TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1573 Wednesday, **September 18, 1985**, 1:30 p.m. City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT

MEMBERS ABSENT

STAFF PRESENT

OTHERS PRESENT Linker, Legal

Counsel

Connery

Carnes Higgins Harris Frank Gardner

Draughon Chairm

Kempe, Chairman Harris Paddock, Secretary Young Setters

VanFossen

Wilson, 1st Vice-

Chairman Woodard

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, September 17, 1985 at 10:10 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Kempe called the meeting to order at 1:40 p.m.

MINUTES:

Approval of Minutes of September 4, 1985, Meeting No. 1571:

On MOTION of Wilson, the Planning Commission voted 6-0-1 (Draughon, Connery, Kempe, Wilson, Woodard, VanFossen, "aye"; no "nays"; Paddock, "abstaining"; (Carnes, Harris, Higgins, Young, "absent") to APPROVE the Minutes of September 4, 1985, Meeting No. 1571 with the noted corrections to page 12.

REPORTS:

Report of Receipts and Deposits:

On MOTION of WILSON, the Planning Commission voted 6-0-1 (Draughon, Connery, Kempe, Wilson, Woodard, VanFossen, "aye"; no "nays"; Paddock, "abstaining"; (Carnes, Harris, Higgins, Young, "absent") to APPROVE the Report of Receipts and Deposits for the month ended August 31, 1985, as submitted.

Chairman's Report:

Chairman Kempe asked the Commission members to remain after adjournment of today's meeting for an informal discussion on procedures.

Committee Reports:

Mr. VanFossen advised the Memorial Drive Study had been removed from the agenda of the **Comprehensive Plan Committee**, which is scheduled to meet Tuesday, September 24, 1985 at 12:00 in the INCOG Offices.

SUBDIVISIONS:

PRELIMINARY PLAT:

Kingsridge Estate, Block 5 & 6 Amd (PUD 281)(183) (RS-3)

SW corner East 64th & South 91st East Avenue

As this item has been continued several times, Staff recommended striking it from the agenda. Hearing no objections from the Commission, it was sticken.

WAIVER OF PLAT:

BOA 494 (Unplatted) (514)
South side East 121 Street North at
North 118th East Avenue (AG)

This is a request to waive plat on a 2 acre (or less) tract of land which has been approved for church use by the County BOA. It does fall within the guidelines of possible waiver for tracts less than 2 acres. A lot split was processed to separate this tract from a ten acre parcel (#16276). The conditions listed below include the requirements on the lot split and shall also be applicable to the plat waiver:

- a) Ascertain if the south half of 121st Street North is dedicated. If not, dedicate a minimum of 30' from centerline, subject to approval of the County Engineer.
- b) Percolation test approval required for septic system by the Health Department.
- c) Grading and drainage plans subject to approval of County Engineering in permit process.

The TAC voted to recommend approval of this waiver, subject to the conditions, and Staff has been advised the three conditions are in progress of being met.

On MOTION of WILSON, the Planning Commission voted 6-0-1 (Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstaining"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE the Waiver of Plat for BOA 494, as recommended by Staff.

CHANGE OF ACCESS:

Chimney Hills South Ext (1483) East of NE corner 91st & South Sheridan (CS)

The request for Change of Access is to relocate one access point approximately 56' east of the platted location. Traffic Engineering recommended approval and Staff is also recommending APPROVAL.

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE the Change of Access for Chimney Hills South Ext., as recommended by Staff.

AMENDMENT TO DEED OF DEDICATION:

Waterbridge (3593) SW corner East 53rd & South Memorial (OL)

Staff has been working with the owner's attorney and the City Attorney's office regarding the wording in this proposed change. Language for a PUD was mistakenly used in the covenants on the plat and the inclusion of the City as a party thereto was unnecessary. Changes being made will exclude the City from being a part of the private restrictions, but will retain the City right to be a party to those sections dealing with stormwater and drainage easements and the City's capacity as a utility relating to water and sewer lines. A revised draft has been received and reviewed by Staff incorporating the recommendations of the Legal Department. APPROVAL of the change is recommended, subject to approval of the final form by the City Attorney's office.

