

TULSA METROPOLITAN AREA PLANNING COMMISSION
MINUTES of Meeting No. 1531
Wednesday, November 21, 1984, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center
(Moved from Langenheim)

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Connery Draughon Higgins, 2nd Vice- Chairman Kempe, Chairman Paddock, Secretary VanFossen Wilson, 1st Vice- Chairman Woodard	Rice Young	Frank Gardner Holwell Lasker Wiles Wilmoth	Linker, Legal Department

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, November 20, 1984, at 11:30 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Cherry Kempe called the meeting to order at 1:31 p.m.

MINUTES:

On MOTION of DRAUGHON, the Planning Commission voted 6-0-2 (Connery, Draughon, Higgins, Kempe, VanFossen, Woodard, "aye"; no "nays"; Wilson, Paddock" abstaining"; Young, Rice "absent") to approve the Minutes of November 7, 1984 (No. 1528).

Consider Amendments to the Minutes of October 31, 1984 No. 1528.

Chairman Kempe noted that Minutes of October 31, 1984, page 11, motion to reconsider the amendments to the Major Street and Highway Plan (Riverside Drive Parkway), should be amended to show a 5-0-2 vote, with Connery & Woodard abstaining. In addition, under "Comments" on page 2 of these minutes, the paragraph should be included in which Mr. Lasker agreed to do a reversible lane study on Riverside prior to the end of this fiscal year. Chairman Kempe further informed these corrected minutes would be reconsidered for approval at a later date.

11.21.84:1531(1)

REPORTS:

Report of Receipts and Deposits:

On MOTION of VANFOSSEN, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Woodard, Wilson, "aye", no "nays"; no "abstentions"; Young, Rice "absent") to approve the Report of Receipts and Deposits for the month ended October 31, 1984.

Committee Reports:

Rules and Regulations Committee will meet following Commission meeting to consider rules of procedure.

Director's Report:

RESOLUTION AMENDING THE MAJOR STREET AND HIGHWAY PLAN CONCERNING THE RIVERSIDE CORRIDOR. Mr. Lasker informed this resolution puts in legal form the legal action taken by the Commission on October 31 to modify the major street and highway plan; it deletes Riverside as an expressway, establishes a parkway classification and classifies Riverside as a parkway. Mr. Paddock moved for approval. Discussion followed regarding omission of definition and standards of parkway as part of the resolution. Mr. VANFOSSEN moved that the resolution be tabled. Mr. Paddock questioned whether a resolution may be adopted without standards; Mr. Linker informed no resolution may be adopted without standards. Mr. Lasker submitted that a diagram that shows specifications for the parkway could be attached to the Resolution. Chairman Kemp tabled the Resolution for one week to allow Staff time to prepare diagram attachment.

SUBDIVISIONS

Preliminary Approval:

Country Corner Center (3092) - SW/c Skyline Dr. & S. 65th W. Ave. (CS)

The Staff presented the plat with the applicant represented by Jack Sheridan (owner was also present).

This plat had been reviewed prior to this meeting and a number of conditions needed to be met or changes made to the plat. The applicant's engineer has re-drafted the plat to comply with many of the Staff's concerns about the format. Only sketch plat had been recommended by Staff until the new submittal was reviewed. Staff would now have no objection to a preliminary approval subject to the conditions.

A name change was suggested since there already is a "Country Corner Estates". (Suggested "Country Corner Center")

The Technical Advisory Committee and Staff recommended approval of the preliminary plat of Country Corner, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") to recommend that the subject plat be approved subject to conditions stated above.

1. Show Book & Page of dedication on Skyline Drive.
2. Access points shall be approved by County Engineer and shown on plat accordingly. (Check south access on 65th).
3. On location map show Sand Springs "fence line" and which side of the road is "outside" or "inside". (East of Skyline is "out" and west of Skyline Drive is "inside" fence line).
4. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. (17-1/2 on south). Existing easements should be tied to or related to property and/or lot lines.
5. Water plans shall be approved by the Tulsa Co. RWD #2 prior to release of final plat. (Include language for W/S facilities in covenants).
6. Paving and/or drainage plans shall be approved by the County Commission.
7. All curve data shall be shown on final plat where applicable (including corner radii).

