

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1512
Wednesday, July 11, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Higgins Hinkle, Secretary Kempe, 1st Vice- Chairman Rice Wilson Woodard C. Young, Chairman	Beckstrom Draughon T. Young	Compton Gardner 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, July 10, 1984, at 11:00 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the Minutes of June 20, 1984, (No. 1510).

DIRECTOR'S REPORT:

Resolution to Amend District 7 Plan and Map:

First Vice Chairman Kempe advised that the Commission directed the Staff to prepare the resolution to amend the District 7 Plan.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the Resolution to amend District 7 Plan and Map.

SUBDIVISIONS:

Request to Rehear:

Sooner Addition (3314) North side of East 66th Street North, East of
North 129th East Avenue (RMH)

The above named plat was scheduled for hearing before the Tulsa Metropolitan Area Planning Commission on June 6, 1984, for preliminary approval. There were numerous protestants and a petition against the plat was a part of the record. A detailed letter from the Health Department (also part of the record) outlined the reasons that the plat would not be approved by that Department. After a brief review the Planning Commission DENIED the approval of the

Sooner Addition (continued)

plat and the reasons therefore, citing the applicable sections of the Subdivision Regulations.

Through a misunderstanding and lateness of the mail, the proper Staff members were not aware that a letter had been written by the applicant's attorney (Phil Frazier) requesting a continuance of the June 6th hearing. The Staff received the letter at 12:45 p.m. the next day, June 7th. The applicant and/or his attorney were not represented at the meeting the plat was denied. The request for a rehearing is to allow the applicant to present his view and possibly allow him time to resolve the problems with the City-County Health Department.

The Staff had no objection to a rehearing provided:

- (a) Written notice is given to the abutting property owners, their representatives and the City-County Health Department and other agencies.
- (b) To assure proper notice, the Staff will need to mail notices by July 16 for hearing on August 1st.
- (c) Both applicant and protestants should be aware that this hearing is only on the plat and preliminary approval of same, and not a hearing on the RMH zoning on the property.
- (d) Should the Planning Commission rehear the plat and grant a preliminary approval, under the Subdivision Regulations the applicant will have one year to complete his engineering and apply for a final approval. Final approval of the plat will require another formal action by the Planning Commission after proper posting on the agenda.

Mr. Wilmoth advised that the applicant, Mr. York, his representatives and protestants are present. The Planning Commission had the Sooner Addition preliminary approval request before them on June 6, 1984, at which time the Commission denied the request because of a recommendation from the Health Department for denial. The INCOG Staff received a written request for continuance in the mail on June 7, 1984. The applicant was not present for the hearing on June 6, 1984, and it was later advised that the applicant or a representative made a phone call to the INCOG Staff the day before or the day of the hearing requesting a continuance. The call was forwarded to the wrong department and was not directed to the appropriate individual. The applicant is requesting that a rehearing be scheduled and the Staff has no objection to the request.

Mr. Bruce Orvis, 104 East 58th Street, engineer for the applicant, stated that the owner of the property, Mr. York, is present today. Mr. Orvis stated he was scheduled to come before the Commission on June 6, 1984, but was notified the day before the hearing of a continuance. The letter of continuance was not received until the day after the hearing. The request is a resubmittal and all the Subdivision Regulations have been met with the exception of the City-County Health Department approval.

Sooner Addition (continued)

Mr. Bud Biram, 1595 South Utica Avenue, attorney representing the protestants, submitted a letter and protest petition containing 150 signatures of property owners in the area (Exhibit "A-1"). At the June 6th hearing there were 40 to 50 protestants present who would like to object to the rehearing based on the fact that it was not a timely filing for continuance. He felt that the phone call the day before the hearing was not a timely request. The exhibit which Mr. Biram submitted contains the letter from the Health Department and sets forth the history of the property with a suggestion for downzoning of the property. He then requested that the rehearing proposal be denied.

There was discussion as to the rehearing request. Chairman Young stated that if the Commission denies the request the applicant could proceed to file the same application at a later date. Mr. Connery stated that he agreed with Mr. Biram and suggested that the Commission not rehear the preliminary plat request until the applicant receives Health Department approval. Mr. Linker, Assistant City Attorney, did not feel that would be the best procedure since that is not a requirement placed on other applicants. Mr. Linker reminded the Commission that the only thing before the Commission at this time is the request for rehearing. Mr. Garnder stated that he had not yet heard the reason for the rehearing. He stated as far as the subdivision aspect is concerned if the applicant cannot get Health Department approval, then the subdivision cannot be approved.

On MOTION of CONNERY, the Planning Commission voted 5-3-0 (Connery, Hinkle, Rice, Wilson, Woodard, "aye"; Higgins, Kempe, C. Young, "nay"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to DENY the rehearing request for Sooner Addition.

NOTE: Receipt of the letter submitted by Mr. Biram requesting downzoning was acknowledged and referred to the Staff and Legal Department for further study and advice (Exhibit "A-2").

