

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1468
Wednesday, December 14, 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 Kempe, Chairman Woodard	C. Young T. Young Inhofe	Compton Gardner Lasker Martin	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on December 13, 1983, at 10:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:37 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Beckstrom, Connery, Draughon, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; Flick, Higgins, C. Young, T. Young, Inhofe, "absent") to approve the November 30, 1983, Minutes (No. 1484).

REPORTS:

Report of Receipts and Deposits:

The Commission was advised that this report is in order.

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

Rules and Regulations Committee Report:

Chairman Kempe advised the Rules and Regulations Committee will meet at 12:30 p.m., next Wednesday, December 21, 1983, in Room 213 of the City Hall in order for the Staff to report on the studies and proposed changes to the sign ordinance.

Director's Report:

Mr. Lasker stated that the final plat of Ben Franklin's property was filed, but the notice of the expressway was not filed with it so it will be discussed at the next meeting whether the TMAPC should file the notice or suggest some other alternative.

ZONING PUBLIC HEARING:

Application No. Z-5893 Present Zoning: CS, RS-3, CH, RM-1, IM and IL
Applicant: Bybee (T.U.R.A., et al) Proposed Zoning: RS-3, IL, CS, CH, RM-2 and RM-1
Location: Various tracts located between Peoria Avenue and Cincinnati Ave.,
and Apache Street and Archer Street

Date of Application: October 11, 1983
Date of Hearing: December 14, 1983
Size of Tract:

Presentation to TMAPC by: Jerry Sutton
Address: 707 South Houston Avenue Phone: 587-4114

Relationship to the Comprehensive Plan: Z-5893

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Neighborhood Development Plan #1; plans prepared by TURA and implemented through use of federal funds, emphasis placed on providing housing and business rehabilitation through loans, grants, and counseling.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-3, IL, CS, CH, RM-2, and RM-3 Districts may be found in accordance with the Plan Map.

Staff Recommendation:

Site and Surrounding Area Analysis -- The subject tracts are generally located within or adjacent to an area bounded by the IDL on the east and south, Cincinnati Avenue on the west and Pine Street on the north. The area contains a variety of uses zoned in a variety of ways, however; the majority use within the subject area as well as around it is residential.

Zoning and BOA Historical Summary -- Past zoning actions have zoned a majority of the area to an intensity greater than existing or proposed use would require.

Conclusion -- The Staff reviewed Neighborhood Development Plan #1 and found the applicant's request to be consistent with this adopted plan except for the triangle-shaped area of CH between Greenwood Avenue and Sand Springs Railroad. The Plan designates this area for RM-2 zoning. The Staff feels the Plan is correct in its designation and cannot support the CH request. Since the Legal Notice will not allow the Planning Commission to consider RM-2, the Staff recommends OM. Medium Intensity Office would allow the area to develop as either office or RM-2 by exception, but not allow retail commercial.

Therefore, the Staff recommends APPROVAL of the requested zoning changes, less the triangle-shaped area between Greenwood Avenue and the Sand Springs Railroad which shall be OM.

Application No. Z-5893 (continued)

Applicant's Comments:

Mr. Jerry Sutton represented T.U.R.A. and advised the subject property lies between Cincinnati Avenue on the west and the Cherokee Expressway on the east, just south of Pine Street with the Inner Dispersal Loop to the south. The plan which was developed for the subject area was adopted and approved years ago. An exhibit was displayed showing the various zonings of the subject tract. Mr. Sutton proceeded to explain the color rendering and indicated the proposed zoning changes. Basically the application is to make the zoning conform to the adopted Land Use Plan and Comprehensive Plan. Some of the zoning changes represent a more intense zoning, but most of the land has been downzoned to less intensity.

Mr. Sutton concluded his presentation by stating the T.U.R.A. is in concurrence with the Staff Recommendation.

Chairman Kempe stated two letters were submitted inquiring about the zoning request (Exhibit "A-1").

<u>Protestants:</u>	Fred Davis	Addresses:	1915 North Main Street
	Homer Johnson		311 West Independence Street
	Caesar Latimer		1153 North Hartford Avenue
	Kermit Thomas		1443 North Elgin Place

Protestants' Comments:

Mr. Davis stated that he and Mr. Berris developed the Sunset Plaza Apartment complex in the immediate area which is a 5-million dollar development. If the subject property is rezoned it will damage the property containing the apartment complex. Mr. Davis stated that the Plans do not indicate the four-lane highway which cuts 5' or 10' off of his property. Mr. Davis explained when he purchased his property T.U.R.A. had no plans for rezoning the subject property and he felt that the whole concept of the area has changed. He felt that the application should be continued to allow the Staff and Commission time to study the application and to provide better notice to the community of the proposed changes. He suggested that when the density factors are changed it increases the possibility of nondevelopment by minorities and by doing so, one simply removes the possibility of recapturing native land.

Mr. Gardner did not agree that the density factors were being changed to create a greater change of nondevelopment for minorities. He felt that T.U.R.A. is trying to conform to what is presently in place and to protect the people who live in that community. He questioned if T.U.R.A. owns all the property or is representing the owner.

Mr. Johnson stated that he was involved with developing the Comprehensive Plan for the subject area and is concerned with the zoning change as proposed. He felt if the zoning were changed it would cause deterioration of the property values. When the Plan was adopted there were some uses which were never to occur in this area and Mr. Johnson felt that some of those uses might be developed on this tract. He did not feel that the proposed zoning change complies with the Comprehensive Plan. He stated his concern that the subject property could cause a serious environmental impact on the surrounding property. Mr. Johnson then suggested that the zoning consideration be continued to allow the community to study and consider the long-range affect this zoning change would have in the area.

Application No. Z-5893 (continued)

Mr. Caesar Latimer stated his concern was premature and was not opposed to the proposed zoning. He advised that most of the zoning changes are for residential and very little commercial property. He stated that he plans to file a zoning application for some commercial property just north of the subject property.

Mr. Thomas stated he was concerned with the area by the Midland Valley tracks by Carver School and wondered if it would be zoned industrial and Mr. Compton explained the proposed zoning change for the area.

