

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1538  
Wednesday, January 16, 1985, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, January 15, 1985, at 11:45 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 1:35 p.m.

MINUTES:

On MOTION of PADDOCK, the Planning Commission voted 8-0-1 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, Wilson, Woodard, "aye"; no "nays"; VanFossen, "abstaining"; Higgins, Young, "absent") to approve the Minutes of January 2, 1985 (No. 1536) as amended. Page 3, should read "Agenda Items 6(a) and (b)" and "Agenda Item 6(c)" to reference back to the Agenda.

Chairman's Report:

Chairman Kempe informed Mr. Gail Carnes, a new County appointee to the Commission will fill a vacant position on the Comprehensive Plan Committee.

Committee Reports:

Comprehensive Plan Committee:

Mr. VanFossen, Chairman of the Comprehensive Plan Committee, informed there would be a Committee meeting on Wednesday, January 23, at 12:00 p.m. in Room 1131 of City Hall to review the Turkey Mountain Special Study.

### Rules and Regulations Committee:

Mr. Paddock, Chairman of the Rules and Regulations Committee, informed that all members of the Commission had been mailed the latest draft of the "Rules of Procedure and Code of Ethics" of the Planning Commission. He asked that the Commission members review this draft and advised he would like to have these "Rules" placed on the Agenda of February 6, 1985, for adoption.

Mr. Paddock informed one minor amendment had been made to the draft of the "Rules of Procedure..." since it was mailed. The phrase "or his designee", which relates to "ex officio" members of the Commission, was deleted under a legal opinion of Mr. Linker. Mr. Linker stated the Statutes did not permit a "designee" to be appointed to sit in the position of the Chairman of the Board of County Commissioners.

Mr. Harris informed that the District Attorney's Office disagrees with that statement and Mr. Linker informed he would consult with the District Attorney's Office and report his findings to the Commission.

### Director's Report:

Mr. Lasker informed Staff is working on a change in the Zoning Ordinance to accommodate manufactured housing and will meet in the near future, with the Building Inspector's Department and the Rules and Regulations Committee. We would expect to begin public hearings on any necessary zoning change in about two months.

Mr. Lasker also informed there is a new street classification proposed which would be called a secondary arterial alternate which would have five traffic lanes and 100' of right-of-way. This new classification would be the subject of a public hearing to amend the Major Street and Highway Plan. Two other items previously planned to be discussed at the January 30 meeting, the designation of Riverside Drive north of I-44 and Riverside Drive south of 96th Street, would probably be continued until the various Ad hoc committees finish their work.

Mr. Lasker noted that, in regard to the request from Southland Shopping Center for return of a portion of the right-of-way at the intersection of 41st and Yale, Commissioner Metcalfe has withdrawn this item. Mr. Lasker noted the City's position is it would maintain guidelines of the Major Street and Highway Plan, and would sell the applicant that portion of right-of-way not required to be retained by the City.

Mr. Draughon asked about the history of ownership of the questioned land and Mr. Wilmoth informed that the Legal Department had not thoroughly investigated this yet.

SUBDIVISIONS:

Preliminary Approval:

Mayfair Courts (PUD 359(1283)) 7600 Block So. Memorial (RM-1)

Mr. Wilmoth informed that Staff and the Technical Advisory Committee recommended approval of the PRELIMINARY plat of Mayfair Courts, subject to the conditions.

Comments and Discussion:

Mr. Draughon asked how binding the "letter of assurance" (condition #20) is and Mr. Linker informed it is legally binding in court.

Mr. Carnes informed he would abstain from voting on this issue since he had an interest in the development.

Interested Parties:

Mr. Bill Retherford                      Address: Route 3, Box 219, Cushing, OK  
Mr. Barry Retherford                      1228 E. Broadway, Cushing, OK

Mr. Bill Retherford informed he and his brother, Barry, are owners of land adjacent to the south of the development and presented packets of information and letters (Exh. A-1) relative to water problems on this site which were alleged to have resulted from water run-off from this development.

Mr. Retherford informed he had received a letter in July 1978 assuring a retention pond would be built on the site. A plat of the site was presented to the BOA in 1979. In 1983 the landowner was notified of problems with the water runoff and he replied it was Tulsa's problem. In May 1984, the driveway was washed out and 18" of sludge was deposited on his land.

Mr. Retherford presented pictures of the property prior to the flooding, pictures of the new driveway which he and his brother had built because of the water problem and pictures showing the damage done by the water runoff.

Other Comments and Discussion:

Mr. Wilmoth informed this information should be directed to the Engineering Department and noted the plat could not be released without item #7 being fulfilled. He also requested the pictures and copies of the certified letters be submitted to Engineering.

Ms. Kempe asked if there would be early on-site detention and Mr. Wilmoth informed there was no way of knowing and noted it is dependent on the Engineering Dept. and the plat would not be released until this issue is decided. Ms. Kempe informed the Commission would like to question the engineer on this project.

Mayfair Courts (PUD 359(1283) (Cont'd)

Other Interested Parties:

Mr. Dale Ward

Address: 4328 E. 14th Street

Mr. Ward informed he is the engineer on this project and Ms. Wilson asked if there is a detention pond located on the site, or if one is planned. Mr. Ward informed the fee in lieu of the detention pond has been paid to the City of Tulsa (item 7 of the conditions) and informed there is not a detention pond on the property and there are no plans for one.

Other Comments and Discussion:

Mr. Paddock asked how run-off could be slowed by paying a fee and Mr. Ward informed paying a fee doesn't slow water but informed that an emergency dissipator will be installed to slow the velocity of the water.

Mr. Linker suggested the Commission question an impartial person on this water issue and Mr. Draughon asked who that would be. Mr. Linker informed it would be the City Engineer.

