

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2160

Wednesday, May 27, 1998, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Carnes	Dunlap	Romig, Legal
Gray	Harmon	Huntsinger	Counsel
Horner	Jackson	Matthews	
Ledford		Stump	
Midget			
Pace			
Selph			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, May 26, 1998 at 1:30 p.m., posted in the Office of the City Clerk on Friday, May 22, 1998 at 11:07 a.m., as well as in the office of the County Clerk at 11:04 a.m.

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

Minutes:

Approval of the minutes of May 13, 1998 Meeting No. 2158:

On **MOTION** of **HORNER** the TMAPC voted **6-0-0** (Boyle, Gray, Horner, Ledford, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson, Midget, Selph "absent") to **APPROVE** the minutes of the meeting of May 13, 1998 Meeting No. 2158.

Reports:

Chairman's Report:

Mr. Boyle stated he will take note of the letter dated May 26, 1998 from Danny R. Mitchell, Architect, requesting that Z-6174-SP-4 be stricken from the agenda.

Committee Reports:

Special Residential Facilities Task Force

Mr. Westervelt stated there will be a meeting Thursday, May 28, 1998 at 3:30 p.m. in Room 1101, City Hall. He reported that the Task Force had a good session last week and is now trying to identify means to solve the long list of problems submitted.

Director's Report:

Mr. Stump stated there is one PUD item on the City Council Agenda for Thursday, May 28, 1998 at 6:00 p.m. Mr. Boyle indicated that Mr. Horner will be representing the Planning Commission at the City Council meeting.

Mr. Selph in at 1:35 p.m.

TMAPC Comments:

Mr. Boyle stated the following cases need to be continued:

CZ-243 – David Vines

Southeast corner East 116th Street North and North Mingo (97th East Avenue)

AG to IL

(PD-15) (CD-0)

Staff Recommendation:

Due to an incorrect notice this item should be continued to June 17, 1998.

Interested Parties:

Mr. Robert Bellemare, 9225 East 116th East Avenue, stated he did not have a problem with the continuance.

TMAPC Action; 7 members present:

On **MOTION** of **PACE** the TMAPC voted **7-0-0** (Boyle, Gray, Horner, Ledford, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson, Midget "absent") to **CONTINUE** CZ-243 to June 17, 1998.

CZ-244 – Stephen Gray

South and east of southeast corner East 101st Street and South Garnett (City of Broken Arrow has requested a continuance to June 3, 1998 in order to review and submit a recommendation.)

RE to AG

(PD-19) (CD-0)

Applicant's Presentation:

Mr. Stephen Gray, 4530 South Sheridan Road, Suite 205, Tulsa, Oklahoma, 74145, representing Dr. Dan Danner. He stated he objects to the continuance because Dr. Danner has had to rearrange his schedule in order to be present for the meeting. This

is a down-zoning request from RE to AG, which is about 3 ½ acres to four acres in a flood-zone sensitive area. He stated that Broken Arrow's Comprehensive Plan calls for the subject property to be flood sensitive. He commented he does not see the need for a continuance at this point.

Mr. Gray stated he tried to contact Mr. Farhad Daroga but had not been successful. He concluded that he objects to the continuance.

Interested Parties:

Roy Haclatt, 3805 South Aster Avenue, stated he had no problem with the continuance.

Tim and Jane Davis, 3812 South Aster Avenue, stated they had no problem with the continuance.

Dr. Dan Danner, 10339 South 119th East Avenue, stated he closed his office today and it is a hardship for him to close the office at a later date. He explained that he is a sole-practitioner and will have to close his office again if continued.

Farhad Daroga, City of Broken Arrow City Planner, 220 South 1st Place, Broken Arrow, Oklahoma 74012, stated the Broken Arrow Planning Commission has received the referral application and the regular meeting is scheduled May 28, 1998 at 6:00 p.m. He explained that he will be presenting this application to the Broken Arrow Planning Commission in order to review and give a recommendation to the TMAPC.

Mr. Daroga stated the Broken Arrow Planning Commission normally meets on the fourth Thursday of each month.

TMAPC Comments:

Mr. Selph asked Mr. Daroga when he received the referral request. Mr. Daroga stated he received the referral after their April meeting.

Applicant's Rebuttal:

Mr. Gray stated the subject area is not planned to be annexed into the City of Broken Arrow. He indicated that his client has a meeting Thursday evening, May 28, with Cinnabar, which is a real estate acquisition service. He stated that his client's meeting is regarding the subject property with regard to the Broken Arrow Turnpike. He commented that this is a conflict for his client having to be in two places at one time.

TMAPC Comments:

Mr. Boyle asked Mr. Gray when he received notice that the City of Broken Arrow wanted to continue this case. In response, Mr. Gray stated he believed it was one week prior to today's meeting.

Mr. Boyle stated he assumed that Mr. Gray would have informed his client of the request for a continuance. In response, Mr. Gary stated when he received the notice that Broken Arrow would be objecting, which was sometime in the middle of the prior week, he advised his client and tried to contact Mr. Daroga.

Mr. Westervelt stated that it has always been the TMAPC's practice to allow for the timely-requested continuance.

TMAPC Action; 7 members present:

On **MOTION of WESTERVELT** the TMAPC voted **7-0-0** (Boyle, Gray, Horner, Ledford, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to **CONTINUE** CZ-244 to June 3, 1998 at 1:30 p.m.

Mr. Midget in at 1:45 p.m.

Continued Zoning Public Hearings/Special Requests:

PUD-306-13 – Michael Dodson

(PD-18) (CD-8)

East of northeast corner 101st Street and South Delaware
(Minor Amendment for an oil and lube service)

Staff Recommendation:

The applicant is requesting Minor Amendment approval to permit the splitting of a portion of Lot 2 into a 125-foot by 220-foot lot to permit the development of an oil and lube facility (Use Unit 14). No Detail Site Plan was submitted with the request but the owner of Development Area J, in a separate agenda item, is requesting site plan review which includes this area.