Based on a question from Mr. Draughon, it was established by Staff that approval by Legal was in progress and TMAPC could approve it in its present form. Chairman Kempe asked if this request involved any private streets. Mr. Wilmoth advised that it contained one private driveway in an apartment development. The City retains its rights in regard to drainage and easements, but could not enforce the maintenance of private streets.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE this Amendment to Deed of Dedication, as recommended by Staff.

LOTS SPLITS FOR WAIVER:

L-16527 D. Shope (2590)

South & East of SE corner West 41st
& South 193rd West Avenue (AG)

The applicant is asking to split his seven acre tract into four lots. Lot One measures $187' \times 200'$; Lot Two measures $187' \times 224'$; Lot Three measures $187' \times 228'$; and Lot Four measures $187' \times 1,017'$. Lot One is the only lot that has frontage on a dedicated street, while Lots Two through Four access is only by a private access agreement along the eastern boundary line. The applicant has already been to the County BOA and obtained the necessary variances in order to obtain the above mentioned lot split. However, Staff has requested the applicant to return to the BOA with his survey showing the proposed lot configurations to make sure that the previous approval and this survey agree with the original intent of the Board. The TAC recommended approval, and Staff is also recommending APPROVAL, subject to the following conditions:

- a) Health Department approval of septic systems.
- b) Approval of water service from Sand Springs.
- c) Verification of approval of the BOA for this lot configuration, as per previous review.
- d) Utility easements needed to serve the lots.

In answer to an inquiry from Ms. Wilson regarding the BOA appearance, Mr. Wilmoth advised the BOA case was in 1982 and they advised if the applicant ever wanted to sell it, a lot split and going through the BOA would be required again. Mr. Connery asked if this was the same area where the Health Department was turning down requests because the land will not percolate. Mr. Wilmoth advised the applicant has already had the required percolation tests as these are existing lots.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE L-16527 D. Shope, as recommended by Staff.

This is a request to split a 50' \times 140' lot into two 50' \times 70' lots. There are existing residences on both of the lots. The applicant wants to split for separate ownership. An examination of the land use maps for this area reflect that there are several lots that have two dwellings on them (mostly duplexes). In order to permit his lot split, a variance would be required by the BOA because of the substandard lot sizes being created. Each lot would only be 3,500 square feet. (Survey furnished to TAC reveals that the actual request is to create one lot 56.88' \times 50', containing 2,844 sq ft; and one lot 83.12' \times 50' containing 4,145 sq ft.) If approved, it would be subject to the following conditions:

- a) Board of Adjustment approval of the minimum lot sizes.
- b) Approval of Water & Sewer Department for any main extensions or relocations of service lines that may be needed.
- c) Subject to granting any additional utility easements to serve the tracts.

The BOA granted an approval on Case #1210-B on 2/16/37 to permit an additional residence on the lot. A previous split, #15228, was processed by TAC, Staff and TMAPC for this same request, and denied. Staff sees no change in conditions to warrant an approval and recommends denial of the request, since the minimum size is 6,900 square feet per lot/unit, and the tracts created would only be 3,500 square feet. No other approvals have been made in the area, and the tract already has an approval for two houses on one lot.

The Water and Sewer Department advised that, if split, the west lot would be separated from water and the east lot separated from sewer. Although a survey was furnished by the applicant for review, Staff and TAC see no reason to reconsider the previous denial, for the same reasons as before, including noncompliance with zoning, setbacks, areas and lot sizes, as well separation of water and sewer service. Therefore, Staff recommends DENIAL of this lot split request.

Mr. VanFossen was advised that, although two houses on one lot have been approved previously, it was in multifamily areas. Mr. Gardner commented on the differences in size from the previous lot split request and this request.

Mr. Robert Taylor, 117 East 5th, Tulsa, representing the applicant requested approval so that they can sell the lots. There will be no physical change on the lots and he requested a waiver of footage requirement and sideyard setback. Mr. Taylor also advised it was their belief that a sewer line was in place on 16th Street. Mr. Taylor, in reply to Ms. Wilson, advised the applicant has owned the property since 1979 and was wanting to sell in order to move.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to DENY L-16528 L. Eirod, as recommended by Staff.