Mr. VanFossen informed he felt it would be appropriate to proceed on this issue since it was only for preliminary approval.

Mr. Paddock asked that Mr. Wilmoth suggest how item #7 of the conditions be strengthened and Mr. Wilmoth suggested the last sentence be amended to read "Developer must prove to the City Engineer that there are no off-site adverse affects before plat can be released."

Mr. Linker informed if there is a problem with adverse effects, it is a violation of the Earth Change Ordinance and he suggested the Commission recommend that the Staff notify the hydrologist of this and that Staff report back to the Commission.

Mr. Ward advised there is no construction currently being done on the project and the drainage is that of the natural watershed.

Ms. Kempe directed the Staff to follow through on the earth problem and noted that this should be a priority item with the City Hydrologist. Mr. Wilmoth informed he would discuss this problem with the Hydrologist after conclusion of his portion of this hearing and would report back to the Commission upon receipt of information from Engineering.

Instruments Submitted: Exhibit A-1 (Documents submitted by Mr. Retherford)

1.16.85:1538(4)

Mayfair Courts (PUD 359(1283) (Cont'd)

On Motion of VANFOSSEN, the Planning Commission voted 8-0-1 (Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; Carnes, "abstaining"; Higgins, Young, "absent") to APPROVE the preliminary plat of Mayfair Courts, subject to the following conditions:

1. All conditions of PUD #359 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD Approval date and references to Section 11-1170 of the Zoning Code, in the Covenants.
2. Utility easements shall meet the approval of all 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.
3. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Include language for W/S facilities in 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. 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.
6. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (Plans must be approved prior to plat release. On-site detention or fee. Developer must prove to the City Engineer that there are no off-site adverse affects before plat can be released).
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 City Commission.
9. A topo map shall be submitted for review by TAC (Sub. Reg's.) (Submit with drainage plans.)

Mayfair Courts (PUD 359(1283) (Cont'd)

10. Street names shall be approved by City/County Engineer. Show on plat as required (including notation that street is "Private").
11. All curve data shall be shown on final plat where applicable (including corner radii).
12. Limits of Access shall be shown on the plat as approved by City and/or Traffic Engineer. Include applicable language in Covenants.
13. It is recommended that the developer coordinate with Traffic Engineering during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs (advisory, not a condition for release of plat).
14. 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.
15. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
16. 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.)
17. The Restrictive Covenants and Deed of Dedication shall be submitted for review with preliminary plat. (Include subsurface provisions, dedications for storm water facilities and PUD information, as applicable.) (See Staff comments.)
18. Formal TAC review required prior to release of final plat.
20. 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.)
21. All other Subdivision Regulations shall be met prior to release of final plat.

FINAL APPROVAL AND RELEASE:

Valley Bend Park (PUD 357-A) (783) SE of 71st & S. Quincy (CS, RM-1)

Mr. Wilmoth informed all release letters have been received and Staff and TAC recommended approval.

On Motion of WILSON, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Higgins, Young, "absent") to APPROVE the final plat of Valley Bend Park and release same as having met all conditions of approval.

EXTENSION OF APPROVAL:

Harvard Point East (1683) 87th & S. Pittsburg (RS-3)

Mr. Wilmoth informed this is a request for a one-year extension of approval and Staff and T.A.C. recommended approval.

On Motion of CONNERY, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Higgins, Young, "absent") to APPROVE a one-year extension of plat for Harvard Point East.

WAIVER OF PLAT:

CZ-119 (Unplatted) (1362) SW/c E. 201st & S. Peoria Ave. (CS)

This is a request to waive plat on a small (1 1/2 acre) tract that was rezoned CS under the above zoning application. Note that the remaining property behind the zoning is part of the same ownership and this is not a lot-split request. The commercial will still be under the same ownership. There is a north-south separation into two lots that have existed for some time. This request covers ONLY that part of the property zoned CS. TAC and Staff recommended approval of the waiver of plat on CZ-119, subject to the conditions outlined by Staff.

On Motion of PADDOCK, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Higgins, Young, "absent") to APPROVE the waiver of plat of CZ-119, subject to the following conditions:

- (a) Health Department approval of existing or new septic system(s)\*;
- (b) Dedication of additional 25.25' to meet the Street Plan Requirement; and
- (c) Access Agreement or location as required by County Engineer.

\* Applicant has indicated no plumbing facilities in the new building.

WAIVER OF PLAT & WAIVER OF LOT SPLIT:

CZ-125 (Unplatted) (2813) & L-16336 (2813) E. 83rd St. N. & N. Yale Ave.  
(AG to RE Pending)

This is a dual application on a 15-acre tract of land that is currently under application for zoning to an RS classification. Planning Commission approved RE zoning. Now pending County approval. The tract contains eight dwelling units with access by a private road. The lot-split application is to separate three of these tracts so they may be sold separately. Staff is concerned that the potential here is for a 10-lot subdivision, under Section 260 of the Zoning Code, which would require a plat. It is recognized that there are existing houses on the tract, but the applicant might be able to improve the road to County specifications and dedicate it in a platting process. If the zoning application is approved, the Board of Adjustment application would not be required if the street is dedicated. They would have the proper frontage. A number of considerations must be made. Maps were provided showing the requested lot split and plat waiver, then two aerial photos showing the requested lot split and a potential subdivision layout.

The applicant was represented by Mr. Robert Flynn, 1717 E. 5th, Tulsa, nephew of the applicant.

In discussion, the TAC felt that in order to meet all the necessary requirements on this tract, a plat was the preferred method. More control and protection against improper road building, insufficient easements, etc. would be provided by the plat.

