

TULSA METROPOLITAN AREA PLANNING COMMISSION  
MINUTES of Meeting No. 1548  
Wednesday, March 27, 1985, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, March 26, 1985, at 11:55 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 1:32 p.m.

Minutes:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **APPROVE** the Minutes of March 13, 1985 (No. 1546).

Director's Report: Election of Officers

Mr. Gardner recommended that the election of officers for the Tulsa Metropolitan Area Planning Commission be continued for one week due to the number of Commission members absent from this meeting.

On MOTION of WILSON, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of election of officers of TMAPC until Wednesday, April 3, 1985, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

CONTINUED ZONING PUBLIC HEARING:

Application No. Z-6017 & PUD #384 Present Zoning: AG  
Applicant: Johnsen (H. A. Winders) Proposed Zoning: CG & IL  
Location: South Side of 71st W. Avenue & Arkansas River

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Date of Application: October 18, 1984  
Date of Hearing: March 27, 1985 (Cont'd to April 10, 1985)  
Size of Tract: 9.75 acres

Presentation to TMAPC by: Roy Johnsen  
Address: 324 Main Mall Phone: 585-5641

Staff informed that a letter had been received from the applicant on Friday, March 22, 1985 which requested continuance of this case until April 10, 1985. Chairman Kempe informed that this was a timely request and asked if there were any interested parties present and there were some.

Mr. Johnsen informed that he had contacted the attorney representing the interested parties and they were not opposed to the continuance.

TMAPC Action: 6 members present -- Z-6017 & PUD #384

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of Z-6017 & PUD #384 until Wednesday, April 10, 1985, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

ZONING PUBLIC HEARING:

Application No. Z-6033 Present Zoning: AG  
Applicant: Norman (Anchor Concrete Co.) Proposed Zoning: CS  
Location: Northwest Corner of S. Delaware & 101st Street

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Date of Application: February 12, 1985  
Date of Hearing: March 27, 1985  
Size of Tract: 5.87 acres

Presentation to TMAPC by: Charles Norman  
Address: 909 Kennedy Bldg. Phone: 583-7571

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Low Intensity -- No Specific Land Use and Development Sensitive.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested CS District is not in accordance with the Plan Map.

Z-6033 (cont'd)

Staff Recommendation:

Site Analysis — The subject tract is approximately 5.87 acres in size and located at the northwest corner of 101st Street and Delaware Avenue. It is non-wooded, flat and is the site of a concrete plant that does not appear to be in operation at this time, and is zoned AG.

Surrounding Area Analysis — The tract is abutted on the north by vacant property that is zoned AG, on the east by vacant property zoned CS and RM-0, on the south by vacant property that is zoned CG and RM-1, and on the west by the Arkansas River that is zoned AG.

Zoning and BOA Historical Summary — Previous zoning cases have allowed Type II Nodes (660' x 660') on either side of 101st Street on the east side of Delaware. It should be noted that the RM-0 wraparound was extended for more than 300' on the southwest corner of the intersection.

Conclusion — Although the Comprehensive Plan does not support commercial zoning on the subject tract, according to the Development Guidelines, the subject tract is designated for typical 10-acre node development (660' x 660'). The subject tract extends beyond the 660' node to the north and the request is to allow commercial zoning on the entire tract. Based on earlier rezonings on the corner, the Staff can support CS zoning on the corner, but only in the typical 660' x 660' configuration. The Staff sees no reason to extend the commercial zoning line 42' beyond the node and recommends the north 42' remain AG or be zoned OL at this time.

Therefore, the Staff recommends CS zoning as requested, except OL zoning on the north 42'.

For the record, the Staff would support RM-1 zoning on the north portion, but since it was not advertised, it cannot be considered at this time. The Staff would also recommend a change in the Comprehensive Plan to reflect this case if approved for the recommended zoning pattern.

Questions and Comments:

Chairman Kempe asked if this item had been advertised as 81st Street or 101st Street, since the agenda listed it as 81st Street, and Staff informed it had been correctly advertised as 101st Street.

Applicant Comments:

Mr. Norman informed that the notice was advertised properly. He informed this property had been in use as a concrete plant for over 25 years on a non-conforming use basis. He submitted an aerial photo (Exhibit A-1) of the area and informed he was in concurrence with the Staff Recommendation for CS zoning but questioned the necessity of requiring a different zoning classification for part of the tract. He informed that the property abuts the Arkansas River and there are only 5.8 acres instead of the usual 10-acre Type II node. He informed that the purpose of rezoning

Z-6033 (cont'd)

the entire tract was not to increase the floor area; if a portion was rezoned OL, it could be used as parking, but would require a greater setback from the property line.