PRELIMINARY APPROVAL:

Fairway Park Addition (PUD #347) (382) 6500 Block of South 28th West Ave.
(RS-3)

Mr. Wilmoth advised that this item needs to be continued for the July 25, 1984, hearing.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to continue consideration of Fairway Park Addition until Wednesday, July 25, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Mohawk Park Addition (PUD #363) (1503) SE corner of East 39th Street
North and North Yale Avenue (RMH and FD)

Mr. Wilmoth advised that this item needs to be withdrawn or tabled. The applicant was aware of the problem and has filed a PUD.

The Chair, without objection, tabled this item from the agenda.

Union Building (784) South side of East 71st Street, East of South 103rd
East Avenue (CS)

Mr. Wilmoth advised that the Staff is still awaiting the percolation tests on this preliminary plat which is a Health Department policy that the Planning Commission not hear the item until the percolation tests are available. He requested that this matter be continued for two weeks.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to continue consideration of the preliminary plat of Union Building until Wednesday, July 25, 1984, at 1:30 p.m., in the Langenheim Auditorium, City Hall, Tulsa Civic Center.

Oxford Place (383) West side of South Sheridan Road at East 66th Street
(OL)

The Staff presented the plat with the applicant represented by Adrian Smith.

Background: This is the third submittal on this tract. It was originally submitted as a townhouse or multifamily development with individual lots. Later the proposals have been for offices.

Mr. Wilmoth advised there will be no access to the existing stub street, Oxford Place, and any office buildings will have access to Sheridan Road. A requirement for additional dedication of an "eyebrow" had been dropped.

Mr. Adrian Smith, engineer for the property, was present and stated that they have all the letters filed as required and requested that this be approved.

Mr. Harold Furtney, 6640 South Oxford Place, stated he lives directly across from the subject tract. He wanted to be assured that the drainage will be handled at a future date and did not want the Commission to approve a detention pond because it could cause problems in the future. He reminded the Commission that this property is steep and the drainage is fast and there have been problems with the runoff from this property.

The Technical Advisory Committee and Staff recommended approval of the plat, Oxford Place, subject to the conditions.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Oxford Place be approved, subject to the following conditions:

Oxford Place (continued)

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. (Include language for water and sewer facilities in the Covenants.) (secondary pressure system)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat.
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission.
7. A topo map shall be submitted for review by the T.A.C. (Subdivision Regulations) (Submit with drainage plans)
8. 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.
9. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in Covenants.
10. The key or location map shall be complete. (Show new subdivisions.)
11. Check paragraph in Covenants dedicating streets and easements. Line or statements appear to have been left out. (?) Include Cable TV in Covenants.
12. This property is located within the area served by the Haikey Creek Sewage Treatment Plant and will require a statement concerning sewer availability within the Covenants.
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.)

Oxford Place (continued)

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

Holmes Square Addition (2592) SW corner of East 45th Place and South Peoria Avenue (CS pending)

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

The Staff advised that the zoning application had been continued to June 27, 1984, so this plat could be reviewed by the T.A.C., but not heard by the Planning Commission until after the zoning is reviewed by the Planning Commission. The recommendation will be to continue the plat at the Planning Commission meeting until July 11th, the next Land Division meeting after the Zoning hearing.

It was further recommended that a plot plan be submitted for review by the T.A.C. prior to any releases or final approval.

The City Engineering and Water and Sewer Departments have lines crossing the tract that must be tied down on the plat.

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

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Holmes Square be approved, subject to the following conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
2. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.) (if plans are required?)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utilities and Cable TV repairs due to breaks and failures, shall be borne by the owner of the lot(s). (if applicable)
4. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of the final plat. (if required?) (Locate sewer. Provide 10' easement each side of 21" line and 7½' each side of 8" line.)
5. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. On-site detention

Holmes Square Addition (continued)

6. Paving and/or drainage plans shall be approved by the City Engineer, including storm drainage and detention design (and Earth Change Permit where applicable), subject to criteria approved by the City Commission. Tie down location of storm drain.
7. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in Covenants. Locate access on Peoria Avenue relative to 45th and 46th Streets.
8. 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.
9. The key or location map shall be complete.
10. A Corporation Commission letter (or Certificate of nondevelopment) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
11. The Zoning Application (#Z-5959) shall be approved before the final plat is released, or if not approved for CS, a revised plan(s) should be submitted conforming to the applicable zone.
12. 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.)
13. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Woodhill Heights Addition (1593) 91st Street and South Lakewood Avenue
(RS-3)

The Staff presented the plat with the applicant represented by Jack Cox.

The Staff advised the T.A.C. that Zoning Application No. Z-5955 was pending hearing on June 13, 1984. It was recommended that the plat be reviewed and conditions made, but not forwarded to the Planning Commission until after the zoning had been reviewed. This would place the plat on the agenda of June 20, 1984, for preliminary approval. Also, if the RS-3 classification is granted, the plat will meet all those standards. If RS-2 or RS-1 is approved, all building lines must be adjusted to meet the applicable zoning. (If RS-3 is approved, the 30' building lines shown exceed the minimum 25' and are volunteered by the applicant.)

