

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1500  
Wednesday, April 4, 1984, 1:30 p.m.  
Langenheim Auditorium, City Hall  
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Flick Higgins Hinkle, Secretary Kempe, 1st Vice Chairman Rice Woodard Young, Chairman	Beckstrom Draughon Inhofe	Compton Gardner Lasker Martin Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor, Room 919, City Hall, on Tuesday, April 3, 1984, at 11:55 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Young called the meeting to order at 1:30 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Rice, Inhofe, "absent") to approve the Minutes of March 21, 1984 (No. 1498).

COMMITTEE REPORT:

Rules and Regulations Committee:

Chairman Young advised that the Staff has prepared a memorandum concerning the request concerning the availability of Staff Recommendations to the public prior to the public hearing. Mr. Beckstrom was the one who made the original suggestion and since he is not here today, the Chair deferred the item to the next meeting.

SUBDIVISIONS:

Preliminary Approval:

Danbrook Addition (2683) 101st Street and South 72nd East Avenue (RS-3)

Upon request, the Chair, without objection, withdrew this item from the agenda.

Kings Ridge Estates (PUD #281-4) (183) NW corner of East 64th Street and South 91st East Avenue (RS-3)

The Chair advised that consideration of this item needs to be continued for 2 weeks.

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Rice, Inhofe, "absent") to continue consideration of Preliminary Approval on Kings Ridge Estates until Wednesday, April 18, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Tower Court (2392) North of the NE corner of East 37th Place and Riverside Drive (RM-T)

The Staff presented the plat with the applicant represented by Mike Hilsabeck.

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

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Rice, Inhofe, "absent") that the Preliminary Plat of Tower Court be approved, subject to the following conditions:

1. Correct street name from 47th to 37th Place. Show LNA on Riverside, subject to approval of the Traffic Engineer. Include Access Limitation language paragraph in covenants.
2. Page 3, 1st paragraph in covenants refers to "drainage channel". Check with City Engineering Department. (Should the plat show a D.E.?)
3. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to, or related to property and/or lot lines. (Include RV in covenants.)
4. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
5. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department

Tower Court (continued)

for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

6. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
7. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
8. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Southwood Condos. (PUD #320) (1783) 8200 Block of South Delaware Avenue  
(RD, RS-2)

The Staff presented the plat with the applicant represented by Mike Taylor.

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

On MOTION of KEMPE, the Planning Commission voted 6-0-0 (Connery, Higgins, Hinkle, Kempe, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Flick, Rice, Inhofe, "absent") that the Preliminary Plat of Southwood Condos. be approved, subject to the following conditions:

1. All conditions of PUD #320 shall be met prior to release of the final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1170 of the Zoning Code, in the covenants.
2. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.
4. Pavement repair within restricted water line easements as a result of water and sewer line repairs due to breaks and failures shall be borne by the owner of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (On-site drainage and/or detention is required.) (If detention area required, show as a "reserve" )

Southwood Condos. (continued)

7. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
8. Access points shall be approved by the City and/or Traffic Engineer. (Require possible 2nd point access for emergency. Subject to sight distances.)
9. It is recommended that the developer coordinate with the Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)
10. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
11. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
12. Covenants should reflect any changes in PUD or amendments thereto. It is suggested that detail site plan review also be submitted so any changes that might affect the plat can be shown on the final plat.
13. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
14. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Econolodge Motel (3104) West side of North Garnett Road, North of I-44 (CS)

The Staff presented the plat with the applicant represented by Clayton Morris.

The applicant was advised that the only Board of Adjustment approval required on the plat was for the waiver of frontage. However, he should assure himself other zoning requirements and setbacks can be met.

(The Staff advised that the plat had been revised to show only one lot and Board of Adjustment approval will not be necessary now.)

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

Mrs. Barbara Wood represented Mrs. Paul Snook who owns property immediately west of the subject property. She advised that there are no storm sewers available in this area. This is the third property that has been asphalted which drains on other property without a way to carry

Econolodge Motel (continued)

the water off and is creating a standing water problem in the area. There is a 70-acre tract being developed and asphalted to the north with an underground drainage system but no plans for the south of them. She requested that some thing be done about the water problem in the area.

Mr. Jimmy Cleveland, a developer of the motel project, stated there is a drainage problem, but it exists from the north and east rather than from the south. He stated they would do everything they could to comply with the City Engineer. He also added that they will have excess materials from which Mrs. Wood can use to build up an area that is low.

Mr. Wilmoth brought the attention of the Commission to Conditions 7 and 8 and advised that the City now requires a Privately Financed Public Improvement. If there is on-site detention the applicant will have to submit that to the City Engineer as PFPI and will have to show a reserve on the plat. All paving and drainage will be covered in these conditions including Item #7 and #8 which requires paving and drainage plans to be approved by the City Engineer and will require written release by them before the Commission looks at it again.

