives, and open space areas.		Same
Maximum Building Heights:	35 feet	Same
Minimum Building Setbacks:		
From College Place R/W,	20 feet	Same
from North Boundary Line,	11 feet	Same
from South Boundary Line,	80 feet	Same
from West Boundary of Drainage Easement,	10 feet	Same
Side Yard from Lot Line,	5 feet	Same
Rear Yard from Lot Line,	10 feet	Same
Front Yard from Curb of Private Street,	20 feet	Same
Between Dwellings.	10 feet	Same
Minimum Landscape Open Space Area per D. U.:	2,500 sq. ft.	Same
Minimum Landscaped Open Space Area, each lot:	2,175 sq. ft.	Same
Minimum Parking Spaces (includes garages) per D. U.:	2.0 spaces	Exceeds
Minimum Lot Area:	4,200 sq. ft.	Same

Based upon the above review, the Staff recommends APPROVAL of the Detail Site Plans for Development Areas "A and C".

The Staff also reviewed the Detail Landscape Plans for Development Areas "A, C, and Phases 1 and 2 of D" and find they meet the conceptual intent of the PUD Text and Development Plan and that they are consistent with the purposes of the PUD Chapter. Therefore, the Staff recommends APPROVAL of the Detail Landscape Plans for Development Areas "A, C and Phases 1 and 2 of Area D".

Ted Sack stated he was in agreement with the Staff Recommendation.

TMAPC Action: 6 members present.

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Flick, Hinkle, Woodard, "aye"; no "nays"; no

PUD #306 (continued)

"abstentions"; Higgins, Kempe, C. Young, T. Young, Inhofe, "absent") to approve the Detail Site Plan for Areas "A" and "C" and the Detail Landscape Plan for Areas "A", "C" and "D" for PUD #306.

PUD #215 Tannehill (Never Fail) South of 81st Street, West of Memorial Drive

Minor Amendment Area "C"

Based upon the previous discussion concerning Z-5885 and PUD #343, the Staff would recommend APPROVAL of a minor amendment to PUD #215 allowing the deletion of approximately 6.2 acres from Development Area "C"; subject to a Restrictive Covenant being filed of record allowing the residents of Development Area "C" unrestricted use of that area.

TMAPC Action: 8 members present. PUD #215, Area "C"

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, T. Young, "aye"; no "nays"; no "abstentions"; Kempe, C. Young, Inhofe, "absent") to approve the requested minor amendment to PUD #215 allowing the deletion of approximately 6.2 acres from Development Area "C", subject to a Restrictive Covenant being filed of record allowing the residents of Development Area "C" unrestricted use of that area.

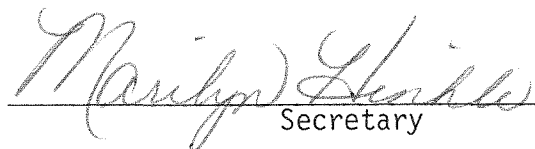
There being no further business, the Chair adjourned the meeting at 4:16 p.m.

Date Approved

October 26, 1983

  
Chairman

ATTEST:

  
Secretary