

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1524
Wednesday, October 3, 1984, 1:30 p.m.
Langenheim Auditorium, City Hall
Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Higgins Hinkle, Secretary Kempe, 1st Vice- Chairman Paddock Wilson Woodard C. Young T. Young	Connery Draughon Rice	Compton Gardner Lasker Wiles Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 2, 1984, at 10:15 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 1:35 p.m.

MINUTES:

On MOTION of WOODARD, the Planning Commission voted 5-0-2 (Higgins, Hinkle, Kempe, Woodard, C. Young, "aye"; no "nays"; Paddock, Wilson, "abstaining"; Connery, Draughon, Rice, T. Young, "absent") to approve the Minutes of September 19, 1984 (No. 1522).

REPORTS:

Director's Report:

Mr. Lasker informed that October 31, 1984, will be a fifth Wednesday and there is not a regular TMAPC meeting scheduled for that day. He stated that the Staff would like to have a workshop for the Planning Commission to orient the Commissioners to what is going on and to talk about the Zoning Institute which some of the Commissioners attended in New York. He also informed that Steve Compton will be heading up the new Planning Services Division at INCOG, and they have hired Irving Frank who will be the new Director of Land Development Services and will start in that position on October 16, 1984.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to set up a special workshop for the Planning Commisisoners on October 31, 1984.

RESOLUTION acknowledging Carl Young III as a former member of the Tulsa Metropolitan Area Planning Commission.

First Vice-Chairman Cherry Kempe read the resolution acknowledging Carl Young III.

Mayor T. Young informed that Chairman C. Young was appointed to the Tulsa/Rogers County Port Authority by the City Commission. Mayor Young expressed to Chairman C. Young his appreciation for the fine service he has given as a Planning Commissioner.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to adopt the resolution acknowledging Carl Young III as a former member of the Tulsa Metropolitan Area Planning Commission, as follows:

RESOLUTION NO. 1524:602

RESOLUTION

WHEREAS, the Tulsa Metropolitan Area Planning Commission wishes to acknowledge members who have made significant contributions toward the orderly growth and development of the Tulsa Metropolitan Area; and

WHEREAS, Mr. Carl Young III served with dedication and distinction for nearly nine years from January 18, 1976 through October 3, 1984; and

WHEREAS, he served as First Vice-Chairman to the Commission in 1979, 1980, and 1983 and served as Chairman in 1981 and 1984; and

WHEREAS, he gave freely of his time, talents, and expertise toward the development of a better environment for present and future citizens; and

WHEREAS, such service was given at considerable personal sacrifice;

THEREFORE, the members of the Commission wish to express our deepest appreciation for the concern and service given by our former member, Carl Young III.

APPROVED and ADOPTED this 3rd day of October, 1984.

10.3.84:1524(2)

NDP Plan Amendments--Review and Resolution.

Ms. Dane Matthews submitted a handout (Exhibit "A-1") and informed that the Staff has reviewed the resolution and have found that it is in accord with the plan. Staff recommends approval of the resolution.

Don Bybee from Tulsa Urban Renewal Authority was present.

On MOTION of KEMPE, the Planning Commission voted 7-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughton, Rice, T. Young, "absent") to approve the Resolution finding that the amendments to the Urban Renewal Plan for the Neighborhood Development Program Area in connection with the Tenth Year Community Development Block Grant Program and certain other Street and Land Use Modifications are in conformance with the Comprehensive Plan of the City of Tulsa, as follows:

RESOLUTION NO. 1524:603

RESOLUTION FINDING THAT THE AMENDMENTS TO THE
URBAN RENEWAL PLAN FOR THE NEIGHBORHOOD
DEVELOPMENT PROGRAM AREA IN CONNECTION WITH THE
TENTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM AND CERTAIN OTHER STREET AND LAND USE
MODIFICATIONS ARE IN CONFORMANCE WITH THE
COMPREHENSIVE PLAN FOR THE CITY OF TULSA

WHEREAS, the City of Tulsa, Oklahoma, and the Board of County Commissioners of Tulsa County, Oklahoma, on August 2, 1960, and August 9, 1960 respectively, adopted a Comprehensive Plan for the orderly development of the City and County of Tulsa, Oklahoma, with subsequent amendments to date; and