L-16529 South Country Financial Corp. (1082) NE Corner West 81st and South 33rd West Avenue (RS-3)

This is a request to split a five acre tract into three tracts, all of which will meet the RS-3 zoning requirements. However, the applicant is requesting waiver of the Subdivision Regulations requiring conformance with the Street Plan regarding right-of-way on 33rd and West 81st Street. A total of 50' from centerline is required by the Major Street Plan, but only 24.75' exists at present. Any deviation from the Plan will require six affirmative votes of the TMAPC to waive the requirement. Staff sees no hardship on 81st Street on Tracts B and C or on South 33rd West Avenue on Tract A. An existing one story brick house is located on Tract A on 81st Street which is only 51.29' from centerline. Additional dedication on this portion may need to be reduced because of the structure. In addition to the street plan criteria, the split will require approval of the City/County Health Department for percolation tests for septic systems and utility easements and/or extensions as required by utilities. (This is NOT subject to a plat or BOA.)

The TAC recommended DENIAL because the split, as submitted, does not comply with the Subdivision Regulations. However, Staff has discussed this with the applicant and realizes there is a hardship situation on Tract A, and the applicant is in a position to voluntarily dedicate right-of-way on the west side of Tract A, and Tracts B and C. Staff has no objection to an APPROVAL, if the applicant does make these dedications.

Mr. VanFossen asked if Tract A could be requested for commercial and Mr. Wilmoth advised that it could be split again, but if approved, and Tract A came back in, we would want to take another look at it. Mr. Draughon had Mr. Wilmoth confirm the existing building right-of-way setback at 51.29* from centerline.

Mr. Mike Taylor, 314 East 3rd, stated the waiver of the Subdivision Regulations was because of the location of the existing residence.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE the Lot Split (\$16529), subject to the provision of setback dedications on Tracts B and C and the West side of Tract A, with all else remaining as it exists on the South side of Tract A; and subject to Health Department approval.

The applicant is requesting a split to create a one-half acre lot from a 19 acre tract. The tract is zoned AG and a variance will be required from the County BOA to permit the lot size. This property is abutted to the east by the Sperry City limits. County Engineer requested that existing right-of-way be dedicated to clear title, since an actual dedication instrument cannot be found. This is not a request for additional right-of-way, therefore, it cannot be made a condition of approval.

Since there are other small lots in the area, Staff has no objection to the request, and TAC approved, with the following conditions:

- a) Board of Adjustment approval of one-half acre lot size.
- b) Health Department approval of septic systems.
- c) Proof of water service from Sperry.

Mr. Paddock asked why we could not make the existing right-of-way dedication a condition of approval. Legal advised that a specific statute dictates we cannot do this. We must look at the application as to its meeting the Major Street and Highway Plan. Mr. Gardner added that it also depends on the use and each case should be looked at individually. Mr. Draughon stated the one-half acre size seemed small and inquired as to the standard size. Mr. Wilmoth advised that in an AG district two acres is the minimum. One-half acre is the minimum on a septic system and the subject tract is actually between 1/2 and 3/4 acres.

On MOTION of VANFOSSEN, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE L-16530 D. Mosier, subject to the conditions recommended by Staff.

<u>L-16848 Sophian Piaza (1192)</u> SW corner 15th & South Frisco (RM-2) (continued from September 4, 1985)

This is a request to split a 2.4 acre tract into two irregular shaped lots. The proposed Tract I is to be 1.45 acres in size and it contains 14 one bedroom units and 32 two bedroom units, 60 parking spaces, a pool and tennis court. Proposed Tract II is vacant and encompasses .996 of an acre. The applicant is asking for a walver of the street plan and subdivision regulations because the location of the existing structure does not allow him to dedicate the required right-of-way for 15th Street. This lot split will also require a variance from the City Board of Adjustment because of the parking spaces required and because of the sideyard setbacks of the structures from the proposed lot lines. There was some discussion for the reasons to file the split application, which was to clear title. Also, some R/W on 15th Street would be desirable if

the curb actually encroaches on private property. A survey should show the proper location. TAC did not recommend waiver of Street Plan, being consistent with policy, however, since everything was already existing there were no actual objections to the split, subject to the conditions listed.