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

Woodhill Heights Addition (continued)

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Woodhill Heights be approved, subject to the following conditions:

1. Show adjacent street intersection with Lakewood in "Sheridan South"; identifying Hunter Park and dimension street right-of-way on 91st Street. Street corners are shown properly, but need to be identified as 25' or 30' radii.
2. Indicate that the 2' "fence easement" is also a "utility easement" so utilities can cross it.
3. The Staff recommends the Covenants be reorganized into two sections, Section I for Easements and Utilities and Section II for Protective Covenants and Restrictions. (as per Staff sample)
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (10' front easements) Existing easements should be tied to or related to property and/or or lot lines.
5. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.) (Include Haikey Creek language in the Covenants.)
6. 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.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
8. 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.
9. Street names shall be approved by the City Engineer. Show on the plat as required.
10. 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.)
11. 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.

Woodhill Heights Addition (continued)

12. The Zoning Application (#Z-5955) shall be approved before the final plat is released, or if not approved for RS-3, a revised plan(s) should be submitted conforming to the applicable zone.
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.

Burgundy Estates Addition (2683) East 103rd Street and South 69th East Avenue RS-1 and FD

The Staff presented the plat with the applicant represented by Adrian Smith.

This plat has a sketch plat approval, subject to conditions. A copy of the Minutes of June 14, 1984, was provided with Staff comments as applicable. An application for reduction of the building line is being reviewed by the Board of Adjustment (June 28, 1984) Case #13190.

Discussion at the previous T.A.C. meeting indicated that the T.A.C. felt the need for access to the east to the unplatted tracts. A stub street to the east was recommended in the SE quadrant of the plat.

Although there were no real objections to the plat as submitted, the T.A.C. did wish to leave the request for a stub street to the east in for the record. The applicant would request the Planning Commission to approve the plat as submitted without the stub.

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

There was some discussion concerning the drainage of the subject property and Mr. Wilmoth advised that the applicant is providing a connecting drainageway between the two detention ponds. The applicant was requesting approval of the plat as submitted.

On MOTION of RICE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Burgundy Estates Addition be approved, subject to the following conditions:

1. The following should be shown on the face of the plat;
 - (a) South 69th East Avenue to the north across 101st;
 - (b) show and identify the storm water detention pond to the west adjacent to this plat; and
 - (c) show numbers of lots and acres.

Burgundy Estates Addition (continued)

2. Zoning Application #Z-5930 was approved for RS-1 and FD. The Ordinance has not yet been published, pending information to be submitted to the City Engineer to delineate the FD area. The plat should show the FD area as a drainageway or reserve, as instructed by the City Engineer, including the applicable language in the Covenants. The plat will not be released for final approval until the Ordinance is published.
3. Alignment of street intersection with 101st at 69th East Avenue shall be subject to approval by the Traffic and City Engineers. (O.K. as shown now)
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (17½'?) Existing easements should be tied to or related to property and/or lot lines.
5. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.)
6. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line repairs due to breaks and failures, shall be borne by the owner of the lot(s).
7. This property is located within the area served by the Haikey Creek Sewage Treatment Plant and will be required a statement concerning sewer availability within the Covenants, even though it may be on septic at this time.
8. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
9. 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.
10. Limits of access shall be shown on the plat as approved by the City and/or Traffic Engineer. Include applicable language in the Covenants. (Show LNA on 101st as directed.)
11. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. (These plans shall be submitted with or before preliminary plat.) (Including percolation tests.)
12. The owner or owners shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. (This information to be included in the Restrictive Covenants.)
13. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

Burgundy Estates Addition (continued)

14. The key or location map shall be complete. (Show "Danbrook Addition".)
15. A Corporation Commission letter (or Certificate of Non-development) shall be submitted concerning any oil and/or gas wells before the plat is released. (A building line shall be shown on the plat on any wells not officially plugged.)
16. Covenants: Page 1, paragraph "B" - omit, this isn't a PUD. Rearrange Covenants to put all dedications for easements and streets in one section and all private restrictions in another. Page 3, #4 - revise - some of this conflicts with the Zoning Code and setbacks will be in accordance with the approval of the Board of Adjustment.
17. 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.)
18. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Village Park Addition (PUD #366) (683) South side of East 58th Street,
East of South Quincy Avenue (RD)

The Staff presented the plat with the applicant represented by Adrian Smith.

The plat has a sketch plat approval, subject to conditions. A copy of the Minutes of May 24, 1984, was provided with the Staff comments as applicable.

In discussion, it was recommended that the easements and mutual access be reviewed closely. Some overlap into the restricted water line easement is shown. This should be resolved in a subsurface meeting.