WHEREAS, said Comprehensive Plan contains sections dealing with the needs and desirability of Urban Renewal Programs; and,

WHEREAS, on November 17, 1959, the City of Tulsa appointed the Tulsa Urban Renewal Authority in accordance with the House Bill No. 602, Twenty-Seventh Oklahoma Legislature (1959), now cited as the Urban Redevelopment Act Title 11, Oklahoma Statutes, 38-101 et seq; and,

WHEREAS, said Urban Redevelopment Act requires that the Tulsa Metropolitan Area Planning Commission certify to the City of Tulsa as to the conformity of any proposed Urban Renewal Plans and/or major Plan Amendments to the Comprehensive Plan of the City of Tulsa; and

WHEREAS, the Tulsa Urban Renewal Authority has prepared Amendments to the Urban Renewal Plan for the Neighborhood Development Program area in connection with the Tenth Year Community Development

Block Grant Program and certain other street and land use modifications within the City of Tulsa; and,

WHEREAS, said Neighborhood Development Program Urban Renewal Plan Amendments for the area have been submitted to the Tulsa Metropolitan Area Planning Commission for review in accordance with the Urban Redevelopment Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

1. The proposed Urban Renewal Plan Amendments for the Neighborhood Development Program Area, in connection with the Tenth Year Community Development Block Grant Program and certain other street and land use modifications, specifically:

Revise Land Acquisition Status Maps, URP-3B, 3C and 3E, to reflect acquisition scheduled under the Year X CDBG Program.

Modify Land Use Plan Map URP-2E for the Crosstown and Downtown Sectors to show the re-opening of Greenwood Avenue from East Archer Street to East Second Street. Said re-opening is for the purpose of providing better traffic circulation and access to the near-north side and furthering of redevelopment goals and objectives.

Revise Appendix II, Relocation Plan, to include displacement resulting from the acquisition scheduled in the Year X CDBG Program and showing feasibility of relocation in accordance with State and Federal law.

Amend Appendix III, Financing Plan, to include cost and funding for those activities scheduled under the Year X CDBG Program.

are hereby found to be in conformity with the Comprehensive Plan for the City of Tulsa.

2. Certified copies of this resolution shall be forwarded to the Board of Commissioners of the City of Tulsa.

APPROVED and ADOPTED this 3rd day of October, 1984, by the Tulsa Metropolitan Area Planning Commission.

10.3.84:1524(4)

SUBDIVISIONS:

Final Approval and Release:

Orchard View (PUD 352) (683) N. of NE/c 64th & S. Peoria (CS, RM-2)

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

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

Home Improvement Center (1183) W. of SW/c 71st & S. Memorial (CS, OL)

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

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

Boqdanoff's Corner (2083) SW/c 91st & S. Delaware Ave. (CS)

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

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve the final plat for Boqdanoff's Corner and release same as having met all conditions of approval.

Change of Access:

6000 Garnett Park (3294) NW/c E. 61st & S. 116th E. Ave. (IL)

Mr. Wilmoth informed this access change is to move an existing access point 55 feet east to align with a lot line created by lot-split #16277. Staff and the Traffic Engineer recommend approval.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve a change of access for 6000 Garnett Park to move an existing access point 55 feet east to align with a lot line created by lot-split #16277.

Waiver of Plat:

BOA 13238 Standard Heights (2402) 2828 N. Garrison Ave. (Church) (RS-3)

This is a request to waive the platting requirements on Lots 5, 6, 20, and the north half of 19, Block 6, of the above subdivision. The property contains an existing church that is expanding their building. Since the property is already platted and nothing would be gained by a re-plat, it is recommended that the platting requirements be waived.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve the request to waive the platting requirements for BOA 13238 Standard Heights.

BOA 13281 (Unplatted) (Woods Elem. School) (3003)1661 E. Virgin St. (RS-3)

This is a request to waive the platting requirements on the SE/4, SE/4, NW/4 of Sect. 30-20-13. The Board approved a special exception for a pre-school to be located at the Woods Elementary School. The school is existing, nothing will change, and the pre-school will use the existing facilities. It is recommended that the platting requirements be waived.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve the request to waive the platting requirements for BOA 13281 Woods Elementary School.