The TAC voted to recommend approval of the L-16484, subject to the following conditions:

- a) Waiver of Subdivision Regulations requiring conformance with Street Plan on 15th Street. (Applicant's request)
- b) Board of Adjustment approval for parking and yard variances, per plot plan.
- c) Onsite stormwater detention or 100 year storm drain to river is required for development of the vacant tract.
- d) Sanitary sewer relocation and water main extension required for development and vacant tract.

Mr. Wilmoth clarified the difference between the plot plan and a plat for Mr. Draughon. Mr. VanFossen asked Staff for clarification of item (b) on parking and yard variances. Mr. Wilmoth stated it referred to the number of units and the parking requirements. Ms. Wilson asked if the Staff recommendation was the same as at the 9/4/85 meeting, and was informed it was still the same (for approval).

Mr. Tom Mann, 525 South Main, attorney for the applicant, presented maps of the subject area and gave a background review of this case. Mr. Mann stated the applicant had no present intention of developing this property and addressed issues on livability space, lot lines, parking and flooding. Mr. Mann requested approval of the lot split.

Mr. Linker spoke regarding the matter of legal descriptions. If the tract is changed and it is not approved that way, there may be problems with conveyances previously issued.

Mr. Steve Schuller, 610 South Main #300, represented the Sophian Plaza Homeowners (several were in attendance at the meeting). As Mr. Schuller had spoken to the Commission at the previous meeting, he summarized his statements and requested denial of this lot split due to its impact on the subject property and the surrounding areas. In reply to a question from Ms. Wilson, Mr. Schuller advised there were approximately 45 units at Sophian Plaza.

Interested Parties:

Mr. Dewey F. Bartiett, Jr. Address: 1500 South Frisco, #6A Mr. Ken Proctor 1507 Riverside Drive Ms. Virginia M. Hocutt 1500 South Frisco, #6E Dr. Mary D. Graham 1500 South Frisco, #5F

Mr. Bartlett stated it was never pointed out to him, when shown the property, that a split was necessary or where the boundary was located.

In reply to Ms. Wilson, Mr. Bartlett stated he was against the lot split and addressed the problem of the title not being clear.

Mr. Proctor, representing the Riverpark Place Owner's Association, requested denial of this lot split. Mr. Proctor also spoke of the existing erosion problem on the steep hill of the tract, and fears any new building projects would only add to the problem.

Ms. Hocutt commented she had specifically been told that the grounds were a part of the Sophian Plaza when she bought her condo. Ms. Hocutt asked for denial.

Dr. Graham stated the boundaries were not pointed out to her at the time she purchased her condo and she would like the grounds to remain as they presently are.

Chairman Kempe advised that any ground ownership misunderstandings, although unfortunate, are a matter between the applicant and residents, and the Commission is not able to address this issue.

Additional Comments & Discussion:

Mr. Mann clarified the lot line would be a foot away from a garage (which has no windows and more than a foot from the swimming pool/gazebo. As the pool/gazebo is a permitted yard obstruction, it should not be an issue in this lot split case. Mr. Mann also advised that any new construction on the lot would be required to have onsite parking sufficient for the number of units there, so parking on the street would not be a problem. In response to a question from Mr. Draughon, Mr. Mann stated that a lot split would not effect the waterway. Mr. Draughon asked Mr. Mann to comment further on ownership and if Mr. Gillette actually sold to the condo owners. Mr. Mann commented he has asked Mr. Schuller and the condo owners what they want or would accept, but as yet no one has spoken with him about this.

Mr. VanFossen commented he did not think this was good planning, and made a suggestion as to what might be appropriate. Mr. Frank referred to a section of the Zoning Code which requires 3' minimum yard setbacks for accessory buildings in the rear yard. Further discussion followed among Mr. Mann, Mr. Schuller, the Commission and Legal regarding options that might be agreeable to both sides and what, legally, could be done.