Country Corner Center (Cont'd)

8. Bearings, or true north-south, etc., shall be shown on perimeter of land being platted or other bearings as directed by County Engineer.
9. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
10. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
11. The method of sewage disposal and plans therefore, shall be approved by the City/County Health Department.
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 restrictive covenants). (O.K.)
13. The method of water supply and plans therefore, shall be approved by City/County Health Department.
14. A Corporation Commission letter (or Certificate of Non-development) shall be submitted concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged.)
15. This plat has been referred to Sand Springs because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; otherwise only the conditions listed herein shall apply.
16. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6-5 of Sub. Reg's.)
17. All (other) Subdivision Regulations shall be met prior to release of final plat.

11.21.84:1531(4)

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

The Technical Advisory Committee and Staff recommend approval of the preliminary plat of Sooner Acres, subject to the conditions.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") to approve the preliminary plat of Sooner Acres 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. On East, (subject to change), existing easements should be tied to or related to property and/or lot lines.
2. 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).
3. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat (if required).
4. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer (if required for drainage).
5. 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 City Commission.
6. Limits of access shall be approved by City and/or Traffic Engineer.
7. 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.
8. A "letter of assurance" regarding installation of improvements shall be submitted prior to release of final plat. (Including documents required under Section 3.6-5 of Sub. Reg's).

9. All Subdivision Regulations shall be met prior to release of final plat.

Mohawk Park Addition (PUD 363)(1503) SE/c E. 39th St. N. & N. Yale
(RMH, RS-3)(Continue to 12/5/84)

Staff recommended continuance to next Land Division meeting of 12/5/84 due to problems with language in covenant.

On MOTION of PADDOCK, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") to continue this item to the December 5, 1984 Planning Commission meeting.

Trinity Addition (PUD 370)(2683) SW/c 106th & S. Memorial (RM-1, RS-2)

This plat was reviewed by the TAC on 10/25/84 and some waivers were required relating to the width of the right-of-way on 106th and its improvement, and the phasing of the project to permit the Church building to commence with the housing portion to follow later.

The Planning Commission waived the minimum width of 106th to permit a 50' right-of-way and approved a minor amendment to the PUD to permit the phasing (PC Mtg 11/7/84). The plat was revised to reflect all of the changes and/or recommendations of both the Planning Commission and the TAC. It was not formally reviewed by the TAC at a scheduled TAC meeting, but applicant and the engineers had met and agreed on how assurances and improvements to 106th would be handled. These items have been solved and the plat was informally discussed at the TAC on 11/15/84, although it was not scheduled for review. The Staff advised that a number of conditions remained after the last review of the Planning Commission but the applicant and his engineer have since complied with all of those conditions listed in today's agenda. Therefore, on the basis of receipt of all the release letters, the Staff recommended preliminary and final approval and release of the plat as having complied with all the conditions.

The Commission inquired about the assurances that 106th Street would be built to City specifications and if any time limits were placed on these assurances. The Staff advised that the details were worked out between the applicant and the Engineering Department and Engineering had released the plat as having met its conditions. Mr. Bill Lewis, 6420 S. 221st E. Ave., Broken Arrow, engineer for the applicant, advised the Commission that an Irrevocable letter of credit guaranteeing construction had been submitted to Engineering to meet its requirements. Staff also advised that the standard "Agreement to construct improvements" had been received. This form has a 2 year limit, thus construction is assured by two official documents.

Trinity Addition (PUD 370)(2683) (Cont'd)

ON MOTION of PADDOCK the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") to approve the preliminary and final plat of Trinity Addition and release same as having met all conditions of approval.

11.21.84:1531(7)

WAIVER OF PLAT

Z-5389 (Unplatted)(1194) 1504 S. 177th E. Ave.