On MOTION of HIGGINS, the Planning Commission voted 7-0-1 (Connery, Flick, Higgins, Hinkle, Kempe, Woodard, Young, "aye"; no "nays"; Rice, "abstaining"; Beckstrom, Draughon, Inhofe, "absent") that the Preliminary Plat of Econolodge Motel be approved, subject to the following conditions:

1. On face of plat: Identify adjacent land by plat name or unplatted.
2. Utility easements shall meet the approval of the utilities. coordinate with the Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines. (17½' on north, except 10' on lot 2.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (if required)
4. Pavement repair within restricted water line easements as a result of water and sewer line repairs due to breaks and failures shall be borne by the owner of the lot(s). (if applicable)
5. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (If on-site detention required, show as a "reserve".)
7. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
8. Access points shall be approved by the City and/or Traffic Engineer, subject to review of site plan. (Release letter required.)

Econolodge Motel (continued)

9. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City-County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
10. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
11. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.
12. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Revised Preliminary Approval:

Rolling Oaks (1992) West of 36th Street and South 74th West Avenue (RS)

The Staff presented the plat with the applicant represented by Bruce Orvis.

The Staff advised that this plat had a preliminary approval (June 1, 1983), but it has been revised to include an additional 5 acres M/L to the east. No new covenants were submitted so the comments previously made shall still apply.

The County Engineering Department noted that the applicant should be advised that some title clearance may be necessary on several small parcels within the plat, specifically one corner near the "unplatted area" left out of the plat, and part of the street right-of-way along 36th Street. (Title search should straighten this out and this comment is only advisory at this time.)

The Technical Advisory Committee and Staff recommended approval of the Revised Preliminary Plat of Rolling Oaks, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") that the Revised Preliminary Plat of Rolling Oaks be approved, subject to the following conditions:

1. Coordinate with the City of Sand Springs and "Shanandoah" development for street connection at the NW corner of the plat near West 33rd Street South. (If redesign is required, developer should try to make the connection so that there will be a logical and smooth transition between this "County Plat" and the proposed development inside the City Limits of Sand Springs.)
2. Show 25' Building Lines or identify on all lots where not obvious by the drawing.

Rolling Oaks (continued)

3. Location of street paving within the P.S.O. easement along 36th Street shall meet the approval of both P.S.O. and County Engineer.
4. On final/preliminary plats tie down location of pipeline easements. Provide that utilities may cross but not parallel in this easement; subject to approval of owner of pipelines and utility companies.
5. Utility easements shall meet the approval of the utilities. Coordinate with the Subsurface Committee if underground plant is planned. Show additional easement as required. Existing easements should be tied to or related to property and/or lot lines.
6. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include applicable language in covenants.)
7. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the County Commission.
8. Street names shall be approved by the County Engineer.
9. The method of sewage disposal and plans therefore shall be approved by the City-County Health Department. (Private sewage disposal plant) (Collection system to meet City of Tulsa standards.)
10. The method of water supply and plans therefore shall be approved by the City-County Health Department.
11. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
12. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
13. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
14. Covenants:
  - (a) Item #6 -- After 1st and 2nd sentences, as "...except where easements are greater".
  - (b) Item #16 -- Check P.S.O. language?
  - (c) Between Items #16 and #17, add applicable language for water and sewer facilities.
  - (d) Item #19 -- Must meet Health Department requirements.? Check?
  - (e) Item #21 -- Add provision that Items #16 and #17 (or as applicable) are not subject to time limitations.
  - (f) Suggest the covenants be separated into two sections -- one with the private restrictions and one section for easement dedications.
  - (a) Provide language in covenants for purposes and who main-

Rolling Oaks (continued)

15. The south-half of West 35th Street at South 72nd West Avenue should be dedicated by separate instruments and indicated on the plat, or included as part of the plat. (1/2 street dedications are not acceptable.) (Or show Book and Page of dedication.)
16. A second point of access is essential, particularly to tie or loop the water lines back to the east. It appears the most logical location is obtain the necessary right-of-way to connect West 34th Street.
17. This plat has been referred to Sand Springs because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; otherwise, only the conditions listed herein shall apply.
18. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of the final plat. (Including documents required under Section 3.6 (5) of the Subdivision Regulations.)
19. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Final Approval and Release:

South Lewis Plaza (PUD #329) (883) 74th Street and South Lewis Avenue (OM)

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

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



REQUEST TO WAIVE PLAT:

Z-4953 (Powers Resub./Pomeroy Heights) (593) 64th No. College Avenue (RM-1)

This is a request to waive plat on the north 32' of Lot 3 and all of Lot 2, Block 2, in the above subdivision. The applicant is proposing a 4-unit apartment building and has an application pending with the Board of Adjustment for waiver of the minimum lot size from 10,000 sq. ft. to 8,321 sq. ft. It is "subject to a plat" under Z-4953 and not the BOA application. It does not involve a lot split since the split occurred in 1982. The Staff has no objection to the waiver. The Staff further noted that the original plot plan sent out to the T.A.C had been changed to eliminate "reverse parking" and that the parking now shown on the exhibit copy of BOA Case #13061 has the parking parallel to the street. (BOA approved the request to reduce the minimum lot size for a multifamily lot.) (March 22, 1984) Water and Sewer Department advised that existing sewer will have to be relocated if buildings are constructed as shown. Utility easements will also be required, as well as storm drainage.

The applicant was NOT represented.