Staff has reviewed the request and finds that the west 112 feet of the proposed 125 feet of frontage on East 101st Street is designated as "limits of no access" on the approved plat (LNA) and is recognized in the overall site plan for Development Area J. Staff also finds that while no mutual access drives are designated on the plat, the site plan indicates an internal system of drives with mutual access along the entire East 101st Street frontage.

Based on the information submitted and the approved plat for River Creek Village, staff finds that the access points and mutual access drives would be adequate to allow the use of the 125-foot by 220-foot parcel.

Staff believes the proposed lot-split will not alter the character or intent of the PUD and recommends **APPROVAL** of the Minor Amendment subject to the following conditions:

1. Approval of the Detail Site Plan for Development Area J. This approval will not include Detail Site Plan approval for the use of the 125-foot by 220-foot parcel but recognizes the access and mutual access requirements of the parcel affected by the current request (conditions of Site Plan approval recommended by staff included the provision of an amendment to the plat dedicating a mutual access drive for all frontages within Area J abutting East 101st Street South).
2. Approval by the Board of Adjustment allowing a Variance from the requirements of Section 703 of the Zoning Code requiring a minimum frontage on an arterial street in a CS District of 150 feet.
3. Approval of a Detail Site and Landscape Plan by TMAPC of the smaller parcel if conditions 1 and 2 above can be met.

NOTE: Minor Amendment approval does not constitute Detail Site Plan approval.

AND

PUD-306 – Greg Ward

(PD-18-B) (CD-2)

Northeast corner of East 101st Street South and South Delaware Avenue (Detail Site Plan for 32,210 SF of retail and office uses).

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for 32,210 square feet of retail and office uses within five one-story buildings on 3.48 acres which comprises Lot 2 of Development Area J. Building 4, in the southwestern portion of the parcel, represents a proposed automobile lubrication use related to a proposed lot-split and Minor Amendment (PUD-306-13) being reviewed as a separate agenda item.

Staff has reviewed the request and finds the site plan conforms to both the plat and PUD standards relating to allowed uses, maximum floor area, building setback, parking, and total landscaped area. Staff notes that the two access drives shown conform to the limits of no access (LNA) designated on the plat. The plat does not, however, designate a mutual access easement within Lot 2. The site plan proposes that all internal office and retail uses, including the portion of Lot 2 proposed to be split, will have access within an internal system of drives.

Based on the information submitted and the approved plat for River Creek Village, staff finds proposed site plan will maintain the intent and character of PUD 306, Area J as approved.

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

1. Mutual access by separate instrument amending the plat which provides internal access and circulation between all uses within Lot 2 or parcels split from Lot 2 with no changes in the LNA.
2. If the 125-foot by 220-foot lot receives both TMAPC Minor Amendment and Board of Adjustment approval of a Lot-Split and Detail Site and Landscape Plans will be required before a building permit can be issued.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

The applicant, Michael Dodson, was present and agreed with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to recommend **APPROVAL** of the Minor Amendment and the Detail Site Plan subject to conditions as recommended by staff.

Legal Description for PUD-306-13:

Lot 1, Block 1, River Creek Village, an addition to the City of Tulsa, Tulsa County, Oklahoma.

PUD-589 – Roy Johnsen

West of northwest corner East 41st Street South and South Lewis Avenue.

RS-1 to RS-1/PUD

(PD-6) (CD-9)

Staff Recommendation:

The project site consists of 2.9 acres of land located on the north side of East 41st Street approximately 1500 feet west of South Lewis Avenue. The site presently contains two residences. Surrounding properties consist of residential neighborhoods of varying density. To the west there is one residence located on a 2.5 acre tract, to the east is a gated residential subdivision known as Yorktown Estates, and to the north are residences deriving their access northwardly from 39th Street.

The development concept is to retain the easternmost residence and create 6 additional lots within a gated private street subdivision.

The proposed residential use and density are permitted by the existing underlying RS-1 zoning and no change is proposed.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD-589 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (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 PUD-589 subject to the following conditions:

The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

1. Development Standards:

Land Area

Net Area: 2.9 acres

Permitted Uses: Detached single-family residences

Maximum Number of Dwelling Units:: 7

Minimum Width of Private Street Right-of-way ~~30~~ 28 FT

Minimum Yards

New Construction:

From Private Street Right-of-way 20 FT*
Side** 10 FT
Rear** 25 FT
From centerline of 41st Street 80 FT

Existing Residence (Lot 7)

From Private Street 10 FT
From South lot line 20 FT
From East lot line 10 FT

Existing Garage (Lot 7)

From west lot line 5 FT

Other Bulk and Area Requirements

As provided within an RS-1 District

*Garages fronting the private street shall be set back 25 FT.

**In addition all new construction shall be at least 25 feet from the boundary of the PUD.

3. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
4. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas within the PUD.
5. All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness that meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
6. No Building Permit shall be issued until the requirements of Section 1170F 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 and making the City beneficiary to said Covenants.
7. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
8. Entry gates or guard gates, if proposed, must receive Detail Site Plan approval from TMAPC prior to issuance of a building permit.
9. Approval of the PUD is not an endorsement of the layout. This will be done during the subdivision platting process procedures.

Applicant's Presentation:

Mr. Roy Johnsen, 201 West 5th, Suite 440, Tulsa, Oklahoma 74103, stated the development is single-family with private streets and gated entry. He explained that there is a private street that begins at more than 30' in width, the reserve area to be conveyed to the Homeowner's Association, and then tapers down to 28' in width. He commented the staff has recommended 30' in width for the street right-of-way and paving width of 26'. He requested a 28' width for the street right-of-way and 26' of paving width. This will help the arrangements of the lots in the subject development.

Mr. Johnsen stated that the subdivision to the immediate east, which is Yorktown Estates, has a right-of-way width of 24' and the paving width is 24'.

TMAPC Comments:

Mr. Boyle stated that the only thing that would change is the minimum width of private street right-of-way, because it already provides for the 26' of roadway.