County Engineer advised that although the County was maintaining the existing road, it was not dedicated. Since the County already maintains the road, no improvement plans would be necessary in the platting process. This would considerably reduce the applicant's costs and would greatly simplify the platting procedure.

Mr. Flynn advised the TAC that waiver of plat was being requested to cut down on costs to the owner. Staff and TAC advised that it would be in the best interest of the public for this to be platted, and felt that the County Engineer's advisory regarding improvement plans would greatly reduce the cost and would be an advantage to the owners to plat now to avoid any changes in the process in the future.

TAC recommended DENIAL of the waiver of plat and L-16336 for the reasons stated in the discussion.

Applicant Comments:

Mr. Flynn informed he was representing his uncle, Mr. Andrew Flynn, owner of the subject property, and informed his problem with the plat requirement is that the applicant is not planning to develop all the property on the site at the present time.



CZ-125 (Unplatted) (2813) & L-16336 (2813) (cont'd)

Other Comments and Discussion:

Mr. Paddock asked if this would pass the percolation test and Staff informed it would.

Commissioner Harris informed the County was requested to help on the right-of-way and he noted it should be dedicated as a bookkeeping measure. He also informed he had no problem with voting for the request as long as the intent is clear to any future owners.

Ms. Wilson asked if, consistent with the intent to sell the two or three lots, the platting requirement was waived on those lots and left on the rest, would it be satisfactory and Mr. Flynn informed it would be. He also advised the right-of-way would be dedicated to clear up the bookkeeping problem.

On Motion of VANFOSSEN, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Higgins, Young, "absent") to APPROVE the waiver of plat of CZ-125 and lot split L-16336 subject to the conditions of Staff as stated below and with the added conditions that the applicant be required to dedicate the right-of-way on North Yale and 83rd St. North, to dedicate the cul-de-sac, and that the other 11 acres would remain subject to plat:

- (a) Health Department approval of the septic systems.
- (b) Approval of the zoning from (AG) to (RE).
- (c) Easements and dedications (60' for interior street E. 83rd Street North, including cul-de-sac) and 50' from centerline on N. Yale Avenue.
- (d) Approval of Washington County RWD #3 for water service and line extensions.

LOT SPLITS:

For Ratification of Prior Approval:

L-16246 AMD	(3090)	Lyn Calton
L-16258 AMD	(2593)	Jones Truck Line
L-16342	(393)	William Farris
L-16344	(2483)	91st & Memorial LTD.
L-16345	(193)	Bruce Allison
L-16347	(3403)	Tru Pat Inv. Inc.
L-16349	(1283)	Woodland Partnership Ltd.
L-16350	(492)	W. W. Wilson
L-16351	(3294)	6000 Garnett Park
L-16352	(894)	Earl & Dorothy Pursley
L-16353	(2094)	Sanditen Inv. Co.
L-16355	(1292)	Stead/Theiman

Lot Splits for Prior Approval (cont'd)

On Motion of DRAUGHON, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Higgins, Young, "absent") to RATIFY the approved lot splits listed on page 9.

LOT SPLITS FOR DISCUSSION:

L-16348 (3392) Waffle House/McDonald's SE/c W. 58th & S. 49th W. Ave. (IL)

In the opinion of the Staff the lot split listed above meets the subdivision and zoning regulations, but since the lot may be irregular in shape, notice has been given to the abutting owner(s) so that they may be aware of the application (Auth: PC Meeting #1505, page 1; 5/9/84). TAC and Staff recommended approval.

On Motion of VANFOSSEN, the Planning Commission voted 9-0-0 (Carnes, Connery, Draughon, Harris, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Higgins, Young, "absent") to APPROVE L-16348.

CONTINUED ZONING PUBLIC HEARING:

Applications No. Z-6022 and PUD No. 386      Present Zoning: AG  
Applicant: Moody (Vardeman)      Proposed Zoning: RM-1/FD  
Location: 1/4 mi. North of NE/c of 91st and Memorial

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Date of Application: November 29, 1984  
Date of Hearing: January 16, 1985 (Cont'd to January 23, 1985)  
Size of Tract: 14 Acres

Presentation to TMAPC by: John Moody  
Address: 4100 BCK Tower      Phone: 588-2651

Relationship to the Comprehensive Plan: Z-6022

The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract Low Intensity -- No Specific Land Use.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts," the proposed RM-1 District may be found in accordance with the Plan Map.

Staff Recommendation -- Z-6022:

Site Analysis -- The subject tract is located 1/4 mile north of the northeast corner of 91st Street and South Memorial Drive. It is approximately 14 acres in size, is partially wooded and slopes generally from high points in the centermost southern portion, down to the north and east. The eastern portion of the tract is crossed on its north-south axis by a creek which causes much of the eastern portion of the land to be floodplain. The tract is presently zoned AG.

Surrounding Area Analysis -- The tract is abutted on the north by a 20-acre parcel zoned AG which contains one single-family residence. The area south of the subject request is zoned RM-1 and is vacant. Property abutting the east boundary is zoned RS-3 and PUD #298 and to the southeast is zoned AG. Property west across Memorial is zoned AG and RS-3.

Zoning and BOA Historical Summary -- The subject tract was denied RM-1 zoning and approved for RS-3 zoning by the TMAPC and City in November 1982, however, the Ordinance was never published. The RM-1 zoning to the south was approved as a buffer to the commercial zoning at the intersection of 91st Street and Memorial Drive. Recently, RM-1 zoning was approved to a depth of 579 feet on land one lot north of the subject tract.

The subject tract is beyond the node and the transition buffer. Surrounding uses and existing conditions do not support the "may be found" designation in the "Zoning Matrix" for granting RM-1 for the entire tract, but only for a portion of the tract (Memorial frontage).