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on Z-4953, subject to the conditions.

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the request to waive plat for Z-4953, subject to the following conditions:

- (a) Relocation of existing sewer.
- (b) On-site detention or fee in lieu. (Drainage subject to City Engineer approval.)
- (c) Additional utility easements as needed for services.

BOA #13036 Park Plaza East IV (2194) NW corner of E. 36th & So. 136th E. Ave. (RS-3)

This is a request to waive plat on all three lots in Block 1 of the above named plat. All easements are of record on the plat. Most of the lot is a P.S.O. easement and it is proposed to provide a parking lot on that easement. The Staff sees no objection to the request, provided that uses on the parking lot area in P.S.O. easement do not interfere with P.S.O.'s requirements. (Not a condition for approval, but the applicant has been advised that the private covenants on this plat restricted all lots to "residential".)

The applicant was represented by John Heller.

P.S.O. will require protection of its equipment and lines. (2" conduit, 4' deep under paving. Guard posts for protection of transformers and pedestals. Lighting restrictions for any overhead lights.)

The Technical Advisory Committee and Staff recommended approval of the Waiver of Plat on BOA #13036, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the request to waive the platting requirements for BOA #13036, subject to the following conditions:

- (a) Release letter required from Public Service Company
- (b) Drainage plan approval by the City Engineer.

CHANGE OF ACCESS REVIEW:

Skyland Addition Amended (PUD 242) (3693) 51st & So. 94th E. Ave. (OL)  
51st & Mingo Commercial Center (3693) 51st & So. 95th E. Ave. (CS)

The purpose of this request is to add one common access between the two plats for one standard 40' opening. The Traffic Engineer and Staff have approved the request.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the requested change of access for Skyland Addition Amended and 51st & Mingo Commercial Center.

Expressway Park (2994) No. side of East 51st at So. 121st E. Ave. (IL)

The purpose of this request is to move one access point 55' west. All others remain and the total remains the same. This is to accommodate for better access to parking and building on proposed site plan. The Traffic Engineer and Staff have approved the request.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the requested change of access for Expressway Park.

Riverside South Complex (3692) 5780 So. Peoria (CS)

The purpose of this request is to provide one access to South Peoria for a temporary drive-in bank facility. This request is also within a small tract zoned CS by Z-5172 which made it "subject to a plat". The property is already platted, a lot split #12947 was approved, and waiver of plat is also included. The Traffic Engineer and Staff have approved the request.

On MOTION of HIGGINS, the Planning Commission voted 7-0-1 (Connery, Flick, Higgins, Hinkle, Rice, Woodard, Young, "aye"; no "nays"; Kempe, "abstaining"; Beckstrom, Draughon, Inhofe, "absent") to approve the requested change of access for Riverside South Complex and waive plat on Z-5172 as recommended by the Staff.

Airport Industrial Center Addition (3304) SW corner of East Marshall Street and  
North 145th East Avenue (IL)

The purpose of this request is to add one access point in a 350' length that had no access on an original plat. The Traffic Engineer and Staff approved the request.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the requested change of access for the Airport Industrial Center Addition.

LOT SPLITS:

Lot Splits for Ratification:

L-16023	( 282)	Mike Harger	L-16144	( 683)	E. B. Miller
16134	(2592)	Steve Reeves	16145	(1793)	Gwen Gaven
16136	( 404)	L & L Home Builders	16146	(1082)	Cecil Jones
16143	( 694)	Emco	16147	( 583)	Merril Lynch

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") that the lot splits listed above be ratified.

Lot Splits for Waiver:

L-16122 Gary Rongey (392) SE corner of Easton Court and 27th West Avenue  
(RS-3)

This is a request to split an existing 125' x 100' tract into two 62.5' x 100' lots. Both lots will have only 6,250 sq. ft. of lot area. This split will require a variance from the Board of Adjustment for action on the lot area and land area. There are at least a dozen lots in the immediate vicinity with less than the required 6,900 sq. ft. of lot area minimum, so based on the above mentioned facts, the Staff recommends approval of this request, subject to the approval of the Board of Adjustment.

The applicant was NOT represented.

Water and Sewer Department advised that a common utility agreement would be needed if the sewer connection from one building crossed over the adjacent lot. Additional utility easement will also be required.

The Technical Advisory Committee and Staff recommended approval of L-16122, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the request to waive the lot split requirements for L-16122, subject to the following conditions:

- (a) Board of Adjustment approval of lot size.
- (b) 11' utility easement on east. Additional easement on south up to existing building.
- (c) Maintenance or common utility agreement as recommended by the Water and Sewer Department.

L-16135 Terry L. Davis Construction Co. (2193) North of East 96th  
Street and South Quebec Avenue (Private Streets) (AG)

This is a request to create two lots out of a 10.05 acre tract that will be less than 2 1/2 acres. Four tracts are being created actually, but two are not within the TMAPC jurisdiction because they are over 2 1/2 acres. If the applicant so desired, he could create four tracts 2.5125 acres each and not have to file a lot split. Board of Adjustment approval will be required, however, regardless of sizes of lots because they have no frontage on dedicated streets. Access is by private easement from a subdivision with all private streets. Health Department approval will also be required for septic systems. Over half of the application is within the right-of-way of the Mingo Valley-Riverside Expressway and so approval of this split will require waiver of the Subdivision Regulations requiring conformance with the Major Street Plan.