Applicant's Rebuttal:

Mr. Don Bybee represented the T.U.R.A. and answered a question concerning the collector street as proposed and it will be located immediately north of the subject property. He did not feel the street has anything to do with the zoning proposal and did not feel the traffic would affect the zoning as was suggested by one of the protestants. Mr. Bybee assured the Commission that 10' would not be taken from Mr. Davis' property for the new configuration of the street. He then stated that the proposed zoning conforms to the Land Use Plan. Mr. Johnson stated he was concerned about the green space. Mr. Bybee spoke to the question of open space or green space and the Land Use Plan calls for green space between the residential and railroad track which wraps around the single-family area and one small area is reserved for multifamily. T.U.R.A. is unsure at this time if that one area will be used for multifamily purposes. The area indicated RM-1 will remain as is and will allow a park to be built in that area because that particular land could not be used for buildings, but would only be suitable for a park area.

The Staff attempted to answer various questions asked by the protestants and it was advised that the Staff in reviewing the Plan found that the only area which does not comply with the Plan the Staff recommended denial, which is located east of Greenwood and north of the railroad track. The proposed use is for commercial, but the Comprehensive Plan calls for multifamily; therefore, the Staff recommended denial of that area. Mr. Gardner stated there are two areas south of the Inner Dispersal Loop presently zoned industrial which are proposed for commercial and is a part of the Plan. The area east of Greenwood and south of the railroad is proposed for commercial and the area between Elgin and Cincinnati Avenues and south of Haskell Avenue are proposed for commercial, which is in compliance with the Comprehensive Plan. The Staff has suggested that the rest of the area in question remain multifamily. The applicant requested that the triangular area north of the railroad and east of Greenwood be commercial, but it is not in conformance with the Plan. The area north of Jasper between Jasper and King Streets is single-family and in accordance with the Plan.

Mr. Beckstrom asked Mr. Davis if he had been supplied enough information concerning the proposed zoning change and he was still greatly opposed to the rezoning of that particular area as he felt it would greatly damage his property. Chairman Kempe requested that Mr. Bybee address the issue of land use and he again reiterated some points which were previously talked about. Mr. Davis felt whatever the Planning Commission chose to do would affect his property and development. He did not feel that anyone had the right to destroy his 5-million dollar development. Mr. Bybee did not feel that the proposed development would damage Mr. Davis' development, but instead felt the property would be improved.

Application No. Z-5893 (continued)

Mr. Beckstrom suggested that the application be acted upon with the exception of the property zoned CH and located below Mr. Davis' property.

Chairman Kempe was in support of continuing a portion of the application to allow Mr. Bybee to talk with Mr. Davis concerning the Land Use Plan, the previous zoning, proposed zoning and Mr. Bybee had no opposition and Mr. Davis was also in support of that suggestion.

Instruments Submitted: Two Letters from Interested Parties (Exhibit "A-1")

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the Staff Recommendation of the requested zoning changes, less and except the property bounded on the north by Haskell Street, on the east by Elgin Avenue and on the south by the Inner Dispersal Loop, on the following described property:

<u>Rezone to RS-3</u>	<u>Current Zoning</u>
Lots 1-16, Block 9, Investors Addition	CS
Lots 11-22, Block 8, Investors Addition	CS
Lots 11-16, Block 7, Investors Addition	CS
Lots 7-12, Block 4, Harding Addition	CS
Lots 7-12, Block 5, Harding Addition	CS
ALL of Blocks 8, 9, 11, 12, 13, 14, 15 & 16, Greenwood Addition	CH, OL, CS, RM-1
ALL of Block 15, Fairview Addition	RM-1
ALL of Blocks 1 and 2, Washington Addition	OL, CH, RM-1
Lots 1-23, Block 3, Washington Addition	CH, RM-1
ALL of Blocks 1 and 2, Gurley Hill Addition	OL, CH, RM-1
Lots 1-6 and Lots 29-34 and Lots 35-46, Block 3, Gurley Hill Addition	CH, RM-1
All of Blocks 3, 4 & 5, Douglas Place Addition	RM-1
All of Blocks 1 and 2, Douglas Addition	RM-1
All of Blocks 1, 2 & 3, Lincoln Park Addition	RM-1

Rezone to IL

South 100 feet of Lot 1, and All of Lots 2 & 3, Block 4, Rosedale Addition	CS, RM-1
Lots 5-20, Block 3, Rosedale Addition	RM-1
Lots 5-20, Block 2, Rosedale Addition	CH, RM-1
Lots 5-12, Block 1, Rosedale Addition	CH
ALL of Blocks 5, 6, 7 & 8, Rosedale Addition	CH, RM-1
Lots 5-20, Block 2, Liberty Addition	RM-1
Lots 5-20, Block 1, Liberty Addition	RM-1
ALL of Blocks 3 and 4, Liberty Addition (Less Expressway Right-of-Way)	RM-1
Lots 7-20, Block 2, Sunnybrook Addition	RM-1
Lots 13-16, Block 1, SunnyBrook Addition (Less Right-of-Way)	RM-1
Lots 1-5 and Lots 19-24, Block 3, SunnyBrook Addition (Less Right-of-Way)	RM-1

Application No. Z-5893 (continued)

Rezone to IL (continued)

ALL of Blocks 1-4, Fairview Addition	RM-1
Lots 1-6, Block 8, Fairview Addition	CS, RM-1
Lots 1-4, Block 3, Magnolia Addition	RM-1
Lots 2-4, Block 4, Magnolia Addition	RM-1
Lot 15, Block 4, Sunnybrook Addition (Less Right-of-Way)	RM-1

Rezone to CS

Lots 1-8, Block 2, Strobel Addition	RM-1
Lots 6-12, Block 3, Strobel Addition	CH
Lots 3, 4, 21 and 22, Block 3, Rosedale Addition	RM-1
Lots 21 and 22, Block 2, Rosedale Addition	RM-1
Lots 3, 4, 21 and 22, Block 2, Liberty Addition	OL, RM-1
Lots 3, 4, 21 and 22, Block 1, Liberty Addition	OL, RM-1
Lots 21 and 22, Block 2, Sunnybrook Addition	OL, RM-1