Z-6022 & PUD #386 (cont'd)

It is recommended that intensities be reduced as one progresses north from the intersection of 91st Street and South Memorial, and beyond the present node and existing RM-1 buffer. This zoning pattern would be more consistent with the Comprehensive Plan policies and Development Guidelines. PUD #382 was recently recommended for approval by the TMAPC wherein RM-1 zoning was approved to a depth of 579 feet from the section line of Memorial Drive. This tract lies approximately 800 feet north of the subject tract, and also on the east side of Memorial Drive.

Conclusion — The Staff could support zoning and spreading a reasonable amount of RM-1 intensity over the entire tract in recognition of and consistent with the zoning patterns recommended north of this general area by the TMAPC. Therefore, the Staff recommends DENIAL of the requested RM-1 for the entire tract and granting only a portion of the tract as RM-1 as discussed under PUD #386, with AG and FD on the balance of the area.

Staff Recommendation — PUD #386:

The proposed PUD is located on the east side of South Memorial Drive, approximately one-fourth mile north of the intersection of 91st Street South and South Memorial Drive. The site contains an existing billboard in the northwest corner. According to the PUD Text, the City of Tulsa has requested that the developer donate to the City for park purposes, property adjacent to an existing tributary of Haikey Creek. The text indicates the developer's willingness to do this, subject to approval of the PUD. Post Oak Office Park is proposed to contain 203,000 square feet of office space and eight buildings ranging in height from one (1) story to seven (7) stories. A total of 724 parking spaces are shown at a ratio of one space for each 280 square feet of gross floor area. The proposed permitted uses for the PUD are those uses permitted in an RM-1 District by right and by Special Exception, and uses permitted by right in an AG District. A portion of the site will necessarily be zoned FD for floodway protection purposes. The "Site Summary" portion of the PUD Text indicates that the tract has a gross land area of 14.98 acres, a total net area of 13.94 acres, with 4.84 acres devoted to floodway and floodplain purposes—the net usable land area is indicated to be 9.10 acres or 396,396 square feet.

If the TMAPC desires to approve RM-1 zoning on this site, the Staff recommends the zoning be granted upon similar conditions applied to PUD #382 (Grace Fellowship Church) which was recommended for approval November 28, 1984. This would indicate that RM-1 zoning not be granted for the entire site and the requested intensity be reduced accordingly. If the TMAPC concurs with this recommendation, the Staff could recommend approval of RM-1 zoning for 6.2 gross acres of this site with FD and AG zoning on the balance. The applicant is requesting the equivalent of 11.65 acres of RM-1 zoning. This recommended zoning pattern would establish a depth for RM-1 zoning of 545.5 feet east of the section line. Conditions of approval could be based upon the recommended "Development Standards" discussed below and other recommended conditions as stipulated.

Z-6022 & PUD #386 (cont'd)

Given the above review and modifications, the Commission could 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.

If the TMAPC concurs with the Staff Recommendation to rezone not more than 6.2 acres of the gross site RM-1, and the balance FD and AG, the Staff recommends the following conditions of approval:

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

Land Area (Gross):	14.98 acres
(Net):	13.94 acres

	Submitted	Recommended
Permitted Uses:	Uses permitted by right in and Special Exception in an RM-1 & AG District.	Uses permitted by right in an OL District.
Maximum Floor Area:	203,000 sq. ft.	108,000 sq. ft.
Maximum Building Setbacks:		
From Centerline of Memorial Road	150 feet	70 feet from property line.
From South Boundary	50 feet	50 feet
From North Boundary	115 feet	115 feet
From East Boundary	200 feet	200 feet
Maximum Building Height: (to top of parapet)		
Within 200 feet of West Boundary	1-story	35 feet
More than 150 feet but less than 350 feet from West Boundary	3-story	35 feet

More than 350 feet from West Boundary	7-story	35 feet
Minimum Off-Street Parking:	724 at a ratio of 1 per 280 ft. gross floor area.	1 space per each 250 sq. ft. of gross floor area and as required by the Zoning Ordinance.
Minimum Landscape Open Space:	43%*	43%*

- \* Landscaped open space includes required arterial street landscaping, interior landscaping buffer, landscaped yards and plazas, and pedestrian areas and park areas, but does not include any parking, building, or driveway areas. A considerable portion of the east part of this tract is proposed to be dedicated to the City of Tulsa for park purposes.
- (3) The south boundary shall be screened by a 6-foot privacy fence from Memorial Drive to the east until said boundary intersects the creek and floodway.
  - (4) Trash and utility areas shall be screened so as not to be visible from ground level of adjacent properties.
  - (5) Signs shall be in conformance with the PUD Chapter of the Zoning Ordinance, except one outdoor advertising sign shall be allowed to remain, however, until the granting of an occupancy permit on the first building. A Sign Plan shall be submitted to the TMAPC for review and approval prior to installation.
  - (6) That a Detail Landscape Plan be approved by the TMAPC prior to the granting of occupancy of any building.
  - (7) 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 of said Covenants.

Applicant's Comments:

Mr. Moody informed he was representing Mr. William S. Vardeman, who is the owner and developer, and Timbercrest Companies. He further informed this case was continued from the Planning Commission meeting of January 9, 1985.

Mr. Moody noted the total square footage of the project has been decreased from the 256,000 square feet originally requested to 203,000 square feet. He also noted the developer is contemplating construction of eight (8) office buildings, ranging from a 1-story building located on the east frontage of Memorial Drive, to a 7-story building located further east on the tract.

Mr. Moody noted the entire south boundary of the subject property abuts a RM-1 area and one tract west across Memorial includes a detention facility which has been permanently dedicated for detention purposes.