The applicant was represented by Bill Lewis.

Since this tract is within expressway right-of-way, and consistent with recommendations on subdivision plats within the right-of-way, the T.A.C. agreed that no recommendation will be made for waiver of the Subdivision Regulations. Should the Planning Commission waive the Subdivision Regulations requiring conformance with the Major Street Plan, the following conditions would apply:

- (a) Drainage plan approval by the City Engineer.
- (b) Board of Adjustment waiver of minimum frontage to zero.
- (c) Health Department approval of septic systems.
- (d) 17½' Perimeter Easement on north, west and east.
- (e) 30' restricted water line easement.
- (f) Written document of expressway.

Mr. Wilmoth stated he had talked to Legal Counsel concerning this matter that an instrument be filed of record so there is a written documentation to have the buyer beware that there is a freeway right-of-way planned. It is a part of our policy to file a written document indicating the proposed expressway.

Mr. Roy Johnsen advised that the options available to the landowner were to go through a zoning process and rezone the property to a single-family classification or present a PUD and seek private street approval. Because there is no sewer it would be a development of one dwelling unit per half-acre which would have totaled from 15 to 20 dwelling units. These are interior lots that are semi exclusive and probably a good market for four tracts that are approximately 2½ acres each. They are zoned AG which requires a lot size of 2.2 acres and at least 30' of frontage on a public street. If you have a tract that is 2½ acres there is no necessity for lot split approval, but because of pipeline easements and other considerations there were a couple of lots that would be less than 2½ acres which would require Planning Commission approval of the lot split. At the same time, the applicant is requesting approval for lots that do not have the requisite of 30' of frontage. Therefore, two applications are pending with one before the Board of Adjustment for waiver of the frontage requirement and an application before this Commission for approval of the lot split. What requires the waiver is that across the north portion of this property is the proposed location of the Creek Expressway. The position which the

L-16135 (continued)

Commission has taken in regard to subdivisions occurring in that proposed right-of-way and have required them to design their subdivision in such a manner is that if there is later acquisition it is a practical and logical acquisition line that is being created that you do not have to take half of a lot or part of a structure. This will provide for a logical delineation of lot lines so that in the event that the expressway is put in and if there is public acquisition there is a sound and logical line to follow to acquire. The lot layout was redesigned to establish a uniform line along the north 300' of the 10 acres so there would be 2 lots and if there was acquisition all that would have to be acquired would be the north two lots. The formal action before the Commission today is a waiver of the Major Street Plan because it does show an expressway and this is a more recent requirement that the applicant file of record some caveat that the north two lots are in proposed right-of-way of that expressway. He preferred to limit it to just the north two lots to file a document since the south two lots are not within the proposed right-of-way.

Mr. Gardner stated that they had discussed the possibility of showing some kind of caveat to be filed stating there is potential of the expressway, and he did not feel it to be necessary that it needs to be on all four lots because not all four will be in the path of the expressway.

Discussion ensued concerning the proper notification which should be given, if only to the property owners or adjacent property owners. It was the Legal Counsel's opinion that the policy was adopted to notify the property owners within the path of the proposed expressway and adjacent landowners. There was limited discussion whether to include the two lots or the four lots for notifying or placing the written statement that they are in the path of the expressway.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the request to waive the Subdivision Regulations requiring conformance with the Major Street Plan and that written document be filed of the proposed expressway on the north two lots, subject to the conditions stated above.



CONTINUED ZONING PUBLIC HEARING:

Application No. Z-5935 Present Zoning: RS-3  
Applicant: Preaus Landscape of Tulsa Proposed Zoning: IL & FD  
Location: South of the SE corner of 56th Street and 107th East Avenue

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Date of Application: January 24, 1984  
Date of Hearing: April 4, 1984  
Size of Tract: 2.33 acres

Relationship to the Comprehensive Plan: Z-5935

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District 1 -- Industrial Development encouraged.

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 2.33 acres in size and located north of the northeast corner of 61st Street and 107th East Avenue. It is non-wooded, flat, contains a single-family dwelling and accessory building and zoned RS-3.

Surrounding Area Analysis -- The tract is abutted on the north by vacant property zoned RS-3, on the east by vacant property zoned IL, on the south by scattered single-family dwellings on large lots zoned RS-3, on the west by scattered single-family dwellings and a landscape company zoned IL.

Zoning and BOA Historical Summary -- There has been a number of rezoning applications along 107th East Avenue and 61st Street to industrial zoning.

Conclusion -- The Staff recognizes that the area is in transition from RS-3 to IL. Based on the Comprehensive Plan and existing zoning patterns, the Staff recommends APPROVAL of the requested IL zoning, less and except any portion that is in a floodway which shall be zoned FD.

Applicant's Comments:

The applicant was not present.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of FLICK, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to recommend to the Board of City Commissioners that the following described property be approved for IL, less and except any portion that is in a floodway which shall be zoned FD.