Rezone to CH

Lots 27-44, Block 3, Washington Addition	RM-1
Lots 1-16 and Lots 23-34, Block 4, Washington Addition	OL
Lots 1-10, Block 5, Washington Addition	OL
ALL of Block 1, Hartford Addition	IL
Lots 1-26, Block 2, Hartford Addition	IL
ALL of Block 1, Northside Addition	IL
Lots 1-9, Block 3, Turley Addition	IL
Lots 1-9, Block 4, Turley Addition	IL
Lots 1, 2, 3, 5 & 6, Block 53, Original Townsite	IL
Lots 3 & 4, Block 23, Original Townsite (Less Expressway Right-of-Way)	IL
Lots 1-4, Block 24, Original Townsite (Less Expressway Right-of-Way)	IL
The Southerly 35 feet of Lot 1, Block 46, LESS the Sand Springs Railway, AND the Northerly 25 feet of Lot 2, Block 46, Original Townsite	IL
Lot 9-16, Block 7, Davis Wilson Addition, LESS Street Right-of-Way	RM-1
Lots 1, 2, 3, 4, & 5, Block 1, North Tulsa Addition LESS Street Right-of-Way	RM-1

Rezone to RM-2

Lots 7-28, Block 3, Gurley Hill Addition	CH, RM-1
ALL of Block 4, Gurley Hill Addition	RM-1
ALL of Block 5, Gurley Hill Addition	CH, RM-1
ALL of the Subdivision of the North 190 feet of Block 6, Gurley Hill Addition	RM-1
Lots 4-10, Block 1, Romona Addition	RM-1
ALL of Blocks 1 and 2, Sunset Hill Addition	RM-1
ALL Blocks 3 & 4, Fairview Addition	RM-1
ALL Blocks 15 & 16, North Tulsa Addition	RM-1
Blocks 17, LESS Right-of-Way, North Tulsa Addition	CH, RM-1
ALL of Blocks 3-6, Northside Addition	CH, RM-1

Rezone to RM-1

Lots 10-15, Block 5, Greenwood Addition	OL, CH
-----------------------------------------	--------

Application No. Z-5993 (continued)

Rezone to RM-2

Currently RM-1

South 155 feet, Block 6, GURLEY HILL ADDITION, said South 155 feet being a depth of 155 feet running North and South and a distance of 300 feet running East and West.

Rezone to RM-2

Currently IM

Commencing at the Northwest corner of the Northwest Quarter, Southeast Quarter, Southwest Quarter of Section 36, T-20-N, R-12-E; thence East on the North line of the Northwest Quarter, Southeast Quarter, Southwest Quarter to the Westerly line of Greenwood Avenue; thence Southeasterly on Westerly line of Greenwood Avenue to a point where the West line of Greenwood Avenue intersects the South line of the Northeast Quarter, Southeast Quarter, Southwest Quarter, Sec. 36; of the South line of the Northeast Quarter, Southeast Quarter, Southwest Quarter and on the South line of Northwest Quarter, Southeast Quarter, Southwest Quarter of Section 36 to Southwest corner of Northwest Quarter, Southeast Quarter, Southwest Quarter; thence North on West line of Northwest Quarter, Southeast Quarter, Southwest Quarter 660 feet to the point of beginning, LESS, commencing at a point 498.5 feet South of the Northwest corner of the Northwest Quarter, Southeast Quarter, Southwest Quarter of Section 36; thence South 165 feet, East 170 feet, North 165 feet; thence West 170 feet to the point of beginning and also except a strip of land 2.5 feet wide lying West and abutting the West line of Greenwood Avenue as follows: Beginning at the Northeast corner of Block 3, NORTH SIDE ADDITION; thence North 5° 14' West 660.7 feet to the Southeast corner of Block 5, GURLEY HILL ADDITION; thence West on the South line of Block 5, GURLEY HILL ADDITION 2.5 feet to a point; thence South 5° 14' East to a point on the North line of Block 3, NORTH SIDE ADDITION, said point being 2.5 feet West of the Northeast corner of Block 3; thence East on the North line of Block 3 to the point of beginning.

Rezone to RM-2

Currently IM

All that part of DAVIS-WILSON HEIGHTS lying East of a straight line drawn from the Northwest corner of Lot 7, Block 1, South to a point located on the South line of Lot 6, Block 3, 9.4 feet West of the Southeast corner of Lot 6; ALL part of the Southwest Quarter, Section 36, Township 20 North, Range 12 East and also described as:

BEGINNING 30 feet East of the Northeast corner of the Southeast Quarter, Northwest Quarter, Southwest Quarter; thence West on the East extension of the North line of the last described 10-acre tract and on the North line for 360 feet; thence South at right angle for 863.3 feet; thence East at right angle for 330 feet; thence North at right angle for 198.5 feet; thence East a right angle for 30 feet; thence North at right angle for 664.8 feet to the point of beginning.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to continue consideration of that property requested for CH zoning which is bounded on the north by Haskell Street, on the east by Elgin Avenue and on the south by the Inner Dispersal Loop, until January 11, 1984, at 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

12.14.83:1486(7)

Application No. Z-5899 Present Zoning: AG
Applicant: Sumner (Koury, Abdo) Proposed Zoning: RS-2
Location: West side of South Sheridan Road at East 106th Place South

Date of Application: October 24, 1983
Date of Hearing: December 14, 1983
Size of Tract: 43.33 acres

Presentation to TMAPC by: Mr. E. O. Sumner
Address: 8173 East 31st Place Phone: 627-4442

Relationship to the Comprehensive Plan: Z-5899

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential and Development Sensitive on the western portion of the tract and Special District 1 on the eastern portions of the tract.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-2 District is in accordance with the Plan Map designation for Low Intensity -- Residential and may be found in accordance with the Special District designation.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 43.33 acres in size and located 1/2 mile south of the southwest corner of 101st Street and South Sheridan Road. It is partially wooded, sloping steeply, contains two single-family dwellings and zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by vacant land zoned AG, on the east by single-family neighborhoods zoned a combination of RS-3 and RS-2, on the south by large lot single-family dwellings zoned AG and on the west by vacant land zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions have established the area as low intensity residential.

Conclusion -- The Comprehensive Plan's designations for the tract point out that significant physical environmental problems exist on the subject tract and within the surrounding area. The Plan supports low intensity residential, but points out that the western portion is sensitive to development and specifically calls the eastern portion out for the following special considerations.

1. Uses allowed in Special District 1 shall be limited to low intensity residential (RS-1) if conventional zoning is requested, but other types of land use could be accommodated under a planned unit development application.
2. Development intensities shall be consistent with the ability of the land to accommodate individual sanitary sewer systems as approved by the Tulsa City-County Health Department.
3. Special care should be taken in the design and scheduling of development within Special District 1. In particular, attention should be given to minimizing and disturbance of the natural vegetation and soil profiles due to the highly erosive nature of the soils.