Mr. Johnsen stated that there is an interested party and he has consulted with two attorneys representing the Yorktown Estates and the residences to the north. He explained that the issues and concerns are not with the land use plan but drainage. The property slopes from Lewis to the north and there have been some difficulties in the past with surface drainage. He indicated that he has informed the adjoining property owners that under the PUD process there will be a close scrutiny of the drainage and the impact on downstream properties. In anticipation of the this process, he has preliminarily identified an area for detention located at the northernmost part of the development. The runoff increase by this development will be detained in accordance with City of Tulsa standards. He explained that there is an existing underground storm sewer main and the new detention area will be piped to the existing drain.

Ms. Pace asked Mr. Johnsen where the stacking space will be for the gated community. In response, Mr. Johnsen stated the gate is a substantial distance back from the 41st Street right-of-way, which will accommodate four cars.

Interested Parties:

Ms. Yeats, 4012 South Wheeling, Tulsa, Oklahoma 74105, stated she is not in opposition to the development; however, she has concerns with drainage issues. She explained that the subject development has a 42' drop from south to north. She stated she is below the subject development and would like some assurance that her property will not receive the runoff.

TMAPC Comments:

Mr. Westervelt explained that the Planning Commission does not deal with drainage issues because it is a Public Works issue. He stated the Planning Commission can pass the drainage concerns to Public Works.

Mr. Westervelt asked staff if there was a problem with the modification of 28' width right-of-way. In response, Mr. Stump stated staff has tried to establish that 30' width as the minimum right-of-way for private street systems and stay consistent.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to recommend **APPROVAL** of the PUD-589 as recommended by staff and modified at the Public Hearing. (Language deleted is shown as strikeout type, language added or substituted is underline type.)

Legal Description for PUD-589:

A tract of land that is part of Lot 8 and 9 of Royal Oak Heights, an Addition to the City of Tulsa, Tulsa County, Oklahoma, and also part of the existing right-of-way of East 41st

Street South adjacent to said Lot 8 and 9, being more particularly described as follows, to-wit: Beginning at a point on the Southerly line of Section 19, T-19-N, R-13-E of the IBM, said point being on the Southerly extension of the Easterly line of said Lot 8; thence N 89°20'38" W along said Southerly line for 300.00' to a point that is 30.00' Easterly of the Southerly extension of the Westerly line of said Lot 9; thence due North and parallel with the Westerly line of Lot 9 for 520.00'; thence S 89°20'38" E and parallel with the Southerly line of said Section 19 for 150.00' to a point that is 15.00' Easterly of the Westerly line of said Lot 8; thence due South and parallel with said Westerly line for 95.00'; thence S 89°20'38" E and parallel with the Southerly line of Section 19 for 150.00' to a point on the Easterly line of Lot 8; thence due South along said Easterly line and the Southerly extension thereof for 425.00' to the Point of Beginning of said tract of land.

Zoning Public Hearings:

Z-6638 – C. Bales/R. Springer

West of northwest corner East Apache and North Yale

**RS-3 to IH
(PD-3) (CD-3)**

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 2 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – Industrial – Special District.

According to the Zoning Matrix the requested IH zoning **is not** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The three separate tracts total approximately 12 acres and are located west of the northwest corner of East Apache Street and North Toledo Avenue. The two smaller tracts to the east are flat, non-wooded, contain a single-family dwelling, a bait shop and are used for storage of fireworks stands, and are zoned RS-3. The western ten-acre tract is gently sloping, partially wooded, contains a single-family dwelling, and is zoned RS-3.

Surrounding Area Analysis: The large tract to the west is abutted on the north by vacant land, zoned IL; to the west by vacant property, zoned RS-3; to the south by single-family dwellings, zoned RM-1; to the northeast by an industrial business, zoned IL; to the east by vacant land zoned IL; and to the southeast by a trucking business, zoned CH. The smaller tracts fronting East 26th Place North are abutted on the north by vacant property, recently rezoned from RS-3 to IL; to the west by the vacant land; of the western tract and zoned RS-3; to the south by vacant land, zoned RS-3 and to the

east by a tavern/restaurant and single-family dwelling and non-conforming salvage yard, zoned CH and RS-3.

Zoning and BOA Historical Summary: A 4.5-acre tract located abutting a part of the subject tract was rezoned from RS-3 to IL in January 1998 but up to that point the only rezoning in this area was in 1984 when a .75 acre tract, located north of the subject tract, was approved for IL zoning and has been developed for manufacturing.

Conclusion: This area is in a transition to industrial uses. The Comprehensive Plan does not support IH zoning for this tract but would support IL zoning. Therefore, staff recommends **DENIAL** of IH zoning and **APPROVAL** of IL zoning in the alternative.

TMAPC Comments:

Ms. Pace asked staff if the recommendation is for the large tract and the three smaller tracts to be rezoned to IL. In response, Mr. Dunlap answered affirmatively.

Applicant's Presentation:

Roy Springer, 4221 East Apache, stated that IL zoning would be acceptable.

Interested Parties:

Jan Knox, 4221 ½ East Apache, stated the larger tract of land belongs to her mother and she does not wish for it to be rezoned. She explained that she would like the larger tract to remain residential.

Rose Morris, 4307 East Apache, stated she opposes the request for IH zoning. In response to Mr. Boyle, Ms. Morris stated she opposes the IL zoning as well. She explained that the IL zoning would create an eyesore. She indicated that her property is the 8th and 9th lots.

Applicant's Rebuttal:

Mr. Springer, stated his wife owns the larger tract and Ms. Knox is her daughter. He commented that Ms. Knox does not own the subject property.

TMAPC Comments:

Mr. Boyle stated that if the applicant is not the property owner then there could be a problem. In response to Mr. Boyle, Mr. Stump stated that if the owner of the subject property does not consent to the rezoning then the owner needs to write the Planning Commission a letter stating so and it will be withdrawn from the request. He explained that the Zoning Ordinance states that to be have qualified applicant one must be the property owner or an agent of the owner.