Lot 12, Block 1, Golden Valley Addition to the City of Tulsa, Okla.

## ZONING PUBLIC HEARING:

Amend Zoning Ordinance to include new CBD Zoning District (Central Business District) to require off-street parking in CH District and amend parking and Use Unit requirements.

At the outset of the public hearing copies of the proposed zoning changes were submitted to the Commission and interested parties for their review (Exhibit "A-1"). Mr. Gardner advised that the Commission has received one suggestion from Mr. Gary Clark in writing which has also been distributed to the Commission (Exhibit "A-2"). His letter has to do with Section 1470 (c) in regard to the off-street parking requirement in CH Districts and what uses would require additional off-street parking.

Mr. Gardner advised that this is a straightforward proposal to create a new zoning district, the Central Business District. The purpose of a new zoning district is that the Zoning Code must be applied uniformly and to deal with requirements for off-street parking in CH under certain conditions that would apply to the downtown area CBD. We need a new zoning district that will change the classification of the CH District to CBD and would not change any of the requirements. At one time there was a floor area ratio cap proposed for the CH Zoning District but it was done away with, so the only change would be the requirement to meet off-street parking under certain circumstances.

Mr. Gardner then began to address the changes which would need to be made to the Zoning Code. Section 200 lists the various zoning districts and the Central Business District was merely added to that list. Section 610 is a rework of Use Unit 12 which has now been entitled Entertainment Establishments. Section 700.5 states the purposes of the Central Business District which are as follows:

- a) Accommodate and encourage the most desirable, most productive, most intense use of land, without regard to the regulation of building height, floor area, land coverage or parking space requirements, within the central core area of the City designated by the Comprehensive Plan.
- b) Encourage a diversity of high intensity uses which mutually benefit from close proximity to, and from the available services of, the high transportation carrying capacity afforded by the Inner Dispersal Loop.
- c) Preserve and promote the public and private investment of the existing central core area.

Section 710 deals with the principal uses permitted in Commercial Districts. The table shows the uses by right and special exception for the CBD which are the same found in the CH District. Section 730 deals with the creation of the new zoning district and the table indicates that there are no differences between the CH and CBD. The table also reflects that the floor area cap has been removed. Section 750 deals with inserting the new zoning classification (CBD) in that section. Sections 810 and 910 merely inserts the new language for Use Unit 12--Entertainment Establishments. The Central Business District was inserted to replace the CH zoning classification in Section 1200.4. It was advised that the new uses within Use Unit 12 are bars, dance halls, motion picture theaters (enclosed), night clubs and taverns which have been added to this section. Section 1212.4 indicates the change in the parking requirement by requiring 1 space per 100 sq. ft. of floor area for bars, dance halls, night clubs and taverns which replaces the old requirement of 1 space per 225 sq. ft. of floor area. Section 1219 shows the removal of those uses such as bars, dance halls, motion picture theaters (enclosed), night clubs and taverns which were previously in Use Unit 19 but have not been



Zoning Public Hearing: (continued)

shifted over to Use Unit 12. A reference to the parking which would not be applicable was included in that section also. The Central Business District classification was merely inserted in Section 1221. Section 1310 (c) will be rewritten as follows:

- c) Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking and loading facilities shall be provided as required for such new use. However, if the existing use is nonconforming as to parking requirements, then parking requirements for a change in use shall be governed by Section 1470--Parking and Loading Nonconformities.

Mr. Clark's memorandum deals with Section 1310 (c) and 1400 as to the nonconformities which require additional parking. Mr. Clark's view is that whenever a use is changed if that use requires additional parking under the terms of the Zoning Code then you must meet the parking, but if it does not require more parking then you do not have to meet it. The Staff's proposal is that if you stay within the same use unit you do not have to meet the parking. If you go from one use unit to another use unit in terms of change of use you must meet the parking. The difference is uses that are within specific use units by definition are groupings of similar types of uses and sometimes can be more intense even though their parking requirements do not require more parking. If it is the Commission's intention to be supportive of the proposal the Staff suggested the Commission could approve the proposal as written then the Staff would conduct a study and compare all the parking requirements for all the uses and use units. He did not feel that either proposal, the Staff nor Mr. Clark's, will eliminate the necessity to go before the Board of Adjustment. The Staff feels more comfortable that if you change your use unit then the Board gets to review it to determine if you need additional parking.

Mr. Gardner then highlighted Section 1470 and advised that condition (h) had been added to Section 1680 - Special Exception. Section 1730.3 deals merely with inserting the new zoning district (CBD). There are some changes occurring in Appendix A" which is a summary of the use units and Appendix "B" which is an index of land uses.

Chairman Young suggested that we first address the CBD and CH problem and then will deal with the use unit changes later. He then opened the hearing to any interested parties. Mr. Gardner then addressed what CBD is and stated that it has to be designated by the Comprehensive Plan as a CBD or central core area. There are only 2 areas designated as such under the Comprehensive Plan.

Mr. Grant Hall, president of the Maple Ridge Association, read a letter from the Board of Trustees of the Maple Ridge Association who supports the CBD zoning district but would oppose such zoning classification if it would expand beyond the Inner Dispersal Loop (Exhibit "A-3"). Mr. Hall stated he represented property owners from Districts 6 and 7.