Application Z-5899 (continued)

In addition the surrounding area has developed at a very low density even the single-family east of the tract that is zoned RS-3 and RS-2 has developed to RS-1 standards.

Because of the above mentioned reasons, the Staff recommends APPROVAL of RS-1 zoning on the subject tract.

We would note that the physical problems on the tract will require portions to remain undeveloped and that if the RS-1 zoning were combined with a PUD 117 lots could be constructed on the developable portions of the tract and probably would be RS-2 densities.

Applicant's Comments:

Mr. Gardner suggested that the applicant address the issue of how the property will be developed. If the lots are to be on septic tank they will be large lots. The Staff is not concerned with the front setback. The Staff would be in support of the applicant filing a variance before the Board of Adjustment on the setback request.

Mr. E. O. Sumner represented the owner of the property, Forest Park South Development Company. Mr. Sumner presented the plans of development for the subject tract. Mr. Sumner then proceeded to describe the location of the subject tract and the surrounding zoning patterns. The Forest Park South plat was presented to the T.A.C. and was approved, subject to minor conditions and was then resubmitted for final approval to allow the RS-2 zoning. The T.A.C. previously approved 66 lots, but the plat has been changed and the tract now only contains 60 lots. All of the lots have been approved by the Health Department for septic tank use and public water. The RS-2 zoning pattern has been requested to allow a front building setback of 30' instead of 35' as required under RS-1 standards.

Mr. Gardner stated the Staff would be supportive of a variance request before the Board of Adjustment on the 30-foot setback needed, but prefers RS-1 zoning.

Mr. Sumner requested that the RS-2 zoning be approved to avoid additional hearings which are not needed.

The Staff then suggested that the zoning request be continued for one week to allow the Planning Commission to act on the zoning and the preliminary plat at the same time. Mr. Sumner was in agreement with that suggestion. The purpose for the continuance would be to allow the Commission to lock into the lot intensity for the development. The subject property meets the RS-1 zoning standards with the exception of the front setback.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to continue consideration of Z-5899 until Wednesday, December 21, 1983, at 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. Z-5900 Present Zoning: RS-3
Applicant: Grimmer (Germany) Proposed Zoning: CS
Location: East of the NE corner of 35th Street and Peoria (1319 East 35th)

Date of Application: October 25, 1983
Date of Hearing: December 14, 1983
Size of Tract: .16 acre

Presentation to TMAPC by: Hank Grimmer
Address: 2140 East 31st Place Phone: 745-0123

Relationship to the Comprehensive Plan: Z-5900

The District 6 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 requested CS District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately .16 acre in size and located just east of the northeast corner of 35th Street and South Peoria Avenue. It is partially wooded, flat, contains a single-family dwelling and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by a single-family dwelling zoned RS-3, on the east by a single-family dwelling used as an office by Board of Adjustment action zoned RS-3, on the south by the parking lot for Stone Horse zoned CH and on the west by a commercial use (The Studio) zoned CH.

Zoning and BOA Historical Summary -- The Board of Adjustment allowed the abutting tract on the east to be used as an interior design office with limitations and the Planning Commission has recommended APPROVAL of parking (P) on the lot just east of the interior design office.

Conclusion -- The Comprehensive Plan designates the lot specifically for residential use. The new Brookside Study which has been adopted by the Planning Commission designates the area of the subject tract as a Special Consideration area to be used for parking. The Commercial request is not consistent with either plan designation and the Staff cannot support the request.

Therefore, the Staff recommends DENIAL of CS and APPROVAL of P.

Applicant's Comments:

Mr. Grimmer was in agreement with the Staff Recommendation.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the Staff Recommendation for P zoning, on the following described property:

12.14.83:1486(10)

Application No. 5900 (continued)

The West-Half of Lot 12, Block 2, Olivers Addition.

Application No. Z-5742-A INCOG East of the SE corner of 31st Street and Delaware Place; and
North of the NW corner of 38th Street and Delaware Avenue; and
NW corner of 36th Street and Lewis Place; and
SE corner of 34th Street and Gary Avenue.
RS-2 to RS-1

The Staff advised that this zoning application needs to be continued. Attorney, Mark Sherman, was present and was in agreement with the continuance.

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to continue consideration of Z-5472-A until January 4, 1984, at 1:30 p.m., Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. CZ-100 Present Zoning: RS-3
Applicant: Zilm (4th National Bank) Proposed Zoning: IL
Location: NW corner of 54th Street and 41st West Court

Date of Application: October 25, 1983
Date of Hearing: December 14, 1983
Size of Tract: .33 acre

Presentation to TMAPC by: Bob Zilm
Address: 139 North Louisville Avenue Phone: 743-7776

Relationship to the Comprehensive Plan: CZ-100

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 6 -- Industrial Development.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1/3rd acre in size and located at the northwest corner of 54th Street and South 41st West Court. It is non-wooded, flat, vacant and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by an unoccupied industrial building zoned IL, on the east by the Sapulpa Union Railroad and on the south and west by several vacant lots and homes zoned RS.

Zoning and BOA Historical Summary -- Past zoning actions have established the area of the subject tract as being in transition to light industrial uses.

Conclusion -- The Staff sees light industrial uses located between the railroad and the higher intensity uses allowed along the expressway as appropriate. The Plan has designated the area for future industrial use, and also the subject tract is not located in the middle of the existing residential uses and thereby minimizes the transitional impact.

Based upon these factors, the Staff recommends APPROVAL of the requested IL.

Applicant's Comments:

Mr. Zilm stated he was in concurrence with the Staff Recommendation.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the Staff Recommendation, on the following described property:

Lots 1 and 2, Block 17, Opportunity Heights, Tulsa County, Okla.

Application No. CZ-101 Present Zoning: AG
Applicant: Farris (Gilberth) Proposed Zoning: RMH & FD
Location: NE corner of 221 West Avenue and Wekiwa Road

Date of Application: October 28, 1983
Date of Hearing: December 14, 1983
Size of Tract: 5.14 acres

Presentation to TMAPC by: Nellie Farris
Address: 1801 South 49th West Avenue Phone: 583-5006

Relationship to the Comprehensive Plan: CZ-101

The District 23 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Rural Residential -- Agriculture.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 5.14 acres in size and located at the northeast corner of 221st West Avenue and Wekiwa Road. It is partially wooded, gently sloping, vacant, traversed by a creek and is zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north and east by acreage lots with single-family dwellings zoned AG, on the south by a developing single-family neighborhood zoned RS, and on the west by vacant land zoned AG.