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

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Village Park Addition be approved, subject to the following conditions:

1. All conditions of PUD #366 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 Subsurface Committee if underground plant is planned. Show additional easements as required. Existing

Village Park Addition (continued)

- easements should be tied to or related to property and/or lot lines. (Clarify easements as shown on the plat.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.)
 4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or 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.
 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. A topo Map shall be submitted for review by T.A.C. (Subdivision Regulations) (Submit with drainage plans)
 9. All adjacent streets and intersections and/or widths thereof shall be shown on the final plat. (Show Quincy Avenue and Quincy Place.)
 10. Show number of lots and acres on the face of the plat.
 11. Covenants: Covenants should be completely revised. Recommend they be in three separate sections, Section I - dedications, easements, utility and water and sewer language; Section II - PUD requirements -- (use same format as approved by the Planning Commission); and Section III - Private Deed Restrictions. Sections I & II should not have expiration date, only the private restrictions should have time limits. Include Cable TV in utility section, dedications.
 12. Plat is drawn at 1" = 20' scale. (The Staff has no objection due to small size of tract.) Since scales permitted are 1" = 50', 1" = 100' or 1" = 200'; waiver is recommended.
 13. The Zoning Application (#Z-5963) shall be approved before the final plat is released, or if not approved for RD, a revised plan(s) should be submitted conforming to the applicable zone.
 14. 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.)
 15. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Crosstown Park Addition (3104) East side of North Mingo Road at East Marshall
Street (CS, RMH and AG)

The Staff presented the plat with the applicant not represented.

This plat has sketch plat approval, subject to conditions. A copy of the Minutes of April 12, 1984, was provided, with the Staff comments as applicable.

The Fire Department recommended another point of access during the sketch plat review. The applicant was aware of the problem and is working on a solution. (A second point was being secured through the G.R.D.A. property to the south.

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

There was some discussion about the green area and the creek channel for the property. There was some question about the flooding in the area and it was advised that this area does not flood, but the property is located within the watershed. Drainage plans are included as a condition of approval.

On MOTION of HIGGINS, the Planning Commission voted 7-1-0 (Connery, Higgins, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; Wilson, "nay"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat for Crosstown Park Addition be approved, subject to the following conditions:

1. Show all building lines and easements. (Need to show building line 100' from the centerline of Mingo Road on the Commercial lot (Lot 2). Some previous dedications and/or roadway easements have been made on Mingo Road. Show Book and Page data as needed for identification. Show number of lots and acreage on the face of the plat. Identify adjacent properties by plat name or "unplatted" (Latimer Addition and Van Estate No. 1 Amended)
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines. (Show standard 11' + 11' or 17½' utility easements as needed.)
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.)
4. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
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.

Crosstown Park Addition (continued)

6. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer - (for storm drainage).
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. (on-site or fee in lieu)
8. A topo map shall be submitted for review by T.A.C. (Subdivision Regulations) (Submit with drainage plans)
9. All adjacent streets and intersections and/or widths thereof shall be shown on the final plat. (East Marshall Street)
10. Access points shall be approved by the City and/or Traffic Engineer. (Include language in the Covenants and show on the plat.)
11. The key or location map shall be complete. (Identify Subdivisions.)
12. 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.)
13. If interior of plat is to be all private streets, then all lines should be as dashed lines within the one large lot. (Commercial lot, #2 is O.K.) The solid lines as shown, make it difficult to distinguish easements and private streets. If it is to be filed with the private streets shown as is, then several new lots/blocks are being created.

If private streets are named on the plat, they must be followed by the word "private". The line work should be revised accordingly.
14. Include language applicable for limited access. Include language for drainageway easements and monumentation of floodplain as directed by the City Engineer. If the streets are shown separately on the plat as submitted with a solid line, then additional language needs to be included for the maintenance of the private street system. If any restrictions are proposed, make sure that there is a separation of uses since Lot 2 is zoned commercial and the remainder is RMH and FD.
15. The Ordinance #16014 appears to be in error. Although it was published it has not been placed on official maps because description is in error. The applicant should contact the Engineering Department and work with that Department for a corrected description for the Ordinance, particularly relating to the floodway. The plat will not be released until this is done.

Crosstown Park Addition (continued)

16. 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.
17. All (other) Subdivision Regulations shall be met prior to release of the final plat.

Century Tower (PUD #179-J) (1283) 74th Place and South Memorial Drive (CS, OL)

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

This plat was reviewed on March 15, 1984, by the T.A.C. Since a PUD had been filed, and it had not been reviewed by the Planning Commission on that date, the plat was continued until the PUD conditions were known. The PUD was approved June 6, 1984, by the Planning Commission and is now pending City Commission approval. Some modifications were made and were noted in a copy of previous review provided.

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

Mrs. Wilson was concerned with the height of the structure and the Staff advised that there is not a height limitation for structures in this area and that is not really an issue at this time. PUD conditions already approved control the structure size and height.