Mrs. Norma Turnbo submitted a letter to the Commission stating District 7's position concerning the new CBD zoning, its location and the effect it will have on District 7 (Exhibit "A-4"). Mrs. Turnbo, chairman of District 7 of the Greater Tulsa Council, stated that District 7 supports what Mr. Hall said, and they feel that the CBD District should stay on the north side of the Inner Dispersal Loop. She stated that District 7 is what could be zoned CBD and there is much CH zoning that is not developed, and as the economy picks up that will be developed. If off-street parking is not required it will hurt all residential areas which are downtown. She stated she liked the urban mix and the Commission now has an

Zoning Public Hearing (continued)

opportunity to do a positive thing for this neighborhood by saying that business and residential can co-exist, but there must be off-street parking.

There was a question asked how this proposal will aid these central core areas, and the Staff advised that what the Commission does today will not help the existing businesses but will help those businesses that will be coming in that area. There will be a need for a parking requirement which must be met or the business will have to locate elsewhere. He felt that this is where most of the controversy will come into play and suggested that a lot of the problems have been eliminated by dropping the floor area ratio cap in the CH District.

Mr. Gardner advised that there are only 2 areas which are within the Central Business District and one of those is located within District 7 who is in the process of updating and amending their Comprehensive Plan. If in the amendments to the Comprehensive Plan this Commission and the City Commission choses to make a delineation of that area something other than central core or an extension of the CBD that area would not really qualify under this proposal.

Chairman Young advised presently the downtown area and an area in District 7 are designated as a central core area or a central business district, and possibly the amendment to District 7 in relation to this issue will come back to this Commission.

Mr. Linker, Assistant City Attorney, stated that the Legal Department has discussed with the Staff that if the Commission decides to approve this proposal it should be subject to review by the Legal Department because there are some requirements in the State of Oklahoma Statutes which present problems. There might be a need to modify the language if there was a legal problem. The basic intent of what is proposed is clear but there might be some need to modify the language.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to accept the Staff Recommendation on the Zoning Code changes in establishing a Central Business District concerning Sections 200, 700.5, 730, 1200.4, 1221.7 and 1730.3.

Mr. Connery was concerned that the approval of the CBD zoning classification might infringe on the perogative of District 7. The Staff advised that since District 7 is going through a revision it does not affect them until they come in with a revision or a suggested amendment to their plan. In order to change the zoning classification on an area inside the Central Business District it will require a public hearing and notice to be given to every property owner within 300'. It was also advised that it will take several months for this action taken today to become a part of the Ordinance.

Chairman Young stated that the CH and parking issue would be heard at this point.

The Staff advised that presently in the Zoning Code there is no off-street parking requirement in the CH District that that will be changed so that off-street parking will be required in CH Districts only under certain circumstances. Mr. Gardner advised that the parking requirement has been increased for several uses which have been proved to be a problem like restaurants, bars and taverns or similar type uses and are now in a new use unit if this proposal is approved.

Mr. Gardner advised that this is the Section which Mr. Clark's letter addresses. He gave an example for the Commission to consider. If someone owns a clothing

Zoning Public Hearing: (continued)

store and wants to make it into a restaurant, they must meet the parking requirement under the proposed zoning change and under Mr. Clark's proposal too. On the other hand, if someone owns a clothing store and wants to turn it into a drug store within the same use unit they could do so without going to the Board of Adjustment. But if there happens to be more parking required for a drug store than for a clothing store then they would have to go before the Board of Adjustment under Mr. Clark's proposal. The Staff's problem with that suggestion is that we need to look at those parking standards and most of them have not been changed since 1970. He felt that there needs to be a comprehensive study of our parking requirements before the Staff would be comfortable requiring the increase in parking based on the change in use even though it might be within the same use unit.

Mr. Gary Clark, 1 Boston Plaza, addressed the Commission and made reference to the letter which he previously wrote to the Planning Commission in regard to the proposed zoning changes. He stated he had a difference of opinion in where the value is placed. He felt that it makes more sense to allow a property owner to change from one use to another use where the Code provides for a similar parking and loading requirement rather than to go use unit by use unit because there are differences within use units in the amount of parking. He felt that changing the parking and loading requirements would be done to make those compatible with what is proper rather than placing a burden on the landowner to go to the Board of Adjustment every time there is a change from one use unit to another if the parking requirements are the same. Under the Staff's proposal if someone were to change their use from a restaurant to a health club, even though the parking requirement is significantly less restrictive, an exception would have to be obtained. This is the area which Mr. Clark did not feel was good in that it places the burden on the property owner. He then asked a question on what constitutes a use lawfully existing as stated in Section 1400. He suggested that some consideration be given to that thought and felt that it might be changed to read that "a use lawfully existing within 3 months prior to the effective date of this Code" so that a temporary lack of use of that property or any use at all would not preclude one from going back in and using an existing structure.

The Staff stated that either way the Commission acts there will be people required to go before the Board of Adjustment. He stated that if one has general office space and rents it out for medical office and there is no parking or a limited amount, under the Staff's proposal it would be permitted, but under Mr. Clark's proposal one would have to seek the Board's approval. He felt that there would be inequities either way.