(RS-1)

This is a request to waive plat on a 2.7 acre tract at the above location. This is a part of a large area that was zoned in 1980, but the development never materialized. A portion was sold and the previous owner did not inform the buyer that the property was "subject to a plat" under the RS-1 zoning, Section 260 of the Code. The tract contains a single-family residence and large accessory buildings. Several other tracts comprised the original zoning application. No commercial development is contemplated and the zoning remains RS-1. If approval is recommended, Staff noted the following requirements:

- (a) Dedications of 177th E. Ave. & 15th St. to meet the street plan minimums of 50' from C/L on 177th & 30' from C/L on 15th St.
- (b) Health Dept. approval of septic system. (Existing)

ONG advised that they have a blanket easement over all the E/2, SE/4 of Section 11.

Traffic Engineering recommended an access agreement limiting access on 177th E. Ave. City Engineer recommended on-site detention or fee in lieu.

The Technical Advisory Committee and Staff recommended approval of waiver of plat on this portion of Z-5389, subject to the following conditions:

- (a) Dedications required on 177th E. Ave. and 15th to meet Street Plan.
- (b) Health Dept. approval of existing septic system.
- (c) Grading & Drainage plan approval by City Engineer, including on-site detention or fee.
- (d) Access limitation agreement for 177th E. Ave.

ON MOTION of HIGGINS the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") to approve the waiver subject to conditions as listed.

11.21.84:1531(8)

LOT SPLITS FOR WAIVER

L-16307 Phillip Copeland (3291) E. of NE/c W. 61st & S. 161st W. Ave. (AG)

This is a request to create two lots 132' x 611' (1.84 acres). Since there are other lots of similar width and area (or smaller) the Staff had no objection to the request, subject to:

- (a) Board of Adjustment approval of the lot width and area,
- (b) Health Department approval of septic systems.

The applicant was not represented but the Staff had spoken with the owner although he was not present at the Technical Meeting.

Applicant had not requested waiver of any R/W required by the Street Plan. (50' from C/L is required. Verify if dedicated already).

The Technical Advisory Committee and Staff recommended approval of L-16307, subject to Board of Adjustment approval, waiver of lot width and area and Health Dept. approval of the septic systems.

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") for approval of Staff Recommendation of this lot-split subject to the two conditions.

L-16299 Roy Girod (3502) NE/c of King St. & Denver Ave. (RM-1)

Mr. Wilmoth informed this is a request to split a 158.1' x 145' tract into a 113' x 145', and a 45' x 145' lot. Applicant is seeking to separate the two structures, a larger house on the front part of the lot and a small non-conforming duplex on the back, to separate the two structures so they can be sold or financed separately. This proposal will require approval from the Board of Adjustment. The western lot contains a large single-family residence, while the eastern lot has a duplex on it. The land use maps reflect over a dozen lots in the immediate area with lot sizes comparable to the proposed lots. Based on this information, the Staff recommends approval of his request subject to the approval of the Board of Adjustment, and any utility easements that may be required for service.

The applicant was not represented.

Applicant should determine location of sewer connections (a sewer main extension may be required).

The Technical Advisory Committee and Staff recommend approval of L-16299, subject to Board of Adjustment approval and the water and sewer main extensions if required.

L-16299 Roy Girod (3502) (Cont'd)

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no abstentions"; Young, Rice "absent") to approve L-16299 subject to the conditions recommended by Staff.

L-16295 Herb Fowler (193) So. of SE/c of 9th St. & So. 83rd E. Ave.
(RS-1)

Mr. Wilmoth informed Mr. Fowler was present and was also present at Technical Advisory Meeting.

Mr. Wilmoth informed this site is near 9th and 83rd E. Ave. This is a request to split a 152.5' x 305' lot into two 1/2 acre lots. A variance of the lot width will be required from the Board of Adjustment because of the "flag lot" design of the rear lot. Both lots are in excess of the minimum lot area, and the Staff recommended approval of this request subject to the approval of the Board of Adjustment.

The Technical Advisory Committee and Staff recommended approval of L-16295, subject to the following conditions: (a) Board of Adjustment approval of lot width, (b) utility easement of 11' on south and east, (c) short sewer extension for one lot, (d) grading and drainage plan approval by City Engineer including earth change and flood plain development permits at the time of building permit application, (minimum elevation = 642').