John Dismukes, 7530 South 67th East Avenue, stated that he was concerned with the setback and height of the structure. He stated he was not opposed to the request.

On MOTION of KEMPE, the Planning Commission voted 7-1-0 (Connery, Higgins, Hinkle, Kempe, Rice, Woodard, C. Young, "aye"; Wilson, "nay"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Century Tower be approved, subject to the following conditions:

1. The underlying plats and location of 74th Place should be properly vacated to conform with this new plat.
2. All conditions of the new PUD 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.
3. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements should be tied to or related to property and/or lot lines.
4. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat.

Century Tower (PUD #179-J) continued

5. Pavement repair within restricted water line easements as a result of water line repairs due to breaks and failures shall be borne by the owner of the lot(s).
6. 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. (Sewer available, but include language required for Haikey Creek Treatment Facility.)
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer.
8. 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.
9. A topo map shall be submitted for review by T.A.C. (Subdivision Regulations) (Submit with drainage plans)
10. Street names shall be approved by the City Engineer. Show on the plat as required.
11. Access points shall be approved by the City and/or Traffic Engineer. (Median opening on Memorial doesn't presently exist.) Release letter required.
12. Show 75' building line from north property line of Lot 1 and 240' building line from east line -- correct same on page 4 of the Covenants. In Section 11, page 4, add statement "The applicant's text and outline development plan, as amended, is a condition of approval". Page 5, Section 11 -- Lot 2, Block 2 - parking is 1 space per 200 sq. ft. of floor area, as per PUD. Show or change language in Section I, 1.3 to show changes can be made by the TMAPC -- "and the concurring approval of the City Engineer".
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.

Kings Ridge Estate, Blocks 5 and 6 (PUD #281) (183) SW corner of East
64th Street and South 91st East Avenue (RS-3)

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

There was some discussion regarding the extension of 91st East Avenue north to 61st Street. The Staff advised that provisions had been made and documentation required as a condition of the amended PUD.

The Technical Advisory Committee and Staff recommended approval of the Preliminary Plat of Kings Ridge Estate, Blocks 5 & 6, subject

Kings Ridge Estate, Blocks 5 and 6 (PUD #281) continued

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") that the Preliminary Plat of Kings Ridge Estate be approved, subject to the following conditions:

1. All conditions of PUD #281-4 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 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. (Show private streets also as "utility easements.")
3. Water plans shall be approved by the Water and Sewer Department prior to release of the final plat. (Include language for water and sewer facilities in the Covenants.)
4. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or 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. (if required?)
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. Street names shall be approved by the City Engineer. Show on the plat as required.
9. It is recommended that the developer coordinate with Traffic Engineering Department during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of the plat.)
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.

Kings Ridge Estate, Blocks 5 & 6 (PUD #281) continued

11. The key or location map shall be complete. (Show Kings Ridge Estate, Blocks 1-4)
12. 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.)
13. All (other) Subdivision Regulations shall be met prior to release of the final plat.

FINAL APPROVAL AND RELEASE:

Christian Chapel (PUD #236) (1183) 76th Street and South 78th East Ave.
(OL and RS-3)

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

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the final plat of Christian Chapel and release same as having met all conditions of approval.

CHANGE OF ACCESS REVIEW:

Johnson-Fagg Industrial Addition (3194) SE corner of 51st Street and
South 110th East Avenue (IL)

The purpose of this request is to approve one additional curb cut to a new development. The driveways will be 342' center to center which exceeds the minimum of 300' in the Subdivision Regulations. The traffic Engineer and Staff have approved the request.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the requested additional curb cut for Johnson-Fagg Industrial Addition.

EXTENSION OF APPROVAL:

Pecan Tree Place Amended (PUD #278) (3193) SW corner of 55th Street and
South Lewis Avenue (OL)

The Staff received a request from the applicant requesting an extension of time. The Staff has no objection to an extension of one year.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve a one year extension for the plat of Pecan Tree Place Amended.

LOT SPLITS:

FOR RATIFICATION:

L-16167 Amended (3502) Tim Lannom
16223 (683) DR Development, Inc.
16227 (192) Boulder Development Co.
16228 (493) Grace and Max Morgan
16230 (3602) T.U.R.A.
16231 (3094) Jerry C. Enterline

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

FOR WAIVER:

L-16201 Pansey McNamee (1993) West of the SW corner of 33rd Street and Quincy Avenue (RS-3)

This is a request to split a 100' x 143' tract into 2 50'x143' lots. The property is zoned RS-3, and a variance will be required from the Board of Adjustment. There are several lots in the area as small or smaller than the proposed 50' x 143' lots, so the Staff would recommend approval of this request, subject to the Board of Adjustment approval and any utility easements that may be required to serve the tracts.

The applicant was not represented.

The Technical Advisory Committee and Staff recommended approval of L-16201, subject to these conditions:

- (a) Board of Adjustment approval, and
- (b) standard 11' easement along the south if an easement does not presently exist.