Mr. Gardner then addressed the issue of temporary abandonment. He used an example that if there is a shopping center and 4 or 5 tenants are within one building and one of the divisions remain unoccupied for a period of time that does not make it nonconforming. The Staff advised that what does change is if one has a change of use units then the parking requirement comes into play. A change of use never brings the parking requirement out if it is in the same use unit. The Staff is merely saying that these are similar groupings of uses with similar characteristics and in a shopping center any use is permitted.

Mr. Linker, Legal Counsel, stated that one reason that the Staff and Legal Department has taken the position opposite Mr. Clark is that the Code has taken that position in the past. Under the Code you are not changing a use unless you change from one use unit to another. If you go specifically on the use changing from one use to another then that is different than what has been done with other nonconforming uses under our Code. This would be confusing and would cause some problems. As to the issue of stopping a use, under our present Zoning Code if you stop a use there is a provision that you can start it up again if it is within

Zoning Public Hearing (continued)

36 months of stopping.

Mr. Ken Miles, 201 West 5th Street, felt that Mr. Clark's proposal is very clear in that only if there would be a greater restriction on parking going from one use unit to another use unit or even within a use unit would there then be a requirement to come before the Board and ask for relief and would be no restriction placed on the landowner if there is a change from one use unit to another or within the use unit if they did not impose a greater parking restriction. By the same token he felt Mr. Clark's proposal has some merit in the Brookside area as there are a number of landowners that have restaurants that might be induced to change to some other use if there were no need to come before the Board and ask for an exception on parking because they would then have to provide more parking than they already have. There will be a freeze with respect to those landowners in wanting to change the use from a restaurant or club to something else where it would be practical to do so because they will have to find parking. Consequently they will have to stay a restaurant which carries along with it a greater burden on the surrounding neighborhood.

Chairman Young suggested that there be a clause inserted that if you go to a use that requires less parking that you do not have to go before the Board of Adjustment for that exception. The Staff responded and stated that if we were confident that our parking requirements were up to date in all of our uses then we would probably not be concerned to make it based on a straight change of use.

There was discussion concerning the Staff's proposal and Mr. Clark's proposal on the parking requirement in relation to use units. Mr. Linker stated that one of the main reasons that we are taking the stand which the Staff has presented is that someone needs to review the matter when you change use units which would be the Board of Adjustment. The issue of the number of parking spaces is not the only consideration and Mr. Clark is saying the only consideration is the number of parking spaces and does not consider the reason for the parking requirements other than just the number of spaces.

Mr. Clark again addressed the Commission and suggested that the problem with the proposal presented by the Staff is that their proposal is more arbitrary than his proposal. The Staff is taking the stand that within a use unit it does not matter that the parking requirement may be increased within the use unit. According to the proposal submitted by Mr. Clark if within a use unit you do have a greater parking requirement then you must receive approval from the Board of Adjustment for a special exception. He felt that the parking requirement could be at least reflective of the actual uses within each of the use units.

The Staff reviewed another example and stated if one wants to change a use from a barber shop to an adult bookstore there is no difference in the parking requirement but that might be a situation where the Board might disagree with the type of use even though the Code does not say that you need more parking. That use might be of a different nature because it is a different use unit. The use units are a group of similar type uses and activities. The bookstore might be a high traffic generator at night verses the other uses which might be a low traffic generator during the day, even though there is no difference between the parking requirements in the use. Parking is just one characteristic of the use.

Chairman Young then addressed Mr. Clark's second question dealing with building vacancies and the period of time in which one could go back and start the same use. He asked if the Commission would like to include a three month period concerning the use lawfully existing to include any use existing within a reasonable period

Zoning Public Hearing: (continued)

of time prior to the effective date of the amendment. Mr. Linker suggested that the 36 month period be included in this provision as is used in other areas of the Zoning Code.

On MOTION of CONNERY, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to accept the Staff Recommendation on the Zoning Code changes concerning off-street parking and loading requirements in Sections 1200.4, 1310(c), 1470 and 1680.1 with the addition by the Legal Department for a 36 month provision on temporary vacancies.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to accept the Staff Recommendation concerning the new title given to use unit 12 and the new uses included within that use unit as relates to Sections 610, 710, 750.2, 810, 910, and 1212.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to accept the Staff Recommendation concerning Use Unit 19 written in Section 1219.2 to remove from the list the following: bars, dance halls, motion picture theaters (enclosed), night clubs and taverns which are now a part of Use Unit 12 and to include in the accessory facilities in Section 1219.4 under Parking Spaces the wording:..such as card shop, flower shop, barber and beauty shops, etc., and 1 per 100 sq. ft. for accessory facilities such as restaurants and taverns.

Chairman Young then asked that all of these Zoning Code changes go to the Legal Department for review and to be put in final language before it goes before the City Commission. If there is any substantial change from what was acted upon today it was suggested that it come back to this Commission before it is heard by the City Commission.