Mr. Boyle stated that there are two parties present giving conflicting requests from the property owner. He commented that the Planning Commission needs to hear from the property owner with regard to her desire to rezone or not to rezone the subject property. Mr. Boyle suggested that it appears that it would be appropriate to continue this request

for one week and ask staff to find out if the owner does or does not want to rezone the subject property.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to **CONTINUE** Z-6638 to June 3, 1998 to enable staff to contact the property owner.

Further TMAPC Comments:

Mr. Boyle commented that the applicants and the interested parties should meet and decide if the property owner wishes to rezone the subject property.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER** the TMAPC voted **6-2-0** (Boyle, Gray, Horner, Pace, Selph, Westervelt "aye"; Midget, Ledford "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to **RECONSIDER MOTION** for Z-6638.

Applicant's Presentation:

Mr. Bales, 1513 North Vandalia, stated he cannot be present for the hearing on June 3, 1998 because he is scheduled for surgery. He explained that he will be unable to attend the meeting for approximately six weeks.

TMAPC Comments:

Mr. Boyle commented that the Planning Commission has already heard Mr. Bales' positions on this case and it may not be necessary for him to be present on June 3. In response, Mr. Romig stated that staff has recommended IL zoning and Mr. Bales has agreed to staff's recommendation. Mr. Bales' section would be non-controversial and there would be no need for him to attend the June 3 meeting.

Mr. Boyle informed Mr. Bales that the Planning Commission will make note of his position and he will not need to be present on June 3. If there is some reason the IL cannot be granted for Mr. Bales property than the Planning Commission will continue their decision until he can be present.

Mr. Bales asked if staff would mail the results of the June 3 meeting to his home. In response, staff indicated that the results of June 3rd's meeting will be mailed to him if he is unable to attend.

TMAPC Action; 8 members present:

On **MOTION** of **PACE** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to **CONTINUE** case Z-6638 to June 3, 1998 at 1:30 p.m.

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CZ-242 – Eric Sanchez

RS to AG

Northeast corner 41st West Avenue and West 41st Street South

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 9 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Low Intensity – Residential.

According to the Zoning Matrix the requested AG zoning **is** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 7.85 acres in size and is located on the northeast corner of South 41st West Avenue and West 41st Street South. It is steeply sloping, heavily wooded, vacant, and zoned RS in the County.

Surrounding Area Analysis: The subject tract is abutted on the north by vacant land, zoned AG; to the east by a public park, zoned AG in the City Limits of Tulsa; to the south by single-family dwellings, zoned RS-3 also within Tulsa City Limits; and to the west by vacant property and one single-family home, zoned AG.

Zoning and BOA Historical Summary: The Board of Adjustment denied a request for a residential treatment center on the subject tract in 1996 based on the residential development and the potential for flooding in the area. In 1995 a special exception was approved for a public park on the tract abutting the subject tract to the east.

Conclusion: The Comprehensive Plan supports the request for AG zoning and based on the existing zoning and development in this area, staff recommends **APPROVAL** of AG zoning for CZ-242.

Applicant's Presentation:

Eric Sanchez, 4808 South Elwood Avenue, #667, stated that the subject property abuts an AG-zoned park. He indicated the subject property will have only one single-family dwelling. He explained that he requested the AG zoning so that he could have ducks on the proposed ponds.

Interested Parties:

William R. Lason, 4017 West 41st Place, Tulsa, OK 74107, stated that the backside of the subject property slopes upward toward a hill, which funnels runoff water onto surrounding properties. He indicated that there are ten people protesting this application and requested the property remain RS-3, single-family residential.

TMAPC Comments:

Commissioner Selph asked staff if the subject property remained RS-3 how many dwellings the applicant could build. In response, Mr. Stump stated approximately five units per acre with a PUD or three units per acre without a PUD. With 7.85 acres, he could have 35 units under the current zoning; however, with AG zoning he would have to have two-acre lots and that would limit it to three units. He commented that there are fewer dwellings that could be allowed under the AG zoning than the RS-3 zoning, which the subject property currently has.

Commissioner Selph asked Mr. Lasson if he understands that the AG zoning will be more restrictive and the applicant could build fewer houses. In response, Mr. Lasson stated he preferred the subject property remained as it is currently.

Commissioner Selph stated that if the subject property remains RS-3 then the applicant could build 35 different residence. This would create a greater drainage problem than if the subject property were zoned AG.

Mr. Boyle explained to Mr. Lasson that under the current zoning the subject property has a much more significant chance of a flooding problem than if it is zoned AG. He stated that if the Planning Commission changes the zoning to AG then it would remain closer to how it currently exists than leaving it RS-3. In response, Mr. Lasson stated that there is a chance that the applicant could put in breeder houses, hogs, etc.

Interested Parties:

Todd Ballard, 4109 South 41st, Tulsa, Oklahoma, stated if the applicant is wanting to keep the subject property as it currently exists, except that he wants a duck, why he can't keep it zoned RS-3.

Mr. Boyle informed Mr. Ballard that the applicant cannot have ducks on a residentially-zoned property without a special exception.

Mr. Ballard asked if the applicant wants one duck or fifteen. In response, Mr. Boyle asked staff to answer the question on how many ducks are permitted.

Mr. Stump stated that farm animals are not considered customary pets in a residential district. In response, Mr. Boyle stated that in order to have any ducks, the applicant would have to have an AG zoning. Mr. Stump agreed with Mr. Boyles' statement.

Mr. Boyle stated that the point of the application is that the applicant wants AG zoning for a particular purpose. The applicant would like to have ducks for his pond and with the subject property being zoned RS-3, he cannot do so. Mr. Stump informed the Planning Commission that the applicant cannot have ducks in a residentially-zoned district and he cannot request a special exception in order to have ducks in an RS district.

Judy Taylor, 4112 South 41st West Avenue, Tulsa, Oklahoma 74107, stated she lives across the street and down from the subject property. She expressed concerns with the type of sewer the proposed dwelling will be using. She explained that the neighborhood already has a problem with a septic tank that is overflowing from the dog kennel that is abutting the subject property.

Ms. Taylor expressed the same concerns as previous speakers in regard to water drainage, topography of the property and the number of animals that will be allowed on the subject property.