On MOTION of HIGGINS, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no abstentions"; Young, Rice "absent") to approve L-16295 subject to the conditions outlined by Staff.

LOT SPLITS FOR RATIFICATION:

L-16249 (3294) Milton McKenzie	L-16314 (1893) Scott Keith
L-16294 (2393) Landmark	L-16315 (293) E. S. Kelly
L-16306 (1393) Signal Media	L-16316 (783) Kensington Hotel Co.
L-16310 (1492) T.U.R.A.	L-16320 (1492) Flintco & Grant Sup.
L-16313 (2693) Cooper Supply	L-16321 (3193) Margie Donahue
	L-16325 (784) Smith-Arkansas Valley

Staff informed that these lot splits all meet the regulations and approval was recommended.

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

CONTINUED ZONING PUBLIC HEARING

Application No. PUD 272-A Present Zoning: (RM-0 & CS)
 Applicant: Steve Olsen (Wallace) Proposed Zoning: (RM-0 & CS)
 Location: West and South of SW/c of 81st and Sheridan

Date of Application: July 5, 1984
 Date of Hearing: November 21, 1984
 Size of Tract: 4.02 Acres

Presentation to TMAPC by: Steve Olsen
 Address: 324 E. 3rd St. Phone: 585-1157

Mr. Frank informed this is the amended version of PUD 272 which had included, at one time, a tract of irregular shaped property that had frontage on Sheridan and had previously been denied for rezoning from AG to CG. It was later approved for rezoning as CS and RM-0. This remaining principal area has frontage only on 81st Street, west of the southwest corner, although the Amended Plan addresses access and circulation to and from the tract that is no longer part of the PUD. The Amended Plan includes three Development Areas: Development Area "A" - Retail; Development Area "B" - Office and Development Area "C" - Restaurant.

Staff Recommendation:

Staff finds PUD 272-A consistent with City requirements and recommends approval 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"--Retail

Land Area:	35,946 sq. ft	
Permitted Uses:	<u>Submitted</u> Shopping	<u>Recommended</u> As permitted in a CS District, except bars, nightclubs, taverns, or dancehalls shall not be permitted.
Maximum Floor Area:	7,425 sq. ft.	7,425 sq. ft.
Maximum Height:	None specified	1-story within the west 100', 2 stories otherwise.
Minimum Internal Landscape Open Space:	5' buffer on the west & 8% of net area.	5' buffer on the west & 10% of net area.
Minimum Off-St. Parking	33 spaces	Per the Zoning Code for each Use Unit.*

PUD 272-A Olsen (Wallace) (Cont'd)

Minimum Bldg.
Setbacks:

From West Boundary	35 feet	35 feet
From Centerline of 81st St.	138 feet	138 feet

*Restaurant would not be permitted unless building area is reduced and parking increased.

Development Area "B"--Offices

Land Area:	26,296 sq. ft	
	<u>Submitted</u>	<u>Recommended</u>
Permitted Uses:	Office	As permitted in an OM District.
Maximum Floor Area:	9,200 sq. ft.	9,200 sq. ft.
Maximum Height:	None specified	1 story
Minimum Internal Landscape Open Space:	5' buffer on the west & south.	10' buffer on west & south & 10% of net.
Minimum Off-St. Parking	23 spaces	Minimum 31 spaces** (1 per 300 sq. ft.)
Minimum Bldg. Setbacks:		
From West Boundary	60 feet	60 feet
From Centerline of 81st St.	35 feet	35 feet

**Does not permit medical use.

Development Area "C"--Restaurant

Land Area:	26,620 sq. ft	
	<u>Submitted</u>	<u>Recommended</u>
Permitted Uses:	Restaurant	As permitted in a CS District except bars,

PUD 272-A Olsen (Wallace) (Cont'd)

nightclubs, taverns or
dancehalls shall not
be permitted.