OTHER BUSINESS:

PUD #342 (Commercial Use Area)

Staff Recommendation - Detail Site Plan Review

The subject tract is located at the southwest corner of 71st Street and South Mingo Road. It has an underlying zoning combination of CS and OL and has been approved for a PUD allowing a commercial/office complex. The applicant is now requesting Detail Site Plan review.

The Staff compared the submitted Site Plan to the approved Outline Development Plan and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>	<u>Remaining</u>
Land Area (Net):			
Commercial Use Area:	4.72 acres	4.72 acres	NA
Office Use Area:	1.61 acre	NA	1.61 acre
Permitted Uses: CS except So. 250' which shall be Use Unit 11		Commercial	NA/Office
Maximum Floor Area:	111,885 sq. ft.		
Commercial Uses:	59,885 sq. ft.	51,864 sq. ft.	NA
Office Uses:	52,000 sq. ft.	NA	52,000 sq. ft.
Maximum Building Height:			
Commercial Area:	28'1/2 stories	28'1/2 stories	NA
Office Area:	5 stories	NA	5 stories
Minimum Building Setbacks:			
From Centerline of Mingo Road:	120 feet*	121 feet*	120 feet
From Centerline of 71st Street:	270 feet	278 feet	NA
From West Property Line:			
Commercial Building:	20 feet	23 feet	NA
Office Building:	60 feet	NA	60 feet
Minimum Off-Street Parking:			
Commercial Uses:	1/225 sq. ft. floor area	1/220 sq. ft. floor area, or 236 spaces	NA
Office Uses:	1/300 sq. ft. floor area	NA	1/300 sq. ft. floor area
Minimum Open Space:	10% net area	10.8% net area	10.8% net area

\*The end or side of the southernmost commercial building may encroach within 110 feet if no overhang or canopies exist. The Site Plan submitted shows no overhangs and a 114-foot setback.

PUD #342 (continued)

The applicant is also proposing an architectural treatment of the west walls abutting the residential areas that satisfies the requirements for compatibility. We would suggest that the applicant consider two colors of paint on the west wall, one that would carry the front roof or eave line across the back. Based upon the above review the Staff would recommend APPROVAL of the Detail Site Plan, subject to the plans submitted.

The Staff would make an additional suggestion for the applicant's consideration. We have noted that the applicant has provided a pedestrian opening to the residential area west of the subject tract at the mid-point of the commercial area which we feel will benefit both the commercial and residential uses. We also feel that an additional opening at the southwest corner would also benefit the project because this is a central location and adjacent to a parking lot in the residential area.

TMAPC Action: 8 members present.

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

PUD #329

Staff Recommendation - Detail Site and Landscape Plan Review

The subject tract is located just north of the northeast corner of 75th Street and South Lewis Avenue. It is slightly over 1-acre in size, has OM underlying zoning, and was approved under the PUD for an office building. The applicant is now requesting Detail Site and Landscape Plan review.

The Staff has reviewed the plans submitted and compared them to the approved PUD conditions and find the following:

<u>Item</u>	<u>Approved</u>	<u>Submitted</u>
Land Area (Gross):	1.50 acre	1.50 acre
(Net):	1.22 acre	1.22 acre
Permitted Uses:	As permitted as a matter of right in an OM Dist.	Same
Maximum Building Height:	3 stories	3 stories
Maximum Floor Area:		
Gross Floor Area:	31,200 sq. ft.	31,200 sq. ft.
Leasable Floor Area:	28,515 sq. ft.	25,387 sq. ft.
Minimum Off-Street Parking:	1 space per 300 sq. ft. leasable floor area or 95 spaces	95 spaces
Minimum Building Setbacks:		
From Centerline Lewis Avenue:	98 feet	101 feet
From North and South Boundary Lines:		

PUD #329 (continued)

First Story:	64 feet	64 feet
Second & Third Stories:	52.5 feet	52.5 feet
From East Boundary Line:	46 feet	50 feet

In Addition, the Staff reviewed the submitted Landscape Plan and find that approximately 13% of the tract is to be left in open space and that several existing trees are to be saved along with the addition of several planting beds of ground cover. The Staff feels this is minimal but adequate.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan, subject to plans submitted and APPROVAL of the Detail Landscape Plan, subject to the plan submitted and that if any existing tree that is shown to be saved dies, it shall be replaced.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the Detail Site Plan and Detail Landscape Plan, subject to the plans submitted and that if any existing tree that is shown to be saved dies it shall be replaced.

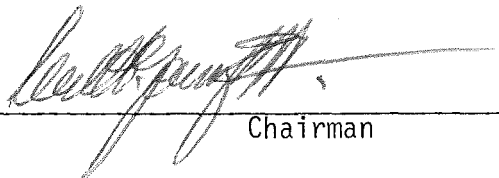
Request for Early Transmittal of Minutes of March 28, 1984

Case No. CZ-105

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Flick, Higgins, Hinkle, Kempe, Rice, Woodard, Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, Inhofe, "absent") to approve the request for early transmittal of Case No. CZ-105 heard March 28, 1984.

There being no further business, the Chair adjourned the meeting at 3:30 p.m.

Date Approved April 18, 1984

  
\_\_\_\_\_  
Chairman

ATTEST:

  
\_\_\_\_\_  
Secretary