Zoning and BOA Historical Summary -- Past zoning actions have restricted the area to no greater density than can be supported by RS zoning.

Conclusion -- Based on the low intensity Comprehensive Plan designation and the fact that the area is developing at a density that is only slightly less than that allowed under RS zoning, the Staff cannot support a zoning district that could potentially double the density.

Therefore, the Staff recommends DENIAL of RMH and APPROVAL of RS, less and except that portion of the tract identified as being in a Floodway which shall be zoned FD.

Applicant's Comments:

Mrs. Nellie Farris was present and submitted some information dated September 26, 1923, concerning the easement for the drainage ditch and a design memo for reservoir clearing project location for the subject property (Exhibit "B-1"). Mrs. Farris also submitted an aerial photograph of the subject tract (Exhibit "B-2"). Mrs. Farris stated the property has a three minute perk and she plans to use the septic tank system on the property as she has already talked to a representative of the Health Department concerning that matter.

Chairman Kempe read a letter from the Sand Springs Regional Planning Commission who voted not to recommend approval of CZ-101 (Exhibit "B-3"). Included with the letter was the official minutes from the Sand Springs meeting held December 6, 1983, concerning this particular zoning request.

Application No. CZ-101 (continued)

Legal Counsel Linker stated it is the County Engineering Department's responsibility to determine if there is any designated floodway on the subject property.

There was limited discussion concerning the lot size permitted under RS standards and what was proposed. Mr. Gardner suggested that the Commission answer the question of density and whether a mobile home park would be appropriate in the subject area. The Candle Stick Beach residential subdivision is located across from the subject property and is zoned RS. The Commission needs to determine if the proposed use would be consistent and appropriate with the surrounding uses.

Mr. Gardner advised if the tract were zoned under the RMH category a density of 8 mobile homes per acre would be permitted provided that adequate sanitary sewer services would be provided. There was some discussion of the possibility of a PUD, but the Staff felt the Commission should not encourage it if they would not be inclined to act favorably toward that action. The Staff feels RS zoning is appropriate for the tract, but a mobile home park is not appropriate in the area.

Protestants: Oneil Adams Addresses: 1105 South 217 West Place
Larry Bray 21915 West 13th Street

Protestants' Comments:

Mr. Adams stated he lives in the Candle Stick Beach Subdivision and is opposed to the zoning application and it was also turned down by the Sand Springs Planning Commission. He explained that he is opposed to the zoning because it will cause decrease in property values and will cause traffic problems in the area.

Mr. Bray stated he is the president of the Candle Stick Homeowners Association and advised he is in concurrence with Mr. Adams statements in protest to the zoning request.

Mr. Gardner stated if the Staff recommendation is approved the property would be zoned RS which is the same type zoning as Candle Stick Beach. The Staff would recommend denial of an RS zoned PUD for a mobile home park. Discussion ensued concerning the proposed density of the property. If RS zoning were approved it would permit one single-family dwelling per half-acre of property, but would not permit a mobile home park use as proposed.

There was limited discussion concerning the proper zoning category to be assigned to the subject property. Commissioner Connery did not feel that there should be any change in zoning because of the Sand Springs recommendation, but Mrs. Farris had indicated that she would prefer the RS zoning as recommended by the Staff over the present AG zoning.

Russell Linker, Legal Counsel explained that anytime a zoning request comes before the Planning Commission the proper zoning should be assigned for the property. If the applicant does not want it rezoned according to the TMAPC it should be made a part of the record.

Instruments Submitted: Design Memo (Exhibit "B-1")
Aerial Photograph (Exhibit "B-2")
Letter from Sand Springs Regional
Planning Commission (Exhibit "B-3")

Application No. CZ-101 (continued)

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the Staff Recommendation for RS zoning, less and except that portion of the tract identified as being in a Floodway which shall be zoned FD, on the following described property:

That part of the W/2 of the SE/4 of the SW/4 of Section 3 and that part of the NW/4 of the NE/4 of the NW/4 of Section 10, ALL in Township 19 North, Range 10 East of the IB & M, according to the U. S. Survey thereof, more particularly described as follows:

Beginning at a point 694 feet South of the NW corner of Said SE/4, SW/4, Section 3; thence East and parallel to the North line of Said SE/4 SW/4 a distance of 300 feet to a point; thence South and parallel to the West line of Said SE/4 SW/4 of Said Section 3 and the West line of said NW/4 NE/4 NW/4 of Said Section 10 to a point on the South Right-of-Way line of the M.K. & T. Railroad Right-of-Way; thence West along the Said Railroad Right-of-Way to a point on the West line of Said SE/4 SW/4; thence North along the West line of Said SE/4 SW/4 to the point of beginning.

Application No. Z-5901 Present Zoning: RS-2
Applicant: Snow, Gerald Proposed Zoning: RS-3
Location: North of the NW corner of West 53rd Street South and 33rd West Ave.

Date of Application: November 1, 1983
Date of Hearing: December 14, 1983
Size of Tract: 7.394 acres

Presentation to TMAPC by: Gerald Snow
Address: 2410 West 41st Street Phone: 234-3376

Relationship to the Comprehensive Plan: Z-5901

The District 8 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- Residential, Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested RS-3 District is not in accordance with the Plan Map.

Staff Recommendation:

Site Analysis -- The subject tract is approximately 7.394 acres in size and located north and east of the northeast corner of 53rd Street and South 33rd West Avenue. It is wooded, rolling, vacant, and zoned RS-2.

Surrounding Area Analysis -- The tract is abutted on the north by several commercial uses zoned CS, on the east by mostly vacant land and some industrial and commercial uses zoned IL and CG, on the south by a single-family neighborhood zoned RS-3, and on the west by several large lot single-family dwellings zoned RS-2.

Zoning and BOA Historical Summary -- Past zoning actions have established the area as low intensity, single-family residential.

Conclusion -- Based upon the Comprehensive Plan, surrounding zoning patterns, the existing land use, the Staff can support RS-3 zoning. However, a portion of the tract has been identified in the Hydrology Report as being in a designated Floodway. Since the tract was not advertised for RD zoning, the Staff would suggest decreasing the density in the floodway from RS-2 to RS-1.