Maximum Floor Area:	2,600 sq. ft.	2,600 sq. ft.
Maximum Height:	None specified	2 story, 26 ft.
Minimum Internal Landscape Open Space:	None specified	3% of net
Minimum Off-St. Parking	23 spaces	Minimum 31 spaces (1 per 300 sq. ft.)
Minimum Bldg. Setbacks:		
From Centerline of 81st St.	None specified	138 feet
From East Boundary	15 feet	15 feet
From West Boundary	60 feet	60 feet
Minimum Off-Street Parking	26 spaces	26 spaces

- (3) That signs shall meet the requirements of the PUD Ordinance and shall require TMAPC approval prior to installation.
- (4) That the architectural character of the west and south elevations which abut the multifamily residential buildings be consistent with the north elevations. This shall include screening, heavy landscape treatment on west and south, and enclosure of trash areas and utilities.
- (5) That a Detail Site Plan be submitted and approved by the TMAPC prior to issuance of a Building Permit.
- (6) That a Detail Landscape be submitted and approved by the TMAPC prior to occupancy including significant landscape treatment and screening along the west and south boundaries.
- (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.

Mr. Steve Olsen, 324 E. 3rd Street, architect for the project, informed that he agrees with the Staff Recommendations except on the west portion

PUD 272-A Olsen (Wallace) (Cont'd)

of the office area where a 10' buffer was recommended. He noted that the drawing shown would put a 5' offset along the property line. He would like to put this 5' in front of the office buildings and there would still be a 10' buffer, allowing more landscaping in front of the office. The drawing looks like the back side of the development, but Area "B" is the front of the office. He stated he would like to make it as nice as possible and have more landscaping directly in front of the rather than at the property line. The original approved drawing indicates a 5' strip along the west property line, so he would like to live use the original Staff recommendations.

Ms. Wilson asked Mr. Gardner if the Staff was recommending a 10' landscape buffer on the west and south since there are apartment complexes on those sides. Mr. Gardner informed the 5' is really not wide enough to do any planting. He stated the applicant wants to do the planting adjacent to the office where he feels it would be of more benefit to his project. He further stated that if the Commission feels the screening would be as beneficial adjacent to the office the Staff had no problem with it.

Mr. VanFossen inquired about the conditions which exist on the other side of the fence. Mr. Olsen informed that there are two apartment buildings, Sheridan Pond Apartments, and there is a large open area between those buildings directly west of the office layout.

Mr. VanFossen felt that screening in front of the buildings would be more valuable than screening in front of a fence, which would be concealed by the fence.

Mr. Olsen informed that the square footage of the building would be reduced to comply with the parking requirement of 1:300. His figures had been based on the previous requirement of 1:400.

Mr. VanFossen further questioned whether the buffer at the building would be in addition to a sidewalk. Mr. Olsen informed he wants to have a 6' sidewalk in addition to the 5' planting buffer. Mr. Gardner informed that there will be more open space created by the reduction in floor area to meet the parking requirement.

Other Discussion:

Ms. Wilson questioned when material was received from applicant and when it was in the file as part of the public record. Mr. Frank informed that the material had been received November 15 and the Staff Recommendation had been ready for about three days.

Ms. Wilson informed there is a rule that Staff Recommendations will be ready one week prior to the public hearing and that requirement had not been met in this case due to the late receipt of information from the applicant. She further noted that the Staff Recommendation would have

PUD 272-A Olsen (Wallace) (Cont'd)

had to have been ready by November 15 for consideration of this item on this date. Mr. VanFossen asked the purpose of this regulation and Ms. Wilson informed the City Commission had imposed the rule on the Staff to allow interested parties, protestants, etc. to have the Staff Recommendation available so they could see what direction the Staff is taking. She stated that the rule had not been complied with so she felt this item should be continued to a later date.

Ms. Kempe inquired whether there were any interested parties in PUD 272-A present; none were present. Mr. VanFossen inquired whether, in this particular case, it would be necessary to meet this requirement since there were no interested parties, or if the Commission would be in violation. Ms. Kempe informed this was a policy which was placed upon the Staff, but stated she didn't know if it was adopted by this Commission. Mr. Gardner informed this requirement was adopted by the City Commission, but he was uncertain whether the Planning Commission had actually made a motion. It had, however, been accepted as a policy of the Planning Commission.