Mr. Boyle asked Ms. Taylor if she understands the previous discussion regarding RS-3 versus AG zoning. Ms. Taylor stated she would object to any new homes being built on the subject property.

Mr. Boyle explained that if the property remained zoned RS-3 then the owner could build 35 houses. He wouldn't have to come before the Planning Commission.

In response to Ms. Taylor, Mr. Boyle explained that the Planning Commission is a recommending body and the final decision comes from the County Commission. He stated interested parties have the right to appear before the County Commission and express their concerns. If the interested parties disagree with the County Commission action then they have the right to appeal before District Court.

Applicant's Rebuttal:

Mr. Sanchez stated he will be on a septic system because the City sewer has no access. He explained that the City informed him that the property lies too low for sewage to come under and into the sewer line that is located on the south side of West 41st Street.

Mr. Boyle asked staff about the process Mr. Sanchez will have to go through to be approved for a septic system. In response, Commissioner Selph stated he will have to be approved by the Health Department and a perc test will have to be performed.

Mr. Sanchez stated has already been approved for a septic system by the Health Department.

Mr. Sanchez presented a drawing indicating two ponds and one single-family dwelling that he is proposing. He explained that the ponds will decrease immediate water runoff from the top of the hill.

Mr. Midget commented the ponds would serve as a detention facility for the water runoff.

Mr. Sanchez stated the proposed dwelling would be approximately one block away from the street.

Mr. Midget asked Mr. Sanchez if he had any intention to raising poultry. In response, Mr. Sanchez stated he is only interested in having a few ducks for his ponds.

Commissioner Selph asked staff if there are any restrictions in an AG district for the number of horses, cows, etc., per acreage. In response, Mr. Stump stated that there is no restriction. He explained that it is usually whatever the area will support.

Ms. Pace asked the applicant if he own the property at 4001. In response, Mr. Sanchez stated he did not own the property at 4001, but he does own the property surrounding that particular property. He explained that the owners of the 4001 property have been granted a right-of-way.

In response to Mr. Ledford, Mr. Sanchez stated he has already met with the County Inspector.

Mr. Midget recognized Mr. Lasson.

Interested Parties:

Mr. Lasson expressed concerns with the two ponds being on the subject property. He questioned the safety of the dams around the ponds and possible flooding.

Mr. Westervelt asked staff if the applicant could build ponds if the subject property remained RS-3. Mr. Stump stated the applicant could have the ponds and zoning is not a factor. The issue is that Mr. Sanchez wants to have ducks for his ponds and he cannot have ducks in an RS-3 district;, therefore he requested AG zoning.

Mr. Boyle asked Mr. Lasson if he understands that the applicant could build ponds if the property remained RS-3. In response, Mr. Lasson asked if the applicant would be liable if the dams should break and cause damage. Mr. Boyle responded that the issue of the dams does not relate to zoning.

Commissioner Selph stated he is sympathetic to the interested parties' concerns. There have been some problems with people in the subject area having too many farm animals on their property when they should not. He commented that he believes that this is the concern of the interested parties. He concluded that it is important that the interested parties remember that when the subject property is zoned RS the applicant could build many houses on septic systems. The flooding problems would be far greater under the existing zoning than the down-zoning to AG.

Mr. Westervelt requested the interested parties to forgive the Planning Commission for their levity today; it is not the item or problem, but the frustration when dealing with the system. The cases appear routine and then at the meeting they turn into complex issues.

TMAPC Action; 8 members present:

On **MOTION** of **GRAY** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt “aye”; no “nays”; none “abstaining”; Carnes, Harmon, Jackson “absent”) to recommend **APPROVAL** of AG zoning for CZ-242 as recommended by staff.

Legal Description for CZ-242:

W/2, W/2, SW/4, SE/4, Section 21, T-19-N, R-12-E; less a tract beginning 30' W and 50' N of Southeast corner of W/2, W/2, SW/4, SE/4; thence W 75'; thence N 150'; thence E 75'; thence S 150' to POB; and less a tract beginning at the Southwest corner of the SE/4; thence N 360'; thence E 150'; thence S 360'; thence W 150' to POB, Tulsa County, State of Oklahoma.

Commissioner Selph out at 2:45 p.m.

Z-6639 – Greg Weisz

South and southeast corner East 101st Street South and South Yale Avenue

AG to RS-2
(PD-26) (CD-8)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 26 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 2.

According to the Zoning Matrix the requested RS-2 zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 2.5 acres in size and is located north of the northeast corner of East 105th Street South and South Yale Avenue. The property is flat, non-wooded, contains a single-family dwelling, and is zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north by single-family dwellings, zoned AG; to the east by single-family dwellings, zoned RS-2/PUD-440; to the south by single-family dwellings, zoned RS-1; and to the west across Yale Avenue, by single-family homes, zoned RS-2.

Zoning and BOA Historical Summary: Past zoning actions in this area have established RS-1 and RS-2 and Planned Unit Developments for low intensity residential developments.

Conclusion: The Comprehensive Plan states that this is a portion of the plateau area, which has been defined as a sump area by the city hydrologist. The Comprehensive Plan also recommends that the uses allowed in Special District 2 be limited to low intensity residential uses. The staff recommends **APPROVAL** of RS-2 zoning if the accompanying PUD is approved and if the design of RS-2 development has provided adequate on-site drainage and detention of stormwater runoff.

AND

PUD-590 – Greg Weisz

South of southeast corner East 101st Street South and South Yale Avenue

AG to RS-2/PUD
(PD-26) (CD-8)

Staff Recommendation:

The PUD proposes 14 single-family dwellings on 4.109 gross acres located approximately 250’ north of the intersection of East 105th Street South and Yale Avenue, having 259.17’ of total road frontage on the east side of Yale Avenue. The proposed development would have a single private roadway providing access from Yale Avenue. Related zoning case Z-6639 is requesting a change to RS-2.