Mr. Moody informed he agrees with the setback requirements recommended by the Staff, but would like to make two changes to the Staff Recommendation: (1) Staff has recommended only 108,000 square feet of building but the developer feels he needs 203,000 square feet for his development to be economically feasible and (2) the developer would like to have the requested 7-story building. Mr. Moody suggested the height of this building would not impact the nearby residential areas as the design of the development recognizes the topographical relief necessary in the area to buffer it from the adjacent residences. He noted there would be a 950' buffer between the taller buildings and any single-family housing. He also noted the tallest building is located 900 feet from the closest single family dwelling on the east of the site.

Mr. Moody informed the sign code would be complied with. He also informed the access and circulation patterns contain good vehicular and pedestrian lanes with stacking lanes for entering and exiting Memorial Drive.

Comments and Discussion:

Mr. VanFossen asked if the left-turn lane and median cut is proposed or approved lane onto Memorial and Mr. Moody informed it would be agreed to by the City if this application is approved.

Mr. VanFossen asked how much of the area is dedicated to green area and Mr. Moody informed there would be significant tree coverage and the intent was to preserve the native tree coverage as much as possible.

Mr. Moody informed that the developer has not identified what phases of the project would be built first.

Mr. Connery asked if the FAA had commented and Mr. Moody informed it had not commented but that clearance would be obtained.

Mr. Carnes noted that the difference between the submitted text and the Staff Recommendation appeared to be the 7-story building and the square footage.

Z-6022 & PUD #386 (cont'd)

Mr. Carnes asked how the footage requirements were arrived at and Mr. Gardner informed the intensity was the issue — how much office zoning and how much square footage should be placed on this tract. Mr. Gardner noted Staff's recommendation for square footage was about the same as that suggested for the property on the north (PUD #382) and noted the difference could be 3,000 vehicles per day vs. 6,000 or more vehicles per day. He also noted the intensity guidelines and zoning factors should be what are used to decide the issue.

Mr. Paddock asked what the impact of the loss of the 95,000 square feet would be if the Commission approved the Staff recommendation and Mr. Moody informed he was not sure the developer would assume responsibility for the park and the development might not be built.

Mr. Moody informed the City would permit median curb cuts if they were agreed to by the two nearby property owners.

Mr. Paddock asked how Mr. Moody arrived at the 203,000 square feet and Mr. Moody informed he started with the net use land areas and square footage.

Mr. Connery asked how many traffic lights would be required on Memorial and Mr. Moody informed no one had advised him that any would be required but that the City Engineer might propose installing one.

Mr. Carnes informed the proposal appeared to be a nice project and noted he would like to see if a compromise could be reached on the square footage.

Mr. Day, 1700 W. Albany, Broken Arrow, architect and planner for the development, informed he did not consider this project high density since only 43% of the site would be developed. He informed that no traffic light would be required because there would be left-turn stacking lanes on Memorial Drive and an exit on 91st Street. He advised he had already made some compromises to density and square footage.

Protestant:

Mr. Christ Pissias

8771 S. Memorial

Mr. Pissias informed he owns the property to the north of the proposed site and that he did not object to the office zoning, but objects to this plan and noted he felt it would be detrimental to him because of water runoff problems. He also noted that 2/3 of the water drainage of the nearby 12 acres drains onto his property and he could see no way for the surface water to run except onto the front of his property.

Other Comments and Discussion:

Mr. VanFossen asked Mr. Pissias if the plans for the development had been reviewed with him and Mr. Pissias informed they had not been. He informed he had received a letter saying there would be a meeting but he had received nothing with the letter.



Z-6022 & PUD #386 (cont'd)

Mr. VanFossen informed the project appeared to have merit and noted he was disappointed that Mr. Pissias was so opposed to it. He advised that he felt the applicant should meet with Mr. Pissias and discuss the proposal. He further advised he would have a problem in approving the proposal with Mr. Pissias' objections.

Mr. Pissias informed his primary problems with the proposal were the building heights and water flow.

Mr. Woodard informed he would recommend an alternate site for the proposal and Mr. Moody noted he would look at another site if one was available.

Other Interested Parties:

Mr. Bill Vardeman

Address: 8835 S. Memorial

Mr. Vardeman informed he is the owner of the subject property. He noted that Mr. Pissias had been opposed to the Grace Fellowship project to the north, which had recently been approved by the Commission. Mr. Vardeman advised that the creek is a low-running tributary and has not overflowed this year. He also noted that it did not flood on May 28, 1984.

Applicant's Rebuttal:

Mr. Moody informed Mr. Pissias had left the meeting and he would have met with Mr. Pissias prior to the meeting, but he was not available. He also informed that notices were mailed in November and he felt Mr. Pissias could have gotten in touch with him to discuss his concerns.

Mr. Moody advised the drainage would be conveyed to the north and that grading plans would have to be approved by the City Engineer and underground storm sewers and drainage would convey the water to the east. He advised he would discuss the plans with Mr. Pissias but that he was not sure any changes could be made.

Other Comments and Discussion:

Mr. VanFossen informed Exhibit "G" of Mr. Moody's presentation, appears to discharge water onto Mr. Pissias' property.

Mr. Lynn Burroughs, 1700 W. Albany, Broken Arrow, informed he is an engineer on the project and that the bulk of the water would be discharging back to the east on the property. He also informed that Ruben Haye, City Hydrologist, said there would not be additional drainage onto Mr. Pissias' property.