Comments and Discussion:

Chairman Kempe asked if the north 42' of the site lines up with the RM-0 area and Mr. Gardner informed it does. She asked why Staff was recommending that this portion not be zoned CS and Mr. Gardner informed that Staff's concern is that there be some type of limitation on CS zoning extending further north on Delaware. He noted that the tract on the north corner doesn't have 10 acres either and added that he didn't have a problem with commercial zoning on the corner, but that it shouldn't extend further than what is planned on the northeast corner under that PUD.

Mr. Carnes advised that when the Arkansas River changes course, it takes some of the land and he did not feel that it would hurt to allow the CS zoning on the north 42'.

Ms. Wilson advised that there was FD zoning in the middle of the property on the north which could influence the uses for that tract. Mr. Gardner advised that the 42' could not be used for office uses, but the land on the corner could be. Ms. Higgins asked if a hardship would exist because the actual building sits across the line of the 42' and this could be used as a reason to say that this was not to set a precedent. Mr. Gardner informed that if the commercial zoning to the east was extended north under the PUD, this could be possible.

NOTE: At the request of the TMAPC, Staff researched the CS zoning pattern of PUD #306 which is located at the northeast corner of Delaware Avenue and E. 101st Street. This research confirmed that the CS pattern along Delaware was confined to 660 feet, but spread to the east along 101st Street. Discussions with the applicant have confirmed that, based on this information, the Staff Recommendation for CS, except OL zoning on the north 42 feet would be acceptable. Staff prefers that the CS zoning not extend beyond the 660' dimension north-south, thereby remaining consistent with the Development Guidelines; however, we have no objection to the applicant utilizing the entire site for CS uses under the PUD process, or based upon application and approval by the Board of Adjustment.

Instrument Submitted: Aerial Photo (Exhibit A-1)

TMAPC Action: 6 members present

On MOTION of CARNES, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to recommend to the Board of City Commissioners that the entire tract of the following described property be zoned CS:

3.27.85:1548(4)



Z-6034 (cont'd)

Applicant Comments:

Mr. Grant informed he was in agreement with the Staff Recommendation and requested approval of the rezoning based on it being in conformance with the Comprehensive Plan.

Comments and Discussion:

Ms. Wilson asked Mr. Grant if he intended to develop the site. He informed he had no development plans at this time and the land would probably be sold to a developer.

Interested Party:

Buddy Bain

Address: 9902 E. 81st Street

Mr. Bain informed he owns the small airport near the site and he was concerned about what would be done with the property and how it would affect his operation.

Other Comments and Discussion:

Chairman Kempe informed that the applicant didn't have any specific development plans and that the applicant was planning to sell the land. Mr. Gardner informed that CO zoning requires another hearing before the Planning Commission prior to development and reiterated Staff's comment for the record, which stated that until the Mingo Freeway is extended, Staff would not support high intensity uses on the subject tract. He advised that if the land is sold, it would probably be developed as residential under the guidelines, but he was unable to say for certain.

Ms. Wilson asked if there are height restrictions on CO zoning for a small airport and Mr. Linker informed that heights are restricted under airport zoning and the Airport Zoning Board, but advised he didn't think there would be any Federal regulations that would say that CO zoning would have to be used in this way. Ms. Wilson suggested that Mr. Bain could contact the Airport Zoning Board if he needed further information. Mr. Gardner advised that since this is a private airport, he was not sure the Airport Zoning Board would have anything to say.

TMAPC Action: 6 members present

On MOTION of HIGGINS, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to recommend to the Board of City Commissioners that the following described property be zoned CO:

3.27.85:1548(6)

Z-6034 (cont'd)

Legal Description:

Lot Four (4), in Section 7, T-18-N, R-14-E, of Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

Application No. Z-6035

Present Zoning: RM-1

Applicant: Hammond

Proposed Zoning: IL

Location: North and East of Rockford & 4th Street

Date of Application: February 14, 1985

Date of Hearing: March 27, 1985 (cont'd from March 20, 1985)

Size of Tract: 2 acres

Presentation to TMAPC by: Casper Jones

Address: 1302 S. Fulton

Phone: 834-4723

Relationship to the Comprehensive Plan:

The District 4 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property Special District — Industrial.

According to the "Matrix Illustrating District Plan Map Categories Relationship to Zoning Districts", the requested IL District may be found in accordance with the Plan Map.