Therefore, the Staff recommends APPROVAL of RS-3, less and except that portion identified as being in a designated Floodway which shall be zoned RS-1.

Applicant's Comments:

Mr. Gerald Snow stated he was in concurrence with the Staff Recommendation. He has already addressed the floodplain problems which Hammond Engineering Company is working on. An aerial photograph was submitted (Exhibit "C-1").

Protestants: None.

Instruments Submitted: Aerial Photograph (Exhibit "C-1").

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 7-0-1 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Woodard, "aye"; no "nays";

Application No. Z-5901 (continued)

Kempe, "abstaining"; C. Young, T. Young, Inhofe, "absent") to approve the Staff Recommendation for RS-3 zoning, less and except that portion identified as being in a designated floodway which shall be zoned RS-1, on the following described property:

Beginning at the Northwest corner of the S/2 of the S/2 of the NW/4 of the NW/4 of Section 34, Township 19 North, Range 12 East; thence South $0^{\circ}-01'-03''$ West along the West line of Said S/2, S/2, NW/4, NW/4 a distance of 330.95 feet to a Point, Said Point being the Northwest corner of Mountain Manor Second and the Northeast corner of Mountain Manor being Additions to the City of Tulsa, Tulsa County, State of Oklahoma; thence North $89^{\circ}-52'-45''$ West along the North line of Mountain Manor a distance of 973.12 feet to a Point; thence North $0^{\circ}-00'-25''$ East parallel to the West line of Section 34 a distance of 330.99 feet to a Point; Said Point being the Southwest corner of Hyde Amended, an Addition to the City of Tulsa; thence South $89^{\circ}-52'-38''$ East along the South line of Said Hyde Amended a distance of 973.23 feet to the POINT OF BEGINNING and containing 322098.65 square feet or 7.394 acres, more or less.

Application No. Z-5902 Present Zoning: RS-3
Applicant: Reynolds Proposed Zoning: CG and FD
Location: North of the NW corner of East Admiral Place and 109th E. Avenue

Date of Application: November 2, 1983
Date of Hearing: December 14, 1983
Size of Tract: 1.2 acres

Presentation to TMAPC by: W. W. Reynolds
Address: 10755 East Admiral Place Phone: 437-7720

Relationship to the Comprehensive Plan: Z-5902

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use, Development Sensitive, and Corridor Potential.

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

Staff Recommendation:

Site Analysis -- The subject tract is approximately 1.2 acres in size and located just north of the northwest corner of 109th East Avenue and Admiral Place. It is partially wooded, sloping, contains several mobile homes, and is zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by a mobile home park zoned RMH, on the east by the office and clubhouse for the mobile home park zoned RMH, on the south by a mobile home sales lot zoned CS (has been cited by the Building Inspector), and on the west by the rear yard of a single-family dwelling zoned RS-3.

Zoning and BOA Historical Summary -- Past zoning actions have established CS Commercial along the frontage of Admiral Place with the interior acreage transitioning to lower intensities.

Conclusion -- The Staff has reviewed the Comprehensive Plan for this tract and feels that the low intensity designation is not totally correct. We would suggest that the creek and floodway at the back of the property is a natural dividing line and buffer between the lower intensity uses north of the tract and the area south of the creek. Since the northern or back portion of the tract is a part of a designated floodway, the Staff feels that zoning the north 100 feet FD Floodway will provide for both the buffer and the floodway.

We would recommend the remainder of the tract be designated as Medium Intensity -- No Specific Land Uses as is the frontage lot south of the subject tract. However, the applicant is requesting CG which would still be not in accordance with the Plan.

Therefore, the Staff recommends APPROVAL of CS, less and except the north 100 feet which shall be zoned FD and DENIAL of CG zoning.

Applicant's Comments:

Mr. Reynolds stated he proposes to place an office or mini-storage on the subject tract and he asked if that use would be permitted in a CS zoned district. The Staff advised that a CS District would permit

Application No. Z-5902 (continued)

those uses if Board of Adjustment approval is granted for the customary uses. Most of the mini-storages in the immediate area are zoned CS and have received Board approval. Mr. Reynolds then advised he would be willing to accept the Staff Recommendation and requested early transmittal of this zoning case.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be rezoned CS, less and except the north 100 feet which shall be rezoned FD and DENIAL of CG zoning and to grant early transmittal:

LEGAL PER NOTICE:

The North 350 feet of the East-Half of Lot 1, less the East 25 feet for road, Spring Grove Subdivision, Section 6, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

LEGAL PER PLANNING COMMISSION ACTION:

CS:

The South 250 feet of the North 350 feet of the East-Half of Lot 1, Less and Except the East 25 feet for road, Spring Grove Subdivision, Section 6, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

FD:

The North 100 feet of the East-Half of Lot 1, Less and Except the East 25 feet for road, Spring Grove Subdivision, Section 6, Township 19 North, Range 14 East, Tulsa County, Oklahoma.

SUBDIVISIONS:

Final Approval and Release:

Lewis Center East (PUD #346) (1741) East side of South Lewis Avenue,
8800 Block South (CS)

Car Care Center (2083) SE corner of 91st Street and Delaware Ave. (CS)

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

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the final plat of Lewis Center East and Car Care Center and release same as having met all conditions of approval.

OTHER BUSINESS:

PUD #190 (Lot 30, Block 1, Minshall Park I)

Staff Recommendation - Minor Amendment

The subject tract is located at 6123 East 74th Street South which is within a single-family development area of PUD #190. There have been several requests for reduced rear yards granted in the surrounding single-family area. Most of these requests have been for a 5-foot reduction from 25 feet to 20 feet, however, this request is for a 10-foot reduction.

The Staff reviewed this request and found that the subject lot backs up to a proposed multifamily project. The setback for this project is 25 feet. If you add the requested 15 feet the separation between structures would be 40 feet. The Code would typically call for a 40-foot separation which, as shown above, would be maintained. In addition, only a portion of the proposed structure would encroach into the setback while a majority of the rear of the structure would exceed the 25-foot requirement.

Based upon this review, the Staff can support the request as being minor and recommend APPROVAL, subject to the plan submitted.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the requested minor amendment to PUD #190, as recommended by the Staff.

Z-5878

Consideration of Amended Legal Description Approved by TMAPC on October 5, 1983.

Mr. Compton advised that the dimensions called out in the Minutes were the net dimensions for the lot instead of the gross dimensions. Legal Counsel requested that the Minutes be amended for consistency. Mr. Compton proceeded to read the amended legal description to be placed in the Minutes of October 5, 1983, concerning Z-5878.