Mr. Draughon informed that Exhibit "G" of Mr. Moody's presentation, appears to show a creek loop onto Mr. Pissias' property and Mr. Burroughs

Z-6022 & PUD #386 (cont'd)

informed that is the direction the water discharges. Mr. Draughon asked if that would add more water onto Mr. Pissias' property and Mr. Moody informed it wouldn't divert any water that is not presently being diverted. Ms. Wilson informed that based on what had been presented today, she agrees with Staff's Recommendation and would vote no. Chairman Kempe informed that due to the outstanding issues of intensity, building heights, drainage problems and Mr. VanFossen's suggestion that the proposal be presented to Mr. Pissias, perhaps this item should be continued for a week. Ms. Wilson informed she would vote for continuance if this was the action desired by the Commission. Mr. Moody informed he would ask that this item be continued for one week in order to discuss the proposal with Mr. Pissias and informed his client would make sure the drainage did not adversely affect Mr. Pissias.

TMAPC Action: 8 members present -- Z-6022 & PUD #386

On Motion of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Higgins, Young, "absent") to CONTINUE consideration of Z-6022 and PUD #386 until Wednesday, January 23, 1985, at 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD #374 NE/c of 21st & Lewis/2021 Lewis Tower

Staff Recommendation: Detail Site Plan Review

The subject tract is 2.14 acres in size, located at the northeast corner of 21st Street and South Lewis Avenue and extends east along 21st Street to Atlanta Avenue. It contains a 7-story building located adjacent to the intersection zoned CH--Commercial High Intensity, with the remainder of the tract being used as a surface parking lot zoned OL--Office Light. The applicant has received approval under the PUD to: (1) expand the existing office building 6 feet into the area zoned OL; (2) place a 3-story parking structure on the middle portion of the tract; and (3) erect a drive-in bank facility at the corner of Atlanta and 21st Street. Unrestricted access to the project is available from 21st Street and Lewis; however, egress onto Atlanta is restricted by design to right turns only. The parking facility abuts the rear yards of several abutting single-family homes to the north and the design of the parking garage will take advantage of the slope of the property so that the garage shall appear to decrease in height from west to east, thus minimizing impact on said residential properties. A covered walkway is proposed from the parking garage to the main building. A seven (7) foot high screening fence is proposed along the north boundary and this area will be heavily landscaped either on the property line or on the adjacent residential property if desired by the residential property owners. The applicants are now conducting final review of the construction plans and elevations of the facility with the abutting property owners as required by the TMAPC during the PUD approval process. It is anticipated that this review will be completed prior to the TMAPC meeting and the results will be presented by the applicant at the meeting. The applicant is also meeting the TMAPC requirement that this project be allowed to contain not more than 10% medical space and 90% general office. The maximum rentable area of this project was reduced from 90,000 square feet to 85,000 square feet under TMAPC approval of PUD 374-1 Minor Amendment. A total of 284 parking spaces is proposed which is also in compliance with PUD 374-1.

Given the above review, the Staff finds the proposed Detail Site Plan 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 Ordinance. Therefore, the Staff recommends APPROVAL of the Detail Site Plan and Text for PUD #374, subject to the following conditions:

- (1) That the applicant's Detail Site Plan and Text be made a condition of approval, unless modified herein.

PUD #374 (cont'd)

(2) Development Standards:

Land Area: 2.14 Acres

	<u>Approved/PUD</u>	<u>Submitted</u>
Permitted Uses:	General Office Bldg., Parking Garage and Drive-in Bank Facility*.	General Office Bldg., Parking Garage and Drive-in Bank Facility*.

Maximum Floor Area:

Existing Bldg.	66,000 sq. ft.	66,000 sq. ft.
New Construction	37,530 sq. ft.**	24,000 sq. ft.
Max. Floor Area		
Proposed	90,000 sq. ft.	90,000 sq. ft.
Max. Gross Leas- able Space	85,000 sq. ft.***	85,000 sq. ft.***

Maximum Bldg. Height:

Office Bldg.	7-stories	7-stories
Parking Garage	3-levels	3-levels
Drive-in Bank Facility	1-story	1-story

Minimum Landscaped Open Space: 15% 15% required

Minimum Bldg. Setbacks:

Office Bldg.		
From Centerline of 21st Street	Existing	Existing
From Centerline of Lewis	Existing	Existing
From North Property Line	12 ft.	12 ft.

Parking Garage & Bank		
From East Property Line (excluding Drive-in Bank canopy)	72 ft.***	72 ft.***
From Centerline of 21st	50 ft.	50 ft.
From North Property Line	10 ft.	10 ft.

PUD #374 (cont'd)

Minimum Off-Street Parking:	284 spaces & per the Zoning Code for each use.***	284 spaces & per the Zoning Code for each use.***
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- \* Maximum floor area is 10% medical and 90% general office.
- \*\* Maximum permitted under existing zoning.
- \*\*\* Approved by TMAPC per Minor Amendment PUD #374-1.

- (3) That signage meet the requirements of the PUD Ordinance.
- (4) Screening be required for all trash and utility areas so as to screen said areas from public view and a seven (7) foot tall screening fence be installed along the north boundary.
- (5) That a Detail Landscape Plan be approved by the TMAPC prior to occupancy, including significant landscaping along the northern boundary either on the applicant's property, or on adjacent property if desired by abutting owners of single-family properties.
- (6) That parking lot lighting and exterior lighting in general be so constructed as to direct light downward and/or away from adjacent residential properties.
- (7) That no Building Permit should be issued until the requirements of Section 260 of the Zoning Code have been satisfied (unless a plat is specifically waived) and submitted to and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the past PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments and Discussion:

Mr. Connery asked why Staff is restricting the square footage to only 10% medical and he was informed it was due to parking space.

Mr. VanFossen informed he was concerned about the parking and lighting from the upper level of the garage and the applicant informed there isn't any lighting on the upper level.

Mr. Paddock informed there had been some earlier concerns about traffic directed onto Atlanta Avenue and Mr. Frank informed this has been corrected addressed by the right-turn only island.