Mr. Wilmoth advised that condition (b) should be deleted because there is an existing easement on the property.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the lot split requirements for L-16201, subject to condition (a) above: (Board of Adjustment approval).

PUBLIC HEARING:

Public Hearing on Proposed Amendments to the Tulsa County Zoning Code, Section 1690.1.

Mrs. Kempe, Chairman of the Rules and Regulations Committee, stated that the Committee's recommendation is that the Planning Commission approve the language as proposed by the Staff (Exhibit "C-1"). It is also their recommendation to the Board of County Commissioners that the language be adopted and that the County Zoning Code be amended to reflect that language.

Mr. Gardner advised that the proposed language as written by the INCOG Staff has been sent to Commissioner Rice, Commissioner Harris and Mayor Young. The primary concern of the Board of County Commissioners is that the people in the surrounding area be notified of the law suit pending in court so that they might be present and used as witnesses if the District Attorney's office chooses. In order to accomplish this notice procedure we would have to make some changes in the present language that applies to the County Board of Adjustment. In the memorandum sent to the Mayor and County Commissioners it was explained that Sections 866.24 and 865 are the same for all County Boards of Adjustment, except the Tulsa County Board of Adjustment which is different in terms of the language of statutes, in that it allows a judicial review or review on the record. There would be no trial other than review of the record and determination from the record whether the Board made an error in their decision. The latest language the Staff has prepared allows for a new trial or trial de novo, which is consistent with all other Boards of Adjustment. Mr. Gardner advised that there was a ruling from a recent law suit which suggested that this is the procedure which should apply.

Mr. Gardner advised that the bold print on the handout is the same language as exists presently and the part that has been underlined or dashed is the proposed change. In essence, what will happen is the Staff will notify the surrounding property owners. In order to accomplish this, there is a provision for a \$15.00 public notice fee when the individual files the notice of appeal with the Clerk for the Board. Don Austin, Court Clerk, and Jim Raymond, Legal Counsel, have reviewed and approved the proposed language. The Clerk for the Board of Adjustment would then notify all property owners within a 300' radius of the exterior boundary of the subject property. It is then up to those property owners to follow through with the proceedings of the trial. Mr. Gardner stated he felt that this proposal meets the requirements which were pointed out in the previous hearing and has been recommended by the Rules and Regulations Committee. Mr. Gardner suggested that the City Board of Adjustment might want to adopt this same policy in the future.

TMAPC Action: 8 members present.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to close the public hearing and to adopt the proposed language and recommend to the Board of County Commissioners that the Code be amended to reflect those changes as shown in the handout.

Mrs. Kempe advised that the Rules and Regulations Committee also recommended to the Commission that the Planning Commission continue the policy that the Commission look at requests for lot splits where the lot has more than three side lot lines.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to continue the interim policy with respect to lot splits having more than three side lot lines while the Staff is continuing their study on the matter.

Amendments to District Plan Texts (3, 4, 10, 26), Amendments to District Plan Maps (2, 5, 9, 16, 17, 18, 25), and Park/Recreation Plan and Major Street and Highway Plan.

Mrs. Matthews submitted copies of the Plan Text Amendments (Exhibit "D-1"). She stated that every year the Staff presents the Commission with housekeeping amendments to clean up some of the language. These changes are usually necessitated by the adoption of other plans such as functional plans and master drainage plans and in this case, the park and recreation plans, open space plans, fire protection plans, and so on, to make the language in the District Plans agree with what is in each one of the functional plans. They also do housekeeping amendments if they are instructed to do so by another operating department and in this case it would be the Street Department.

In this case the Plan Text Amendments deal with Districts 3, 4, 10, and 26, which include references to adoptive plans, the open space and the park and recreation plans. In District 3 there has been a reference added to the plans that mentioned one change in terminology. In District 4 there is reference added to the Expo Square Plan which the Commission approved last year. There has been a deletion of some references which were no longer necessary because of some provisions in the Expo Square Plan. There was also corrections in the terminology. In District 10 there was an elimination to the reference in the text to the special district extension of the Central Business District that was taken off the map by this Commission last year. In District 26 there was added reference to the adopted plans which were mentioned previously and a corrected description of the panhandle area.

Mrs. Matthews then addressed the Major Street and Highway Plan Map and advised that the Staff has been instructed by the City Street Department, specifically the Traffic Engineering Department to delete 65th West Avenue as a secondary collector street between Edison and Newton Avenue. The other amendments are basically coping with map errors and making the streets agree with what is shown on the Sand Springs Adoptive Plan and the District 11 Plan. Tom Kane from the Transportation Planning Department of INCOG was present to address any questions of the Commission.

Mr. Glen Kedzie addressed the amendment to the INCOG Regional Park and Recreation Plan Phase II which were also submitted to the Commission including the plan text and map amendments. The Plan text are basically housekeeping items as are the map amendments. The amendments have been coordinated with the appropriate personnel and agencies. Some of the amendments include Estill Park and Ol'Skoven Park which were removed from any part of the text because these have been sold by the County. The Staff recommends approval of all the text and map amendments.