The subject property is abutted on the north by single-family dwellings, zoned AG; to the east by single-family dwellings, zoned RS-2/PUD-440; to the south by single-family dwellings, zoned RS-1; and to the west across Yale Avenue, by single-family homes, zoned RS-2.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, Staff finds PUD-590 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (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 PUD-590 subject to the following conditions:

- 1. The applicant’s Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. Development Standards:

Land Area (Gross)	4.109 acres
(Net)	3.811 acres

Permitted Uses: Detached single-family residences

Maximum Number of Dwelling Units: 14

Minimum Lot Area:	9,000 SF
Minimum Lot Width:	80 Ft
Minimum Rear Yard:	20 Ft
Minimum Yard from Private Street Right-of-way:	25 Ft
Minimum Number of Enclosed Off-Street Parking Spaces	2 per lot
Other Bulk and Area Requirement:	As provided within an RS-2 District
Minimum Private Street Right-of-way Width	30 FT

3. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the zoning officer that all required stormwater drainage structures and detention areas have been installed in accordance with the approved plans prior to issuance of an occupancy permit.
4. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any stormwater detention areas within the PUD.
5. All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meet the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
6. No Building Permit shall be issued until the requirements of Section 1170F 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 and making the City beneficiary to said Covenants.
7. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
8. Entry gates or guard gates, if proposed, must receive Detail Site Plan approval from TMAPC prior to issuance of a building permit.
9. Approval of the PUD is not an endorsement of the layout. This will be done during the subdivision platting process.

TMAPC Comments:

Mr. Westervelt asked staff if the phrase "if the stormwater issues are addressed" is always in the staff recommendation for PUDs. He commented that it leads the applicant to believe that the Planning Commission has control over the stormwater issues. In response, Mr. Stump stated this is a reflection of the original policies established by the Planning Commission back in the 1970 for the sump area, which has significant drainage problems. The plan calls for that assurance to be made when a rezoning is done and a PUD is required. The Planning Commission felt that a PUD would do a better job of assuring that drainage is handled. It is probably a moot point now that the City of Tulsa has better stormwater regulations.

Applicant's Presentation:

Mr. Jeff Levinson, 35 East 18th Street, was present and agrees with staff's recommendation. He commented that one interested party was in the audience; however she had to leave. He explained that the interested party came for informational purposes. He concluded that he will be meeting Thursday with Mr. Coutant, who represents the home owners association.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET** the TMAPC voted **7-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, , Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson, Selph "absent") to recommend **APPROVAL** of RS-2 zoning for Z-6639 and PUD-590; subject to the conditions as recommended by staff.

Legal Description for Z-6639/PUD-590:

A tract of land that is part of the SW/4, NW/4, Section 27, T-18-N, R-13-E of the IBM, City of Tulsa, Tulsa County, State of Oklahoma, said tract of land is described as follows: beginning at a point on the West line of said SW/4, NW/4, said point being 660.66' North of the Southwest corner thereof; thence continuing due North along said West line for 165.17'; thence N 89°49'38" E for 662.78' to a point on the Westerly line of Wexford, an Addition to the City of Tulsa, Oklahoma, according to recorded Plat thereof; thence S 00°00'23" E along said Westerly line for 165.17' to a point that is the Southwest corner of Lot 14, Block 3, Wexford, said point also being on the Northerly line of Country Gentlemen Estates Addition, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof; thence S 89°49'38" W along said Northerly line for 662.80' to the point of beginning of said tract of land, and a **proposed Planned Unit Development, PUD-590**, on property described as follows: a tract of land that is part of the SW/4, NW/4, Section 27, T-18-N, R-13-E of the IBM, City and County of Tulsa, State of Oklahoma; said tract of land is described as follows: beginning at point that is 566.81' North and 50.00' E of the Southwest corner of said SW/4, NW/4, thence due North, parallel with the West line of said SW/4, NW/4 for 259.17'; thence N 89°49'38" E for 612.78' to a point on the Westerly line of Wexford, an Addition to the City of Tulsa, Oklahoma, according to the recorded Plat No. 4731; thence S 00°00'23" E along said Westerly line for 165.17' to the Southwest corner of Lot 14, Block 3, Wexford; thence N 89°49'58" E along the Southerly line of said Lot 14

for 122.60'; thence due South 112.21'; thence due West for 490.26'; thence due North for 16.00' thence due West for 245.13' to the Point of Beginning of said tract of land.

Z-6640 – Stephen Schuller

North of northwest corner I-244 and North 145th East Avenue.

AG to IL

(PD-16) (CD-6)

Staff Recommendation:

Relationship to the Comprehensive Plan:

The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 2.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately five acres in size and is located north of the northwest corner of I-244 and North 145th East Avenue. The property is flat, non-wooded, vacant, and is zoned AG.

Surrounding Area Analysis: The subject tract is abutted on the north by a single-family dwelling, zoned AG; to the west by vacant property, zoned IL; to the south by an industrial facility and warehouse, zoned IL; and to the east by vacant land in Rogers County.

Zoning and BOA Historical Summary: There has been no zoning or Board of Adjustment action in this area.

Conclusion: This area is designated for industrial development consistent with the Industrial Plan section of the Comprehensive Plan; therefore, staff recommends **APPROVAL** of IL zoning for Z-6640.

Applicant was present and indicated he agreed with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action: 7 members present:

On **MOTION** of **MIDGET** the TMAPC voted **7-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, , Westervelt “aye”; no “nays”; none “abstaining”; Carnes, Harmon, Jackson, Selph “absent”) to recommend **APPROVAL** of IL zoning for Z-6640 as recommended by staff.

Legal Description for Z-6640:

The South 330' of the SE.4, NE/4 of Section 33, T-20-N, R-14-E, Tulsa County, State of Oklahoma, according to the U. S. Government survey thereof.

* * * * *

Commissioner Selph in at 2:55 p.m.

PUD-567-A/Z-4789-SP-6a – Charles E. Norman (PD-18) (CD-8)

South and East of southeast corner East 71st Street and South Mingo Valley Expressway.

(Major Amendment for proposed motorcycle sales and service in the commercial development.) (Corridor Site Plan)

Staff Recommendation:

The subject tract is described as Lot 2, Block 1, Woodland Park Center. The tract is part of Development Area A of PUD-567. The existing PUD permits the following uses:

Uses as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and East Establishments other than drive-ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses.