Applicant Comments:

Mr. Gregory McClain, 2021 S. Lewis, informed he is the developer of the project and informed the 7' fence will be handled with the landscaping as requested by the neighboring property owners.

PUD #374 (cont'd)

TMAPC Action: 8 members present.

On Motion of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Higgins, Young, "absent") to APPROVE PUD 374 Detail Site Plan Review as recommended by Staff.

PUD #343 SW/c of E. 81st S. & Memorial Drive/First Memorial Bank at Echelon Centre

Staff Recommendation -- Detail Site Plan Review

The subject tract is located at the southwest corner of East 81st Street South and Memorial Drive, and has a triangular shape with a net area of .97 acres. It is described in the PUD as Development Area "A" with a principal use for a drive-in bank. The bank building has an approximate area of 4,800 sq. ft. with three (3) drive-in lanes on the south side of the bank building. Plans indicate a future possibility for three (3) additional drive-in lanes. Drive-in bank customers must enter the facility at the west boundary and flow southeasterly to the drive-up facilities--this traffic is segregated from other traffic in Echelon Centre. The site itself has no direct access to either Memorial or E. 81st Street, however, has access at its west and south boundaries to main drives to Echelon Centre which then have ingress and egress to both arterial streets. A total of 34 parking spaces are proposed which includes one handicapped space.

Staff has reviewed the proposed Detail Site Plan and finds 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, Staff recommends APPROVAL of the Detail Site Plan subject to the following conditions:

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

Land Area: (Gross)	1.65 acres
(Net)	.97

PUD #343 (cont'd)

	<u>Approved/PUD</u>	<u>Submitted</u>
Permitted uses:	Principal and accessory uses permitted as a matter of right in an OM District and drive-in bank facility.	Principal and accessory uses permitted as a matter of right in an OM District and drive-in bank facility.
Maximum Floor Area:	8,000 sq. ft.	4,800 sq. ft.
Maximum Building Height:	30 ft.	30 ft.
Minimum Building Setbacks:		
From Centerline of E. 81st	95 ft	124 ft.
From Centerline of Memorial	105 ft.	114 ft.
From Area "B" (Southwest)	20 ft.	35 ft.
Minimum Off-Street Parking Spaces:	1-space per 300 sq. ft.	34-spaces or 1-space per 144 sq.ft.
Minimum Landscape Open Space	15%*	15%*

\* Internal landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas and pedestrian ways, but does not include any parking, building or driveway areas.

- (3) Signs shall comply with the restrictions of the PUD Chapter of the Zoning Ordinance as follows:

Ground Signs —

Not more than one ground sign shall be permitted and it shall have a display surface area not greater than 120 sq. ft. or a height not greater than 20 feet.

Wall or Canopy Signs —

Aggregate display surface areas not exceeding 1 1/2 sq. ft. per each lineal foot of the building wall to which it is affixed. They shall not exceed the height of the building. Projecting signs are not permitted.

- (4) That trash and utility areas shall be screened from public view.
- (5) That a Detail Landscape Plan be submitted to and approved by the TMAPC prior to the granting of an occupancy permit.
- (6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and submitted to and and filed of record in the County Clerk's

PUD #343 (cont'd)

office, incorporating within the Restrictive Covenants the PUD conditions of approval, making the City of Tulsa beneficiary to said Covenants.

Comments and Discussion:

The architect for the project was present, but had no comments.

TMAPC Action: 8 members present.

On Motion of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Higgins, Young, "absent") to APPROVE the Detail Site Plan for PUD #343, subject to the Staff's conditions as stated above.

PUD 345 Scott (Tulsa Teachers Credit Union) 3720 E. 31st Street

Staff Recommendation: Detail Site Plan Review

The proposed project is located at the southwest corner of East 31st Street South and South New Haven Avenue. The proposed use consists of utilization of an existing one-story building with an area of 13,400 sq. ft. and a new three (3) story building with an area of 33,460 sq. ft.—total project area 46,860 sq. ft. A total of 232 parking spaces is proposed. Access to the project, as approved by the Tulsa City Commission, from South New Haven allows ingress and egress, and egress only from the site to East 31st Street at the northwest corner. Storm water from the site is handled by an existing storm sewer which runs parallel to the south boundary. The residential area to the south of the project will be screened by an existing 6-foot tall brick wall which will also be extended completely along the south boundary to South New Haven. No screening requirement exists on the west boundary due to the building on that lot being used for a dental office. The underlying zoning for the project site is OL, OM, P and RS-3.

Therefore, the Staff recommends APPROVAL of the Detail Site Plan, subject to the following conditions:

- (1) That the applicant's Plans and Text be made a condition of approval.
- (2) Development Standards:

Land Area (Gross):	3.636 Acres
(Net):	2.893 Acres



	<u>Approved/PUD</u>	<u>Submitted</u>
Permitted Uses:	Uses permitted by right in an OL District.	Uses permitted by right in an OL District.
Maximum Floor Area:		
Existing Bldg.	13,400 sq. ft.	13,400 sq. ft.
Proposed Bldg.	<u>33,460 sq. ft.</u>	<u>33,460 sq. ft.</u>
Total	46,860 sq. ft.	46,860 sq. ft.
Minimum Height:	39' to eave & 3 stories.	39' to eave & 3 stories.
Minimum Off-Street Parking:	1 space per 300 sq. ft. of floor area.	232 spaces or a min. of 1 space per 275 sq. ft. of floor area.
Minimum Bldg. Setbacks:		
From Centerline of S. New Haven Ave.	150'*	235'-4"*
From Centerline of E. 31st Street	60'	60'
From South Property Line	150'	174'-5"
From West Property Line	30'	32'
Minimum Open Space:	20,000 sq. ft.	20,000 sq. ft.

\* A 24-hour automated teller facility can be located 60 feet from the centerline of South New Haven Avenue.