Z-5878 (continued)

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to correct the October 5, 1983, Minutes concerning Z-5878 to reflect the amended legal description to include the gross dimensions which reads as follows:

OH: The South 424.5' of the West 607.5' of the SW/4 of the SW/4 of the SE/4 of Section 7, Township 19 North, Range 13 East, Tulsa County, Oklahoma.

OM: All of Block 1, except Lots 13, 14, 15, Reddin Third Addition, to the City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat thereof, AND the SW/4 of the SW/4 of the SE/4, Section 7, Township 19 North, Range 13 East, Tulsa County, Oklahoma, LESS and EXCEPT the South 424.5' of the West 607.5', thereof.

Z-5886

Consideration of Amended Legal Description Approved by TMAPC on October 26, 1983.

Mr. Compton advised that this particular piece of property was rezoned CS and OL, but when the final Minutes were typed only the CS portion was included in the Minutes, therefore, the Minutes need to be amended. Mr. Compton then read the amended legal description.

Legal Counsel Linker stated the reason these are being corrected is to assure that the Planning Commission legal description contained in the Minutes conform to the legal description used in the Ordinance.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to correct the October 26, 1983. Minutes concerning Z-5886 to include both the CS and OL rezoning designation as follows:

From RS-3 to CS:

The South 115 feet of the East 60 feet of Lot 6, and the South 115 feet of Lot 5, Block 1, ACRE GARDENS ADDITION to the City of Tulsa. Oklahoma.

From RS-3 to OL:

The South 115 feet of Lots 1 thru 5, YATES SUBDIVISION OF ACRE GARDENS ADDITION to the City of Tulsa, Oklahoma;

AND

The South 115 feet of Lot 2, Block 1, ACRE GARDENS ADDITION to the City of Tulsa, Oklahoma.

Staff Recommendation - Detail Site Plan Review

The subject tract is located approximately 600 feet east of the southeast corner of 19th Street and Memorial Drive. It is 2.35 acres in size and approved 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 have two access points onto 19th Street. The applicant is now requesting Detail Site Plan review.

The Staff has reviewed the submitted Site Plan and have identified three areas of minor concern. First, the applicant appears to have some problems meeting the setbacks from the south and west property lines. The PUD conditions called for 18 feet from the property line to the covered patio and storage area and 25 feet from the property line to the main structure. Scaling from the submitted Site Plan it appears that some of the patios may be down to the 17.5 feet utility easement line and that some of the main structures may be setback only 24 feet. The Staff feels that the size of the structures proposed makes it difficult to place on the site and sees the .5 foot or 1-foot encroachments minor. Secondly, the Staff sees the "goose-neck" type access at the northeast corner of the proposed project as being extremely hazardous and recommend straightening the street. Finally, the PUD calls for a 25-foot setback from the east property line and in the southeast corner of the tract the side of the structure is setback only 20 feet. However, this is a side yard and the 20-foot shown is in excess of any residential side yard required by the Code and the Staff sees this as a minor change.

Based upon the above findings, the Staff compared the submitted Site Plan with the approved conditions and find the following:

Item	Approved	Submitted
Area (Gross):	102,558 sq. ft.	Same
(Net):	94,495 sq. ft.	Same
Permitted Use:	Single-Family Zero Lot-Line Townhouses	Same
Maximum No. of Units:	27 units	Same
Maximum Building Height:	35 feet	Same
Minimum Livability Space:	41,000 sq. ft.	41,000 sq. ft.*
Minimum Off-Street Parking:	67 spaces	Same
Minimum Building Setbacks:		
From North Property Line:	25 feet	Same
From East Property Line:	25 feet	20 feet**
From South & West Property Lines:		
(a) From covered patios & storage building:	18 feet	17.5 feet***
(b) From main structure:	25 feet	24 feet***

*It appears that the proposal is very close to the minimum livability and would caution the applicant that this re-

PUD #308 (continued)

quirement must be met.

**The side yard of the building located in the southeast corner can be within 20 feet.

***These reductions are felt to be minor.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan, subject to the Plan submitted and the minor changes in the Development Standards and Site Plan discussed above.

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the Detail Site Plan, subject to the Plan submitted.

PUD #131-C-1

Staff Recommendation - Minor Amendment

The subject tract is approximately 8.44 acres (gross) in size and located at the SW corner of Garnett Road and Skelly Drive. The applicant is now requesting some minor adjustments in the lot lines and areas which also indirectly change the building coverage standards and one building setback.

The Staff has reviewed the submitted standards and find the requested revisions to the lot line, lot sizes, building coverage and one setback to be minor. However, the proposal standards also reflect a change in the sign requirements and the permitted uses allowed in each development area which the Staff cannot support as being minor. We would suggest that if the applicant needs these standards changed that a major amendment be filed and a public hearing be held.

Based upon what the Staff considers minor we recommend the following Development Standards:

DEVELOPMENT PARCEL #1

Gross Area Land Area:	.786 acre
Permitted Uses:	All uses permitted within an OL District.
Maximum Building Area Allowed (Proposed):	7200 sq. ft.
Maximum Land Coverage of Buildings:	21%
Maximum Building Height:	35 feet
Maximum Number of Stories:	2 stories
Minimum Building Setback From Centerline Abutting Public Street on East:	75 feet
Minimum Building Setback From Centerline Abutting Public Street on South:	50 feet

PUD #131-C-1 (continued)

Minimum Building Setback From Other
Property Boundaries: From West Boundary
Lot Line - 15'
From the North
Boundary Lot Line. - 12'
Off-Street Parking Required: 1 space per 300 sq. ft.

DEVELOPMENT PARCEL #2

Gross Area Land Area: 2.532 acres
Permitted Uses: All uses permitted under
Use Units 12, 13, 14 & 15.
Maximum Building Area Allowed
(Proposed) 42,000 sq. ft.
Maximum Land Coverage of Buildings: 39.0%
Maximum Building Height: 35 feet
Maximum Number of Stories: 2 stories
Minimum Building Setback From
Centerline Abutting Public Street
on East: 100 feet
Minimum Building Setback From Property
Boundaries: 0 feet
Off-Street Parking Required: 1 space per 225 sq. ft. for
office portion of building
and,
1 space per 2,000 sq. ft. of
storage portion of building.