Staff Recommendation:

Site Analysis — The subject tract is approximately 2 acres in size and located at the northeast corner of Rockford Avenue and Fourth Street. It is partially wooded, flat, contains what appears to be two duplex dwellings and two single-family dwellings, along with a parking facility, and is zoned RM-1.

Surrounding Area Analysis — The tract is abutted on the north by mixed residential and commercial activity zoned CH, on the east by single-family dwellings zoned RM-1, and on the west and south by mixed land uses zoned RM-1. Industrial zoning, including IL and IM, has been approved in the area.

Conclusion — This area is currently in transition from residential to industrial and the transition should occur in an orderly manner. Based on the Comprehensive Plan, the Staff can support industrial zoning on the subject tract and feel the request will be in keeping with an orderly transition. The Staff recommends APPROVAL of IL zoning as requested.

Comments and Discussion:

Mr. Jones represented the applicant. He presented a copy of the site and proposed building (Exhibit B-1) and informed that the applicant owns two of the lots on the subject tract. Chairman Kempe asked if the owners of the other properties were part of the application. He informed that the applicant advised him that he had contacted the other property owners and had informed them of what was being planned and there had been no objections to the proposal.

Z-6035 (cont'd)

Commissioner Harris asked if he was correct in understanding that other property owners were involved in the application with the applicant and he was informed that was correct. Mr. Linker advised him this zoning procedure was alright if the applicant has the authorization from the other owners and this proof should be established by a letter, or some other assurance. Mr. Linker informed that the Commission usually did not check into this question, but took the word of the applicant that he had the approval of the owners.

Commissioner Harris informed that he would be more comfortable if Mr. Jones would provide a letter of authority from the adjacent property owners prior to the date this case was heard by the City Commission. Mr. Jones informed that he had advised the applicant that he should have something in writing and he would obtain letters from the owners.

Ms. Wilson asked if the applicant was going to level the other buildings and build one storage building. Mr. Jones informed that the proposed site for the storage building was vacant and the other buildings would remain as they are.

Mr. Gardner informed that if any of the other owners was opposed to the rezoning, that parcel could be deleted from the application.

Interested Party:

Geneieve Thompson

Address: N/A

Ms. Thompson informed that her lot is Block 17, Lot 5 and located east of the two west lots. She informed that she has two houses on the lots which she rents out and was not sure how the zoning would affect her.

Mr. Gardner informed that the rezoning would not affect her current use and advised it would probably increase the value of her property and possibly increase her taxes.

Chairman Kempe advised Ms. Thompson that if the zoning is approved, her property would be zoned IL and she could continue to use it in the present manner until she decided to use it for IL zoning.

Ms. Thompson informed she was not opposed to the rezoning, but she thought she might not be able to continue her present use. Commissioner Harris informed he felt this case should be continued until the applicant contacts the other property owners and provides documentation to the Commission. He also suggested that Ms. Thompson contact the County Assessor's office in regard to the tax question.

Instrument Submitted: Copy of Proposed Site & Building (Exhibit B-1)

3.27.85:1548(8)

Z-6035 (cont'd)

TMAPC Action: 6 members present

On MOTION of WILSON, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of Z-6035 until Wednesday, April 3, 1985, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center, to allow Mr. Jones time to return with written consent of other property owners involved.

Application No. PUD #392

Present Zoning: (CS)

Applicant: Richardson (Union Prop.)

Location: Northwest Corner of 11th Street & 123rd E. Ave.

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Date of Application: February 14, 1985

Date of Hearing: March 27, 1985

Size of Tract: 3.74 acres

Presentation to TMAPC by: Larry Kester

Address: 4960 S. Memorial

Phone: N/A

Staff Recommendation:

The subject tract is located on the north side of East 11th Street South and east of the intersection of East 11th Street and I-44 (Skelly Bypass). This tract has 634 feet of frontage on the north side of East 11th Street, 215 feet on the west side of South 123rd East Avenue, and a net area of 3.74 acres. The west boundary of the tract abuts the east side of the private drive which serves the Lowrance Electronics Facility located to the north and west. The area to the north is presently zoned RS-3 Single-family Residential and one dwelling unit abuts the proposed PUD on a part of its north boundary. East Central High School is directly across East 11th Street. The application is indicating one curb cut at the extreme northeast corner of this tract which is directly abutting the residential area and is not supported by the Staff. A large truck dock and loading area is proposed north of the west building which is referred to as Building "A". Two other buildings are proposed on the east portion of the tract: Building "B-1" -- 14,240 square feet and Building "B-2" -- 6,270 square feet. The applicant is requesting approval for all special exception uses under this PUD. No landscape buffering is addressed in the PUD Text to be placed along the north boundary adjacent to the RS-3 single-family area. A minimum of a 10-foot landscape buffer should be required along the north boundary as a condition of PUD approval. Internal circulation is well-designed and all service drives are of adequate width for two-way circulation. Care should be taken in the design of the west driveway from East 11th Street to avoid conflicts with the present drive to Lowrance Electronics and the final location of this drive should be subject to approval of the Traffic Engineer. The Staff is supportive of this PUD only with the changes, deletions and additions noted above, and the conditions noted in the section which includes revised "Development Standards" as presented below.

PUD #392 (cont'd)

Given these modifications, the Staff finds that PUD #392 is: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of the area; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, the Staff recommends APPROVAL of PUD #392 subject to the following recommended conditions:

- (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):	4.59 acres
(Net):	3.74 acres

	<u>Submitted</u>	<u>Recommended</u>
Permitted Uses:	All uses permitted in a CS District, plus Use Units 15, 17 and 18.	Uses permitted in a CS District by right, plus Use Units 15 and 17, excluding bars, taverns nightclubs, liquor stores, pool halls and video games parlors.

Maximum Building Area:	55,000 sq. ft.	55,000 sq. ft.
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Maximum Floor Area Ratio:	28	28
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Maximum Building Height:	35 ft. and 2 stories*	35 ft. and 2 stories*
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Minimum Building Setbacks:

From Centerline of East 11th Street	100 feet	100 feet
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From Centerline of South 123rd East Avenue	50 feet	50 feet
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From North Boundary	25 feet	35 feet
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From West Boundary	25 feet	25 feet
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Minimum Off-Street Parking:	1-space per 225 sq. ft. for retail; 1-space per 300 sq. ft. for office; and 1-space per 5,000 sq. ft. for warehouse storage.	As required per the Zoning Code for each Use Unit.
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PUD #392 (cont'd)

Signs:	In accordance with the Tulsa Zoning Code, Section 1130.2(b).	In accordance with the Tulsa Zoning Code, Section 1130.2(b).
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Minimum Landscaped Open Space:	None Specified	10%**
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- \* As measured from the mean ground elevation to the peak of the roof.
- \*\* Landscaped open space includes interior landscaping buffers, landscaped yards and plazas, pedestrian areas and park areas, but excludes arterial and other street landscaped areas.
- (3) That the northside of all buildings be given architectural treatment that is generally compatible with other building facades.
- (4) That parking lot lighting, and in particular all lighting on the northside of the project, be constructed so as to direct light downward and away from abutting residential areas.
- (5) That trash and utility areas be screened from public view and not be allowed to be located adjacent to the boundary upon which an abutting single-family residence exists or could be built.
- (6) That a Detail Landscape Plan shall be submitted to, and approved by, the TMAPC prior to granting an Occupancy Permit, and that a 6-foot screening fence be provided along the north boundary, plus a 10-foot landscape buffer. The landscaping may be located on the applicant's property or abutting RS property.
- (7) That a Sign Plan be submitted to, and approved by, the TMAPC prior to granting of an Occupancy Permit.
- (8) That the extreme northern drive proposed to be located on South 123rd East Avenue be eliminated and that only the southern driveway location on 123rd Avenue be allowed as shown on the Outline Development Plan.
- (9) 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.

PUD #392 (cont'd)

Applicant Comments:

Mr. Kester informed that he was generally in concurrence with the Staff Recommendations and noted that this property would reserve the right, in the platting process, that would allow splitting of the lots and advised that the maximum floor area ratio (28) pertains to the land area. He also advised that he would like to include the overall area in determining the 10% recommended open space landscape area. He presented a letter from Lowrance Electronics (Exhibit C-1) which requested that a landscape buffer or fence not be erected on its common boundary with the subject property and informed that he was agreeable to the 35' setback on the north boundary and was in agreement with Lowrance Electronics in regard to the barrier.

Other Comments and Discussion:

Mr. Gardner informed that since the application did not specify a specific amount of landscape open area, Staff would prefer to wait until the subject property is platted and advised that the intent was for 10% on an overall basis.