(3) Signs:

Approved/PUD---

That all signs shall be consistent with conditions and requirements of Section 1130.2(6) and that ground signs shall be constructed of brick to match building materials.

Submitted---

There shall not be more than one ground sign for the project except for 4-foot high directional signs. Signs shall be constructed of brick to match building materials. Signs shall be located not closer than 30 feet from the centerline of the East 31st Street right-of-way.

NOTE: No signs shall be allowed on the East 31st Street right-of-way and ground signs shall conform to building setback requirements of the PUD.

- (4) That a Detail Landscape Plan be approved by the TMAPC and installed prior to occupancy; including a 3-to-4-foot high berming with landscaping along the east boundary line, and completion of the existing 6-foot high brick fence for the complete length of the south boundary.
- (5) That parking lot lighting be so constructed as to direct light away from abutting and adjacent residential areas.
- (6) That trash and utility areas be screened from public view.
- (7) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied (unless specifically waived by the TMAPC) 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.

Comments and Discussion:

Mr. Paddock asked the applicant if there had been any flooding problems on the property and he informed he was unaware of any problems, but noted water retention facilities will be constructed.

Mr. Connery informed protestants had previously complained about the traffic onto New Haven and Mr. Frank informed the City Engineer and City Commission had no problem with this access.

Mr. Connery informed he felt the 6' brick wall is a traffic hazard and the applicant informed it terminates at the right-of-way line and noted the entrance into the parking lot is 150' due north of the wall.

TMAPC Action: 8 members present.

On Motion of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughton, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Higgins, Young, "absent") to APPROVE the Detail Site Plan for PUD #345, subject to the Staff's conditions as stated above.

Staff Recommendation: Minor Amendment -- Front yard setback from  
25' to 17'

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The subject tract is located in a developing single-family neighborhood at 7735 S. Trenton Avenue. The lot is situated on one of the small cul-de-sacs along Trenton Avenue. The applicant is requesting an amendment to the front setback from 25 feet to 17 feet.

After review of the application, the Staff finds the request to be minor in nature and recommends APPROVAL, per plot plan submitted, based on the following reasons:

- (1) The applicant has a true hardship as defined by the Zoning Code with an irregular shaped lot;
- (2) Several similar amendments have been granted in the area, i.e., Lot 21 abutting the subject tract to the west has an amendment to 20 feet;
- (3) The submitted design is the best layout for the subject tract. The Staff would rather see a front encroachment of a corner of the dwelling than a full structure width encroachment of the rear yard. Dwellings don't usually line up on a cul-de-sac; and
- (4) A 17-foot setback for the extreme corner of the house will not be injurious to the neighborhood or have significant impact.

NOTE: Notice of the amendment was given to abutting property owners by mail on January 8, 1985.

Applicant Comments:

The applicant, Mr. Tom Christopoulos, 9125 S. Sheridan, was present and noted the plans and approvals had been received but there was a 10' utility easement shown on the back and thus, he needed to change the front easement.

Interested Party:

Mr. Robert Scott

Address: 7721 S. Trenton

Mr. Scott informed he had no problem with this request.

TMAPC Action: 8 members present.

On Motion of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Higgins, Young, "absent") to APPROVE the minor amendment to PUD 128-A-10, Lot 42, Block 3 Kensington II as recommended by Staff.

Staff Recommendation: Minor Amendment - Reduce Setback from 49' to 46'

The subject tract is located at the southeast corner of 51st Street and Columbia Place. Lot 1, Block 1 is approximately 1.4 acres in size and contains a 4-story office building zoned OM. It is abutted to the south by PUD #294 which is zoned RM-T and to the west by RS-2 zoned property. The applicant is now requesting a minor amendment to the south setback requirement from 49' to 46' as represented on the "as built" survey.

After review of the request, Staff finds that this is the second minor amendment before the TMAPC to change this same setback requirement. On September 28, 1983, PUD #257-1 was considered to amend the parking requirements from 153 to 143 and to amend the south setback requirement from 60' to 49' or 18%. After review of the request, Staff recommended approval based on the fact that OM zoning would only require a 10' setback from RM-T zoning and as stated in that Staff Recommendation, "...planning principles would require as a minimum a 1 for 1 setback which would be what the applicant is requesting." Although Staff notes that the proposed 3-foot difference would probably not be noticeable, Staff does not want to appear to be in the position of ratifying all such changes in the future regarding PUD's to a point that developers and designers do not exercise proper attention to design and construction phases. The applicant should put enough consideration into the original PUD documents that they can live with the specifications submitted. Then proper safeguards should be taken to see they are carried out during construction.

Based on the above mentioned information, Staff finds the request to be minor in nature and recommends APPROVAL of the minor amendment per survey submitted, reducing the south building setback from 49 feet to 46 feet.

Applicant Comments:

Mike Taylor, representing Sisemore, Sack, Sisemore, informed he was in agreement with the Staff Recommendation.

Other Comments and Discussion:

Mr. Paddock informed he would vote for this change, but asked how many minor amendments become a major amendment and informed he felt this issue need to be addressed and possibly be adopted in the Commission's policies.

TMAPC Action: 8 members present.

On Motion of VANFOSSEN, the Planning Commission voted 8-0-0 (Carnes, Connery, Draughon, Kempe, Paddock, VanFossen, Wilson, Woodard, "aye"; no "nays"; no, "abstentions"; Harris, Higgins, Young,

PUD 257-2 (cont'd)

absent") to APPROVE the minor amendment on PUD 257-2 to reduce the setback from 49' to 46' as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 5:15 p.m.

Date Approved February 6, 1985

Cherry Kempe  
Chairman

ATTEST:

PHB Padlock  
Secretary