Amendments to District Plan Texts, Maps, Park and Recreation Plan and Major Street and Highway Plan (continued)

Mr. Gardner advised that all the map amendments are the result of zoning applications that have been approved by the City Commission requiring that the Staff change the Master Plan.

Mr. Gardner then explained the changes which should be made. On the north side of 46th Street just east of Cincinnati Avenue there is a special incentive area which will be extended to the north to include Z-5890 and Z-5925 which is located within District 25. The next change is located within District 2 as a result of a commercial zoning application directly across the street and a study which the Staff did in connection with Z-5925. It has been requested that the Plan Map be amended from Low Intensity to Medium Intensity. The City Commission approved Commercial on the east side of Peoria Avenue at 28th Street North. District 2 has an additional amendment because of a lot of the area on the north side of Apache needs to be zoned FD. The Staff is recommending that it not be shown high intensity but be given a special district designation.

District 16 contains Z-5875 which is a zoning covering property on either side of Sheridan Road just north of Pine Street and all this property is zoned Commercial. The Staff needs to make the Plan show this area as Medium Intensity -- Commercial. In District 5 on the northwest side of I-44 north and 11th Street there was a recent zoning application that was approved for Commercial on the frontage with FD zoning on the rear portion. The Staff is recommending that the Plan be changed where the Commercial was approved to Medium Intensity -- Commercial.

In District 17 on the south side of 11th Street concerning Z-5813 the area was approved for Commercial which needs to be shown on the map as Medium Intensity -- No Specific Land Use. In District 9 the property on either side of Union which was approved for Commercial (two lots north of 48th Street) is being considered. The property to the west was approved commercial previously, and the plan was never amended. The Staff is recommending that the Plan Map be changed to Medium Intensity for the two lots north of 48th and on the east side all the way up to 47th Street as Low Intensity -- No Specific Land Use. The Comprehensive Plan would then be consistent with the zoning and land use approvals that have occurred to date.

On the south side of Tulsa close to 71st and Lewis there will be two map changes made in District 18. The area north of 71st Street and west of Joe Creek will be changed to Medium Intensity -- Office with an OL buffer to the north and adjacent the single family which would be shown as Low Intensity -- No Specific Land Use. On the east side of Lewis, north of 75th Street and between 74th and 75th Streets these pieces of property have been zoned Medium Office, and the Comprehensive Plan would now show that change.

The last map change is close to 61st Street South and Mingo Valley Expressway Extended. The intersection corner did not show a node of commercial zoning, and it has been zoned Commercial under Z-5936. The Staff is recommending that the Map be changed to show the 5-acre node at that intersection corner. The Commission has also approved some industrial zoning east of the corner between the expressway and Mingo. The Staff's recommendation is to show that as a special district. The application which brought about this change was Z-5853.

Amendments to District Plan Texts, Maps, Park and Recreation Plan and Major Street and Highway Plan (continued).

TMAPC Action: 8 members present.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to close the public hearing.

On MOTION of KEMPE, the Planning Commission voted 7-0-1 (Connery, Higgins, Hinkle, Kempe, Wilson, Woodard, C. Young, "aye"; no "nays"; Rice "abstaining"; Beckstrom, Draughon, T. Young, "absent") to adopt the proposed Plan Map and Text Amendments to the District Plans.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the Plan Map amendments as recommended by the Staff.

CONTINUED ZONING PUBLIC HEARING:

PUD #359 Bob Latch 77th Street and East side of South Memorial Drive (AG)

Chairman Young advised that the attorney for the applicant has submitted a letter requesting a continuance to August 8, 1984, (Exhibit "E-1").

TMAPC Action: 8 members present.

On MOTION of HINKLE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to continue consideration of PUD #359 until Wednesday, August 8, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

Application No. PUD 361
Applicant: Jackson (Taylor) (1202)
Location: NW corner of Frankfort Avenue and 46th Street North

Present Zoning: CS, OL, P, RS-3

Date of Application: March 29, 1984
Date of Hearing: July 11, 1984
Size of Tract: .97 acre

Presentation to TMAPC by: Lloyd Jackson
Address: P. O. Box 48579 - 74148

Phone: 425-1838

STAFF RECOMMENDATION: PUD #361

The subject tract is approximately .97 acres (gross) in size and located at the northwest corner of 46th Street and North Frankfort Avenue. It is zoned a combination of CS, OL, Parking, and RS-3, and the applicant is requesting PUD supplemental zoning to be allowed to develop a comprehensive Dentistry/Medical Office Complex.