LOT SPLITS:

Lot Splits for Discussion:

L-16272 Today's Homes (193) SE/c of E. Admiral Pl. & Memorial (CH)

In the opinion of the Staff, the lot split listed above meets the subdivision and zoning regulations, but since the lot(s) may be irregular in shape, notice has been given to the abutting owner(s) so that property owners in the area may be aware of the application.

Mr. Wilmoth informed the Commission that the remainder after splitting off two rectangular sections of this tract is an irregular piece of ground. It is over 2 1/2 acres and would not normally come to the Commission except as a remainder or a new lot split. He informed that the Staff recommends approval of this lot split.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve L-16272.

L-16275 The Kensington Co. (783) SE/c 71st & S. Wheeling (CS)

In the opinion of the Staff, the lot split listed above meets the subdivision and zoning regulations, but since the lot(s) may be irregular in shape, notice has been given to the abutting owner(s) so that property owners in the area may be aware of the application.

Mr. Wilmoth informed the Commission that this lot split is to adjust a phase line for the development on the property. There will be a minor amendment to the PUD on the property to adjust the phase line to fit the lot split line. This will not increase the intensity of the development. It is an adjustment to account for where the building was built, their finances, and phases. Mr. Wilmoth advised that the Staff will withhold the release of the deeds until a minor amendment is approved.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve L-16275 subject to the approval of a minor amendment to the PUD for this development.

L-16279 Galan Properties (1694) SE/c E. 28th Pl. & S. 130th E. Ave. (RS-3)

In the opinion of the Staff, the lot split listed above meets the subdivision and zoning regulations, but since the lot(s) may be irregular in shape, notice has been given to the abutting owner(s) so that property owners in the area may be aware of the application.

Mr. Wilmoth informed this lot split will take a small piece of property off of the larger lot (Lot 52) and add it to Lot 55 to the south. There will be no change in density. This is an old CDP that is already built.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve L-16279.

Lot Splits for Ratification:

L-15184	(983)	Sobel/Capehart
L-16273	(2690)	Diehl/Blackjack Dev. Co.
L-16274	(2603)	Clarkland Inc.
L-16277	(3294)	6000 Garnett Pk.
L-16280	(683)	Tulsa, South Lewis Ltd.
L-16281	(1093)	McGinnis/Keim
L-16284	(793)	Ting
L-16285	(3191)	Rivers

Staff informed that these all meet the regulations and they recommend approval.

On MOTION of KEMPE, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to ratify the above listed lot splits.

CONTINUED ZONING PUBLIC HEARING

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

Chairman C. Young informed that the applicant has requested by letter (Exhibit "B-1") that this item be continued to the October 17, 1984, meeting.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to continue consideration of PUD #359 until Wednesday, October 17, 1984, at 1:30 p.m., in Langenheim Auditorium, City Hall, Tulsa Civic Center.

10.3.84:1524(9)

Application No. PUD #378
Applicant: Jones (Perkins)

Present Zoning: CS, RM-O, AG

Location: Southwest corner of 101st Street and Memorial Drive

Date of Application: August 16, 1984
Date of Hearing: October 3, 1984
Size of Tract: 19.91 acres

Presentation to TMAPC by: Bill Jones
Address: 201 West 5th Street, Suite 400

Phone: 581-8200

Staff Recommendation:

The subject tract is 16.9 acres (net) in size and located at the southwest corner of 101st Street and South Memorial Drive. It was previously recommended for underlying zoning approval of CS at the corner, then a 300-foot buffer strip of RM-1 abutting the CS to the west and the remainder of the tract west of the RM-1 is to be RS-2. The applicant is now requesting supplemental PUD zoning to develop the tract as an Office/Commercial 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.

Therefore, the Staff recommends APPROVAL of PUD #378, subject to the following conditions:

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

DEVELOPMENT AREA "A" STANDARDS

Gross Land Area:	13.00 acres	566,280 sq. ft.
Net Land Area:	10.32 acres	449,583 sq. ft.
Permitted Uses:	Those permitted as a matter of right in a CS district	
Maximum Building Floor Area:		217,800 sq. ft.
Floor Area Ratio:	48% of Net Land Area	38% of Gross Land Area
Maximum Building Height: (exclusive of Mezzanine and below grade levels or floors)		Three (3) stories
		10.3.84:1524(10)

Minimum Building Setbacks:

From Centerline of South Memorial Drive: 160 feet
From Centerline of East 101st Street South: 100 feet
From South Property Line: As required in a CS District
From West line of Development Area "A": 0

Minimum Off-Street Parking: Per Code

DEVELOPMENT AREA "B" STANDARDS

Gross Land Area: 5,876 acres 255,959 sq. ft.