The Applicant proposes to incorporate the retail sale and servicing of motorcycles and motorcycling relating items in the same store facility. He is proposing to add Motorcycle Sales and Service, only within Use Unit 17, as an additional permitted use within the property subject to additional development standards.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-567-A to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (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 PUD-567-A subject to the following conditions:

Development Standards:

1. All existing requirements of PUD-567 shall continue to apply unless modified below.

2. Add the following use and use conditions to the uses permitted within Lot 2, Block 1, Woodland Park Center.

Motorcycle Sales and Service, only within Use Unit 17, and customary accessory uses subject to the following additional development standards applicable to such use:

- A. Motorcycle sales and services shall be conducted within a retail store building designed for retail commercial uses;
- B. No outdoor display, sale, service or storage of motorcycles shall be permitted;
- C. The area of the retail store space utilized for the display and service of motorcycles shall not exceed 30% of the gross area of the retail store space permitted within Lot 2, Block 1, Woodland Park Center;
- D. The maximum number of motorcycles displayed for sale at any one time shall not exceed 20.

Applicant's Presentation:

Mr. Charles E. Norman, 2900 Mid-Continent Tower, stated he is in agreement with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to recommend **APPROVAL** of the Major Amendment and Corridor Site Plan for PUD-567-A/Z-4789-SP-6a, subject to the development standards and conditions; subject to the existing requirements of PUD 567 as recommended by staff.

Legal Description for PUD-567-A/Z-4789-SP-6a:

Lot 2, Block 1, Woodland Park Center, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat thereof.

Other Business:

PUD-571 – Ted Sack

(PD-18) (CD-8)

Northeast corner East 81st Street and South Memorial
(Detail Site Plan and Landscape Plan)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 44,192 square foot mini-warehouse facility and manager’s residence on 2.47 acres which constitutes Development Area C of the PUD.

Staff had examined the site plan and finds that it conforms to the approved PUD standards including maximum allowed floor area, height, setback, parking, site lighting, access, site buffering and screening and total landscaped area.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for the mini-warehouse facility in Development Area C as submitted.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

There were no interested parties wishing to speak.

The applicant was present and indicated his agreement with the staff recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt “aye”; no “nays”; none “abstaining”; Carnes, Harmon, Jackson “absent”) to **APPROVE** the Detail Site Plan for PUD-571, Development Area C as recommended by staff.

PUD-574 – Jerry Emanuel

(PD-18) (CD-8)

North and East northeast corner 81st Street and South Memorial
(Detail Site Plan for an apartment complex)

Staff Recommendation:

The applicant is requesting Detail Site Plan approval for a 356-unit multifamily development on 15.6 acres within Development Area A. The proposed residential development consists of 208 one-bedroom and 148 two-bedroom units within two or three story buildings. All buildings abutting the single-family residential area to the east are two-story.

Staff has reviewed the site plan and finds conformance to the approved area and bulk, intensity, livability space, height, building and parking setback, site screening, site lighting, access, circulation, parking and landscaped area standards of the PUD. Staff notes that TMAPC approved a re-release of the final plat for the Remington at Memorial on May 20, creating an easement providing access to South Memorial for the multifamily development.

Staff, therefore, recommends **APPROVAL** of the Detail Site Plan for PUD-574, Development Area A as submitted.

NOTE: Detail Site Plan approval does not constitute Landscape or Sign Plan approval.

There were no interested parties wishing to speak.

The applicant was present and indicated his approval of the staff recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **HORNER** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt “aye”; no “nays”; none “abstaining”; Carnes, Harmon, Jackson “absent”) to **APPROVE** Detail Site Plan for PUD-574, Development Area A as recommended by staff.

AC-034 – Scott Rodenhaver

(PD-6) (CD-7)

4134 East 31st Street

(Alternative Landscape Compliance for waiver of irrigation requirements for existing trees)

Staff Recommendation:

The applicant is requesting Alternative Landscape Compliance approval to waive the irrigation requirements for nine existing mature trees that are used to meet the parking lot tree requirements for three new parking areas being developed southeast and west of a new nursing unit. The expansion of parking and nursing care is part of the phased expansion of the 40-acre campus devoted to residential and nursing home facilities for the aging. The new parking areas increase the net parking for the northern portion of the campus by 22 spaces.

Staff has reviewed the request and finds the existing trees surrounding the parking area designated #3 are from 10 inches to 48 inches in diameter, a single existing tree in the parking area designated #1 is 16 inches in diameter and 24-26 inches for parking area #2 trees.

The parking lot tree provisions of the code are exceeded in all three parking areas. All existing trees in new parking areas are also within large pervious areas with good subsurface water recharge of established root systems. The landscape plan indicates that the six new trees indicated in parking area #1 will be irrigated with an underground sprinkler system.

Staff finds the existing trees in parking areas and the large undisturbed open spaces surrounding each proposed area, while not meeting the strict technical requirements of

the code, meet or exceed the requirements of Chapter 10 by providing more than twice as many trees as required within large recharge areas.

Staff, therefore, recommends **APPROVAL** of the Alternative Landscape Compliance by waiving the irrigation only for existing mature trees for the three parking lots indicated on the submitted landscaped plan.

NOTE: Alternative Compliance approval constitutes Landscape Plan approval for Parking Areas #1, #2 and #3 only. A Landscape Plan for the entire building site will be reviewed during Detail Site Plan Review currently scheduled for June 10.

There were no interested parties wishing to speak.

The applicant was present and indicated his agreement with the staff recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET** the TMAPC voted **8-0-0** (Boyle, Gray, Horner, Ledford, Midget, Pace, Selph, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Harmon, Jackson "absent") to **APPROVE** of the Alternative Landscape Compliance as recommended by staff.

* * * * *

Presentation of HOPE VI Osage Project

TMAPC Comments:

Mr. Midget introduced John Klinghagen, Director of Capital Improvements, Tulsa Housing Authority.