The Staff has reviewed the applicant's Outline Development Plan and find the proposal to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #361, 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):		.97 acre
Permitted Uses:	Lot 15	Office (Dental)
	Lot 14	Parking
	Lot 13	Office (Dental)
Maximum Floor Area:	Lot 15	2,600 square feet
	Lot 14	-0-
	Lot 13	2,000 square feet
Maximum Building Height:		1-story
Minimum Landscaped Open Space:		30%
Minimum Building Setbacks:		
	From South Property Line:	50 feet or existing
	From West Property Line:	50 feet or existing
	From North Property Line:	10 feet
	From Centerline of Frankfort Ave:	50 feet
Minimum Off-Street Parking:		Per Use Unit

(3) That paving on Lot 13 shall be a minimum of 20 feet from the north property line and 25 feet from the west property line and that paving on Lot 14 shall be set back a minimum of 25 feet from the west property line.

PUD #361 (continued)

4. That signs shall meet the requirements of Section 1130.2 (b) of the Code.
5. That a screening fence, a minimum of 6 feet in height, be placed along the north and west property lines of the PUD.
6. That a Detail Site Plan be approved for each lot prior to the issuance of a building permit, including landscaping.
7. That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Applicant's Comments:

The Staff advised that a letter was received from Mr. Jackson, who represented the applicant, Mr. Taylor, requesting that Lots 16 and 17 be deleted from the PUD application (Exhibit "F-1").

Mr. Jackson was present and stated he was in concurrence with the Staff Recommendation.

Protestants: None.

Instruments Submitted: Letter from Mr. Jackson (Exhibit "F-1").

TMAPC Action: 8 members present.

On MOTION of RICE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to allow the deletion of Lots 16 and 17 from the PUD.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to recommend to the Board of City Commissioners that the following described property be approved for Planned Unit Development, subject to the amended conditions:

Lots 13, 14, & 15, Block 7, Fairhill 2nd Addition to the City of Tulsa, Oklahoma.

Application No. Z-5957

Present Zoning: RS-3

Applicant: Jackson (Taylor) (1202)

Location: NW corner of Frankfort Avenue and 46th Street North

STAFF RECOMMENDATION:

This specific case relates to PUD #361 and Zoning Case Z-5925. Zoning Case Z-5925 was a request for OL on Lots 13 and 14 of Fairhill 2nd Addition. It was denied and parking was approved on Lot 14. Both the Planning Commission and City Commission recommended that the applicant file a PUD application because they felt they could support the proposed development if they could ensure that further encroachment to the north of nonresidential uses would not occur and that proper protection could be provided to surrounding residential and Alcott School. The applicant filed a PUD then requested a continuance at the Staff's request to provide a more complete file. Following the continuance on the PUD case, the applicant filed the subject application, Z-5957 zoning case. This application was an OL request again on Lots 13 and 14 of Fairhill 2nd Addition. When it was discovered that it was the same request as previously heard and denied by the Planning and City Commissions, the Staff placed it in a "Hold" File. Since the PUD application is now being carried through, the applicant is requesting a refund of all or a part of his fees on this case.

The Case Reports and Maps were developed prior to the discovery that it was the same case where action had already been taken, but notice procedures had not been started. Fees collected were as follows:

Postage:	\$ 7.80
Sign:	\$ 50.00
Zoning Fee:	<u>\$180.00</u>
Total:	\$237.80

The Staff feels that approximately \$80.00 of the Zoning fee was used in preparation time before this case was placed in "Holding". Therefore, we would recommend a refund of \$157.80.

Protestants: None.

TMAPC Action: 8 members present.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the Staff Recommendation for the refund of \$157.80.

OTHER BUSINESS:

PUD #199-3 (Lots 4 and 6, Block 4, Whispering Meadows)

Staff Recommendation - Minor Amendment:

The area where the subject lots are located is an approved detached single-family area. The applicant is proposing single-family dwellings on each lot, but both have side lot lines that converge from the front to the rear of the lots. The required 5-foot side yard can be maintained at the front of each building, however, at the rear of the house 4-foot side yards are all that can be maintained because of the narrowing lot lines. The Staff sees this as minor and recommends APPROVAL of a 4-foot side yard requirement for Lots 4 and 6, Block 4, Whispering Meadows, subject to the plans submitted.


Mr. Dale Treat, 3619 South 124th East Avenue, was present and was in concurrence with the Staff Recommendation.

TMAPC Action: 8 members present.

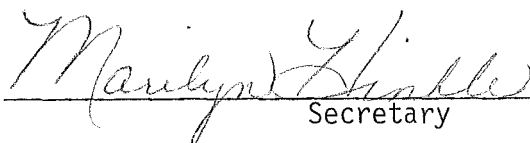
On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Higgins, Hinkle, Kempe, Rice, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Beckstrom, Draughon, T. Young, "absent") to approve the Minor Amendment to PUD #199-3 to allow the 4-foot side yard requirement for Lots 4 and 6, Block 4, Whispering Meadows, subject to the plans submitted.

There being no further business, the Chair adjourned the meeting at 3:05 p.m.

Date Approved July 25, 1984


Chairman

ATTEST:


Secretary