Net Land Area: 5,431 acres 236,574 sq. ft.

Permitted Uses: Principal and accessory uses permitted as a matter of right in an OL District and accessory magazine and cigar stand, flower and gift shop.

Maximum Building Floor Area: 79,200 sq. ft.

Floor Area Ratio: 33% of Net Land Area 31% of Gross Land Area

Maximum Building Height:
(exclusive of Mezzanines and below grade levels or floors): Seven (7) stories

Minimum Building Setbacks:

From Centerline of East 101st Street South: 100 feet
From West Line of Development Area "B": 100 feet
From South Property Line: 100 feet
From East Line of Development Area "B": 0

Minimum Off-Street Parking: Per Code

DEVELOPMENT AREA "C" STANDARDS

Gross Land Area: 1.137 acres 49,528 sq. ft.

Net Land Area: 1.051 acres 45,782 sq. ft.

Permitted Uses: Park, Greenbelt, Water Retention Facilities, Utility Lines and Equipment

- (3) That signs shall comply with Section 1130.2 (b) of the Zoning Code.
- (4) That a Detail Site Plan be approved by the TMAPC prior to the issuance of a Building Permit, including elevations of all exterior walls showing the architectural treatment to be used.
- (5) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including a 6-foot screening fence and landscape buffering along the west and south property lines. Also, substantial size trees at the time of planting will be required on the west buffer area.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied 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.

Staff Comments:

Mr. Gardner described the existing zoning on the subject tract.

Applicant's Comments:

Mr. Jones informed there is 75 feet in the greenbelt and there is a 100 foot setback—that gives them 175 feet of open space from the west boundary line of the property. He informed that this space was put in primarily to benefit the subdivision to the west. Mr. Jones stated that they do not know at this time whether all of Development Area "A" will be devoted entirely to commercial utilization or if part of it will be used for commercial and part for office. In their text they have included a height limitation should they decide to build office buildings. In the text the maximum building height for commercial buildings is given to be 3 stories, and the maximum building height for office buildings is given to be 7 stories in Development Area "A". He submitted a copy of the revised PUD text (Exhibit "C-1").

Mr. Gardner informed that a footnote could be added to the Staff Recommendation stating that if the applicant gives up the commercial floor area and builds an office building, the Staff would have no problem with the structure being as tall as the structure to the west which is 7 stories in height.

Mr. Jones informed that the only initial difference he has with the Staff is in Development Area "C". They had been told by the City Engineering Department that they will expect a water detention facility to be erected in the southwest corner of the property, and they figured they would probably have to provide a road for the City to the detention facility. They initially had in their text that one of the permitted uses in Development Area "C" would be a road. They can design it such that they can still get to the detention facility without having a road—that would give a full 75 feet of greenbelt, and that is what they plan to do.

Mr. Gardner informed the Staff does not mind a maintenance easement going through the greenbelt, but they do not want a road utilizing the buffer strip.

Mr. Jones informed they are trying to work with the City Engineer to get a retention facility rather than a detention facility so they will be able to do the maintenance themselves, rather than having the City maintain it.

Mayor Young suggested that under the "Permitted Uses" section of the Staff Recommendation, the following be added: "water detention or retention facilities and associated access or a maintenance easement."

Protestants: None.