DEVELOPMENT PARCEL #3

Gross Area Land Area: 1.622 acres
Permitted Uses: All uses permitted within a
CS District.
Maximum Building Area Allowed
(Proposed): 22,000 sq. ft.
Maximum Land Coverage of Buildings: 31.1%
Maximum Building Height: None
Maximum Number of Stories 6 stories
Minimum Building Setback From Center-
line Abutting Public Street on East: 100 feet
Minimum Building Setback From Property
Line on North: 50 feet
Minimum Building Setback From Other
Property Boundaries: 0 feet
Off-Street Parking Required: 1 space per 225 sq. ft.

PUD #131-C-1 (continued)

DEVELOPMENT PARCEL #4-A (Was Parcel #4)

Gross Area Land Area:	2.015 acres
Permitted Uses:	All uses permitted under Use Units 12, 13, 14 & 15.
Maximum Building Area Allowed (Proposed):	25,600 sq. ft.
Maximum Land Coverage Buildings:	29.2%
Maximum Building Height:	35 feet
Maximum Number of Stories:	2 stories
Minimum Building Setback From North Property Line:	50 feet
Minimum Building Setback From Other Property Boundaries:	0 feet
Off-Street Parking Required:	1 space per 225 sq. ft. for office portion of building and, 1 space per 2,000 sq. ft. of storage portion of building.

DEVELOPMENT PARCEL #4B (Was Parcel #5)

Gross Area Land Area:	0.636 acre
Permitted Uses:	All uses permitted within an OL District.
Maximum Building Area Allowed (Proposed):	6,400 sq. ft.
Maximum Land Coverage of Buildings:	23.1%
Maximum Building Height:	35 feet
Maximum Number of Stories:	2 stories
Minimum Building Setback From North Property Line:	50 feet
Minimum Building Setback From Property Boundaries:	From the East Boundary Lot Line: -0' From the West & South Boundary Lot Lines: -20'
Off-Street Parking Required:	1 space per 300 sq. ft.

DEVELOPMENT PARCEL #5 (Was Parcel #6)

Gross Area Land Area:	0.849 acre
Permitted Uses:	All uses permitted in an RM-1 District.
Maximum Number of Dwelling Units:	22 units

PUD #131-C-1 (continued)

Minimum Livability Space Required Per Dwelling Unit:	600 sq. ft.
Maximum Land Coverage of Buildings:	25%
Maximum Building Height:	35 feet
Maximum Number of Stories:	2 stories
Minimum Separation Between Buildings:	12 feet
Minimum Building Setback From Center-line Abutting Public Street:	50 feet
Minimum Building Setback From Property Boundaries:	From the East Boundary Lot Line -15' From the North Boundary -15' From the West Boundary Lot Line -15'
Off-Street Parking Required:	2 spaces per dwelling unit for 2-bedroom units and, 1.5 spaces per unit for 1-bedroom or less.

We would note that these standards would allow for zero (0) setback between Development Parcels #4-A and #4-B. The Staff can support this setback change if the structure on #4-B is architecturally different from the structures located on #4-A. We do not simply want an office located on the end of a shopping center. The office should be residential in architectural character as represented to the Staff. Detail Site Plans are required by Development Area, and therefore, these features of the plan can be reviewed at this time.

Mr. Bill Lewis represented the applicant and stated that the minor amendments to adjust lot lines and area is due to the physical restraints of the property in reaching the sewer and water lines. Mr. Lewis stated the setback on the west side of the property is approximately 10' from a condominium project and the applicant is requesting the 0' setback to allow the neighboring project additional room.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; C. Young, T. Young, Inhofe, "absent") to approve the minor amendment to adjust the lot lines and areas.

PUD REFERRED BACK FROM THE CITY COMMISSION:

PUD #332 Wiles (Devasher) NW corner of 36th Place and South New Haven Avenue

Staff Recommendation:

The subject tract is approximately .35 acre in size and located just west of the northwest corner of 36th Place and South New Haven Avenue. It is partially wooded, flat and vacant. This application and the companion zoning case (Z-5852) were heard by the TMAPC in July of this year. The Planning Commission recommended denial of the zoning and denial of the PUD as submitted. The applicant appealed the TMAPC recommendation and received approval from the City Commission for RD zoning. The City then referred the PUD back to the Planning Commission for their review based upon an underlying RD zoning and withheld publication of the RD zoning awaiting the PUD.

The Staff has reviewed the proposal and find that it is consistent with the Comprehensive Plan, surrounding land use, and the PUD Chapter of the Tulsa Zoning Code. Therefore, the Staff recommends APPROVAL of PUD #332, subject to the following conditions:

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

(2) Development Standards:

Land Area (Gross); .42 acre
(Net); .35 acre

Permitted Uses; attached single-family on individual lots.

Maximum No. of Dwelling Units; 4 units

Maximum Building Height; 30-foot/1-story

Minimum Livability Space; 2,080 sq. ft. per unit

Minimum Off-Street Parking; 2 spaces per unit.

Minimum Building Setbacks:

From centerline of 35th Place, 50 feet
from east property line, 10 feet
from north property line, 20 feet
from west property line, 5 feet
between buildings, 10 feet
between units. 0 feet

(3) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to occupancy.

- (4) 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.

The applicant also wishes the Site Plan submitted to be considered as a Detail Site Plan. We have reviewed the Plan and find that it meets the PUD conditions and recommend APPROVAL, subject to the Plan submitted.

The Staff advised that the plan as proposed is similar to the original application. The Planning Commission recommended denial of the zoning, but the City Commission approved RD zoning. The applicant is back before the Planning Commission with the PUD portion of the application.

Applicant's Comments:

Mr. Bill Wiles advised when the application was originally before the Planning Commission the vote was 3-3, rather than a denial recommendation. The only protestant at the Planning Commission meeting was the former wife and daughter of the person selling the subject property. District #6 gave a unanimous recommendation for approval of the PUD and zoning.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Beckstrom, Connery, Draughon, Flick, Higgins, Hinkle, Kempe, Woodard, "aye"; no "nays"; no "abstentions"; 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:

Lots 5 and 6, Devasher Subdivision, Tulsa County, Oklahoma.

There being no further business, the Chair adjourned the meeting at 3:55 p.m.

Date Approved January 4, 1984
Cherry Kempe
 Chairman

ATTEST:
Paul M. Draughon
 ACTING Secretary