Mr. Paddock inquired whether, from a legal standpoint, this was a formal action of the City Commission which is to be observed in every instance. Mr. Linker, legal counsel, stated he was unaware of how it came down to the Staff and had been unaware of any formal City Commission action prior to Mr. Gardner's comment at this meeting.

Mr. Paddock asked Mr. Olsen if he felt he had been adversely affected because this requirement had not been complied with. Mr. Olsen informed that he did not feel he had been affected since this was his first Commission meeting and he was unaware the Staff Recommendations were published. He had reviewed all information and had no problems with anything except the one item under discussion. Mr. Olsen informed he would understand if the Commission decided to postpone final action on this item because this requirement had come from the City Commission and had not been fulfilled.

Mr. Frank informed that Mr. Olsen had met with Mr. Gardner several weeks ago concerning the requirements that would be placed upon him in order for his case to be heard. He noted that there had been two submissions of information from Mr. Olsen and if a "finished" report was prepared prior to the receipt of all information, it would not really be finished because final information would not be available.

Mr. VanFossen inquired if this item could be approved subject to confirmation that it meets legal requirements. He requested clarification, by the following week, if the Commission has to comply with this requirement on future cases. Mr. Gardner informed the policy specifically addresses the zoning public hearing items, but minor amendments are not zoning public hearing items in that they are not advertised, so this requirement should not apply. He further noted this item has been continued for quite some time; it is up to the Commission

PUD 272-A Olsen (Wallace) (Cont'd)

to decide if there's any purpose in waiting to handle the item. The purpose of the policy was so that if any interested parties wanted to see the Recommendation they could and would have a week to prepare for the hearing. He also noted that the interested parties in this case are aware of the applicant's drawing and are in agreement.

Mr. Paddock questioned whether this was City Commission policy that operates on the Planning Commission or a policy this Commission created. Mr. Linker informed under the statutes, the City Commission can not legally direct the Planning Commission since it is a combined City/County body. He informed this is policy, not a firm law; therefore, there would not be any violation of anything whether or not the Commission passed on this item. He further noted that it was intended that the Commission try to comply with the requirement as much as possible but not to carry it to an extreme.

Ms. Wilson stated she was not in favor of amending the buffer.

On MOTION of HIGGINS, the Planning Commission voted 6-2-0 (Connery, Higgins, Kempe, Paddock VanFossen, Woodard, "aye"; Draughon, Wilson "nays"; no "abstentions"; Young, Rice "absent") to approve Staff Recommendation but amending the minimum landscape buffer to 5' at two locations instead of the 10' recommended by Staff. This included a 5' landscape buffer on the west boundary and 5' additional landscaping area in front of the office building.

OTHER BUSINESS

PUD #357 A-1 (Goble-Enterline) E of SE/c of 71st & Quincy

Mr. Frank informed the applicant is requesting approval of a minor amendment to PUD #357-A to allow the loading berth in Building "D" to be shortened, adding 702 sq. ft. and is combining previously approved Buildings "A" & "E" into a new Building "A" which results in an increased floor area of 1019 sq. ft. Required parking has been increased by 8 spaces to accommodate the additional 1721 sq. ft. which increases total parking from 319 to 327 spaces. A recent amendment was approved allowing a maximum floor area of 51,735 sq. ft. which the Staff feels to be adequate.

Staff was questioned regarding recent zoning & PUD approvals on this property. Mr. Gardner noted that this property had recently been approved for zoning and PUD and had been amended since that time.

Applicant was not present.

On MOTION of PADDOCK, the Planning Commission voted 8-0-0 (Connery, Draughon, Higgins, Kempe, Paddock VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Young, Rice "absent") to approve Staff Recommendation for DENIAL of the amendment to PUD #357 A-1.

There being no further business, the Chairman declared the meeting adjourned at 2:48 p.m.

Date Approved Dec. 12, 1984

Cherry Kenge
Chairman

ATTEST:

Marilyn S. Wilson
Secretary

11.21.84:1531(17)