Instrument Submitted: Revised PUD text (Exhibit "C-1")

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to recommend to the Board of City Commissioners that the following described property be approved for a Planned Unit Development, per Staff Recommendation with the following amendments: (1) that there be a 7-story height limitation if an office building is built in Development Area "A", and (2) that the permitted uses in Development Area "B" be amended to include provisions for a maintenance easement or access to the water detention or retention facilities:

The North Half of the Northeast Quarter of the Northeast Quarter (N/2, NE/4, NE/4) of Section Twenty-six (26), Township Eighteen North (T-18-N), Range Thirteen East (R-13-E) of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, LESS AND EXCEPT the following described portion thereof, to-wit:

Beginning at the Northeast corner of said N/2, NE/4, NE/4; thence South along the East line of said N/2, NE/4, NE/4 a distance of 660.11 feet to the Southeast corner of said N/2, NE/4, NE/4; thence West along the South line of said N/2, NE/4, NE/4 a distance of 120.00 feet; thence N 05° 53' 33" E a distance of 83.17 feet; thence N 01° 00' 31" W a distance of 450.00 feet; thence N 55° 43' 03" W a distance of 90.60 feet; thence N 84° 02' 10" W a distance of 403.14 feet to a point on the present South right-of-way line of East 101st South; thence North a distance of 24.75 feet to a point on the North line of said N/2, NE/4, NE/4; thence East along said North line a distance of 584.20 feet to the point of beginning.

10.3.84:1524(13)

OTHER BUSINESS:

PUD 215-5 Creekwood Assoc. 8104 South 77th East Avenue

Staff Recommendation: Minor Amendment

The subject tract is located south and west of the southwest corner of 81st Street and South Memorial Drive. It is an approved multifamily area and the applicant is requesting to be allowed to cover 72 of the 432 parking spaces provided.

The Staff has reviewed the Site Plan submitted and find that the proposed locations are grouped across the entire tract; however, they appear to be located in such a manner as not to restrict circulation or views. Therefore, the Staff recommends APPROVAL of the minor amendment.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve the minor amendment to allow covering 72 of the 432 parking spaces provided in PUD 215.

PUD 179-5 J. W. Moody (El Paseo) SE/c 85th E. Ave. & 75th Street.

Staff Recommendation: Minor Amendment

The subject lot is located at the southeast corner of 85th East Avenue and 75th Street. It is a part of an approved single-family development area. The applicant, which will be the third owner, is proposing to purchase this house provided all encroachments are approved before purchase. The request is to allow a corner of the house and a part of two bay-windows to encroach no more than 2.8 feet into the front yard. Also, there is a covered patio that extends 11.4 feet into the rear yard.

Since this house is built and the original builder is no longer a party to the sales transaction, the Staff sees this request as minor in nature, provided the covered patio is never enclosed. Therefore, the Staff recommends APPROVAL of the minor amendment, subject to the plat of survey submitted and subject to the covered rear patio never being enclosed (walled in).

Comments and questions:

There was discussion about how future owners of the house on the subject property would be aware of the restriction which would not allow the patio to be enclosed. Mr. Linker informed that, as a condition of approval, the Planning Commission could require a covenant be filed of record putting any limitations on it that the City wants. That would be picked up by anybody.

TMAPC Action: 8 members present.

On MOTION of T. YOUNG, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye";

no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve the minor amendment to PUD 179 to allow corners of the house and a part of two bay-windows to encroach no more than 2.8 feet into the front yard, and to allow a covered patio that extends 11.4 feet into the rear yard, subject to the plat of survey submitted, subject to the covered rear patio never being enclosed (walled in), and subject to the requirement that a covenant be filed of record showing the restriction of not enclosing the patio.

PUD 199-4 Fulton Management 2904 South 121st Place

Staff Recommendation: Minor Amendment

The subject lot is located at 2904 South 121st East Place and is a part of an approved single-family development. One of the Development Standards approved was a 15-foot rear yard and the applicant is requesting to encroach 2 feet into this rear yard requirement to allow a bay-window to be constructed. The Staff sees this as minor in nature and would, therefore, recommend APPROVAL, subject to the Plot Plan submitted.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Higgins, Hinkle, Kempe, Paddock, Wilson, Woodard, C. Young, T. Young, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Rice, "absent") to approve the minor amendment to PUD 199 to allow an encroachment of 2 feet into a 15-foot rear yard setback to allow a bay-window, subject to the Plot Plan submitted.

There being no futher business, the Chairman declared the meeting adjourned at 2:08 p.m.

Date Approved October 17, 1984

Fitty Higgins
Acting Chairman

ATTEST:

Marilyn J. Wilson
Acting Secretary

10.3.84:1524(15)