Presentation:

Mr. John Klinghagen stated that the Tulsa Housing Authority (THA) acquired the Osage Hills property in 1974. It was originally constructed in 1947 and is now obsolete. The Housing Authority has been pursuing the means to raise the capital to either renovate the subject property or tear it down and rebuild it. He explained that THA has determined, through a fiscal needs assessment, that the needs for Osage Hills are for eighteen to twenty-two million dollars.

Mr. Klinghagen stated HUD has come up with a new grant program called HOPE VI, which is a program that makes Osage Hills eligible for the grant. He explained that it is not a grant source for strictly rebuilding public housing projects. HOPE VI is a new concept that requires creating mixed-income communities.

Mr. Klinghagen informed the Planning Commission that in 1997, the Tulsa Housing Authority Board of Commissioners authorized a consultant to perform a market study in order to determine the need for public housing or affordable housing units in the City of Tulsa and specifically the Osage Hills area. He stated the market study had to be performed before pursuing the grant to rebuild Osage Hills. He stated that the market study indicated that there is a strong need for affordable housing in the City of Tulsa and specifically the Osage Hills area.

Mr. Klinghagen stated that the Tulsa Housing Authority selected Roysman Development out of Norristown, Pennsylvania. He explained that Mr. Roysman will be the development partner to help the Tulsa Housing Authority prepare the grant application and to be the developer if the project is funded. He informed the Planning Commission that Mr. Roysman has been an active part of eleven successful HOPE VI grants.

Mr. Klinghagen stated the Tulsa Housing Authority needs to generate community support. He requested a letter from the Planning Commission supporting the HOPE VI grant application. He informed the Planning Commission that he needs to submit the application by June 29, 1998. He stated that time is very short and the Tulsa Housing Authority wants to show a level of community support, which is imperative to be considered for the grant.

Mr. Klinghagen introduced Mr. Donald Simpson, WRT, Dallas, Texas; Bill Packard, local subcontractor to Roysman Development; and Mark Thomas, Architects Collective, a local architectural firm.

Mr. Donald Simpson stated that the Tulsa Housing Authority is not asking approval by the Planning Commission because the final plan is not ready. He explained that what HUD looks for, when reviewing the grants, is support from the broad community. He stated that he has met with most of the City Departments and they will be meeting with the Mayor of Tulsa next week.

Mr. Simpson stated that Osage Hills was an existing apartment development of approximately 388 units, which was build in the 1940s. The goal of HOPE VI is to eliminate the old-fashioned public housing and replace it with market rate housing, which is available under certain conditions to moderate and low-income residents. He commented that it will be affordable housing, not public housing. He stated that HOPE VI is available to anyone who qualifies and creates a broad mix of residents. Some of the houses are for rent and some for sale. He commented that the requirements that would qualify somebody to meet this include approximately the same income levels as the existing mix of population now living in this general area.

Mr. Simpson stated that Osage Hills is located west of the Tisdale Expressway and extends north. The process of demolishing the old apartments began a couple of years ago and will continue. He stated that 140 of the new units will be for the elderly, which will be a gated community. He described the 140 units as follows: 88 cottages (one-bedroom or two-bedroom) and 52 units in two three-story apartments. He commented

that there are not too many public housing developments that overlook a gulf course and a country club.

Mr. Simpson stated that outside of the gated community there will be 162 duplex houses and 18 single-family detached rental houses. As part of the overall program, the Roysman Development Company will also acquire some vacant land, which is adjacent to Country Club Estates. The company will build an additional 28 single-family houses that will be for sale.

Mr. Simpson explained that one of the goals of the HOPE VI program is to disperse the housing in order to have an impact on the broad community. The remainder of the program will be on the east side of the Tisdale Expressway (between Tisdale Expressway and Cincinnati). He stated that the proposal includes approximately 80 duplexes, 13 apartments with 26 units, 33 single-family houses that are for sale. He explained that not all of the units are on the existing Osage Hills property but on vacant land and there will not be any families displaced. The phasing of the relocation program is such that people living in Osage Hills will not be relocated until the unit is replaced.

Mr. Simpson displayed the design of the proposed homes and stated he used the Brady Heights Historical District as a model to design the homes.

Mr. Bill Packard, City Planner, stated that he has been asked to review the proposed plans and give comments as to the conformance with the existing plans, as well as zoning codes. He indicated that he finds most of the development would be in a PUD and would fit most of the current zoning.

Mr. Packard state that there will be minor rezoning and variances or special exceptions for a portion of the development. He indicated that all of the proposal may be found to be in conformance with the existing adopted district plans and urban renewal plans for the area.

TMAPC Comments:

Ms. Gray asked if the existing Springer and Kennedy Mansions would remain intact. In response, Mr. Packard stated that there is not intent to acquire the mansions.

Mr. Simpson stated that \$70 plus million will be injected into North Tulsa.

Mr. Boyle stated that the proposal is an excellent example of what needs to happen in this area. He commented that HOPE VI is the kind of innovative project that Tulsa needs. He stated however, he does not want anyone to suggest, at some future date, that the Planning Commission prejudged any particular request for rezoning or PUD.

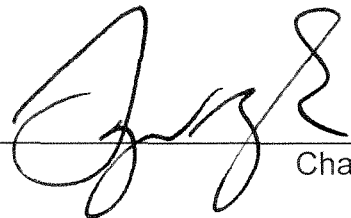
Commissioner Selph stated the developer should request support from the Osage County Board of Commissioners. He stated they may also may want to go to the Metropolitan Human Services Commission, which is a planning partnership and certainly would have an interest in these kinds of projects.

Ms. Gray asked the developers if the Brady Heights Infill Task Force was made abreast of this proposal. In response, Mr. Simpson stated that the Tulsa Housing Authority attended the infill summit sponsored by Brady Heights.

Mr. Boyle directed staff to respond with a letter of support to the HOPE VI Osage Project.

There being no further business, the Chairman declared the meeting adjourned at 3:24 p.m.

Date approved: 6-17-98



Chairman

ATTEST: Brandi Gable
Secretary