Instrument Submitted: Letter from Lowrance Electronics, Inc. (Exhibit C-1)

TMAPC Action: 6 members present

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **APPROVE PUD #392**, as recommended by Staff, subject to the following amended conditions: mutual roads would be permitted, provided there are mutual curb cuts; the maximum floor area ratio is 28 as compared to the total land area; the 10% minimum landscaped open space would be 10% overall; "except on the property line abutting Lowrance properties" would be added to the end of sentence "...plus a 10-foot landscape buffer." in note (6) and "the west drive location on E. 11th Street be subject to approval by the Traffic Engineer" be added to the end of item (8).

Legal Description:

Lot Thirty-four (34), PLAINVIEW HEIGHTS, and Lot One (1), Block One (1), EAST CENTRAL BUSINESS AREA, to the City of Tulsa, Tulsa County, State of Oklahoma.

OTHER BUSINESS:

PUD #285 (Turner and Assoc.) 68th & Canton

Staff Recommendation — Detail Site Plan Review

Staff advised that a one-week continuance to April 3 was recommended because some changes had been made to the original Site Plan and the abutting property owners had not received the required notification.

PUD #285 (cont'd)

TMAPC Action: 6 Members Present

On MOTION of WILSON, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of PUD #285, Detailed Site Plan Review, until Wednesday, April 3, 1985, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

PUD #285-1 (Turner and Assoc.) 68th & Canton Lot 4, Block 1, Canyon Creek

Staff Recommendation -- Minor Amendment to Allow an 18' Setback from the East Property Line

Staff informed that the applicant was requesting approval for an 18' setback as opposed to the 50' setback originally approved by the TMAPC for the subject lot. Staff advised that the abutting property owners had not received the required notification and recommended a one-week continuance to April 3.

TMAPC Action: 6 Members Present

On MOTION of WILSON, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **CONTINUE** consideration of PUD #285-1, Minor Amendment, until Wednesday, April 3, 1985, 1:30 p.m., in the City Commission Room, City Hall, Tulsa Civic Center.

PUD #339 The Sheridan Galleria NE/c of S. Sheridan and E. 101st St. South

Staff Recommendation -- Detail Landscape Plan Review:

The subject tract is located at the northeast corner of East 101st Street South and Sheridan Road. It is the site of a proposed multifamily housing development for the elderly. The requirements of the PUD related to the Detail Landscape Plan are as follows:

- (1) That a 6-foot solid wood fence shall be constructed and/or maintained along the north and east boundaries;
- (2) That a landscaped area containing a decorative fence and/or berming shall be constructed and maintained along the west and south boundaries;
- (3) That a screening fence with pedestrian access shall be constructed and maintained between Development Areas "A" and "B"; and

- (4) That a Detail Landscape Plan, by phase, shall be submitted to, and approved by, the TMAPC prior to occupancy, including a significantly landscaped buffer area of not less than 10 feet in width along the north and east boundary lines of "A" and not less than 5 feet in width along the street frontage (south and west) to reduce the effect of the parking lots and increased height of structures.

The site is divided into Development Areas "A" and "B", as indicated above, with decorative Ponds A and B in Area "A" and Pond C in Area "B". Detail Landscape Plans have been submitted showing the required detail of landscape materials and locations, and the previously approved Detail Site Plan indicates that the required landscape buffers have been provided for. Each sheet of the Detail Landscape Plans includes a schedule of plant materials, numbers and sizes.

Therefore, Staff recommends APPROVAL of the Detail Landscape Plan, subject to the submitted plans, PUD conditions and previously approved Detail Site Plan for PUD #339.

Comments and Discussion:

Larry Kester, architect, represented the applicant.

Ms. Wilson asked if a residential fence (item (3) of the Staff Recommendation) was already in existence. Mr. Frank informed that he was not sure, but advised that some developments about a residential area and the fencing requirement was meant to clarify that the commercial property owners would build a fence if one was not in place and would maintain the fence even if one was already in place.

Commissioner Harris asked why item (1) was stated as "and/or" and he was informed that if a fence was in place the applicant would have to maintain it and if there was no fence, the applicant would have to construct one.

TMAPC Action: 6 members present

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Carnes, Harris, Higgins, Kempe, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Connery, Draughon, Paddock, VanFossen, Young, "absent") to **APPROVE** the Detail Landscape Plan on PUD #339 as recommended by Staff.

There being no further business, Chairman Kempe declared the meeting adjourned at 2:43 p.m.

Date Approved April 10, 1985

Cherry Kempe  
Chairman

ATTEST:

R. B. Passow  
Secretary

3.27.85:1548(15)