Mr. Connery recommended denial of the lot split, based on Mr. Mann's comments that the applicant has no plans for development on the vacant lot and it should be left as it stands. Mr. VanFossen stated he would vote for denial on the basis that it does not meet Subdivision requirements.

On MOTION of CONNERY, the Planning Commission voted 6-1-0 (Draughon, Connery, Paddock, Wilson, Woodard, VanFossen, "aye"; Kempe, "nay"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to DENY L-16484 Sophian Plaza, Ltd.

LOT SPLIT FOR DISCUSSION:

<u>L-16532 Smith (2283)</u> SW Corner East 93rd & South Canton Avenue (RS-1)

In the opinion of the Staff, the lot split meets the Subdivision and Zoning Regulations. Since the lot may be irregular in shape, notice has been given to the abutting owner(s). Approval is recommended.

On MOTION of WOODARD, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE L-16532 Smith, as recommended by Staff.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16526	(2873)	Blevins	L-16539	(692)	Sullenger
L-16531	(3503)	Putnam	L-16541	(393)	Curtis
L-16533	(383)	Lander/Tucker	L-16542	(2790)	Simpson
L-16534	(783)	Irvine	L-16543	(1093)	HIII
L-16535	(783)	Miller	L-16544	(1694)	Bingham
L-16538	(2703)	Strum			

Mr. Wilmoth advised these were all in order and met the Subdivision and Zoning Regulations and recommended ratification.

On MOTION of WILSON, the Planning Commission voted 7-0-0 (Draughon, Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE these Lot Splits for Ratification of Prior Approval, as recommended by Staff.

CONTINUED PUBLIC ZONING:

Application No.: Z-6052 Present Zoning:
Applicant: City of Tulsa, Mingo Creek, et al
Date of Hearing: September 18, 1985
Requested Continuance Date: October 23, 1985

On MOTION of WILSON, the Planning Commission voted 6-0-1 (Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; no "nays"; Draughon, "abstaining"; (Carnes, Higgins, Harris, Young, "absent") to CONTINUE Consideration of Z-6052 until Wednesday, October 23, 1985 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

Application No.: PUD 397 Present Zoning: Vacant

Applicant: Moody Proposed Zoning: RS-3, RD, RM-1

South Side of 61st & 1/2 Mile East of Memorial Location:

Date of Hearing: September 18, 1985 (Reviewed by TMAPC 9/4/85)

Presentation to TMAPC by: John Moody, 4100 BOK Tower

Staff Recommendation:

The applicant submitted a proposed Outline Plan for TMAPC review on September 4, 1985, which was approved, subject to Staff recommendation. Specifically, a revised Outline Plan was to be submitted and Development Area "E" was to be changed from duplexes to single family detached homes. The Plan has now been revised and, although the Staff is not supportive underlying zoning, as the TMAPC supportive. İs "Submitted/Suggested" Development Standards are presented as follows:

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

AREA "A" - MID RISE OFFICE

Land Area (Gross): 225,000 sf 5.17 acres Permitted Uses: Uses permitted by right in an OL District,

excluding funeral homes, and drive in banks, and limited to general office use only.

Maximum Building Height: 721 or six stories

Maximum Building Floor Area: 100,000 sf

Minimum Off-Street Parking: 1 space per 300 sf of gross floor area

Minimum Building Setbacks:

from Centerline of E. 61st 2401 from Centerline of So. 91st E. Ave. 1001 from West Boundary 1001 1001 from South Boundary Minimum Landscaped Open Space: 15% *

Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. A 15' landscape buffer and screening fence shall be required along the south boundary of Area "A" where it abuts the residential area to the south.

AREA "B" - LOW RISE OFFICE

Land Area (Gross): 359,000 sf 8.24 acres

Permitted Uses: Uses permitted by right in an OL District, excluding funeral homes, and drive in banks, and

limited to general office use only.

Maximum Building Height: 26 t

Maximum Building Floor Area: 140,000 sf

Minimum Off-Street Parking: 1 space per 300 sf of gross floor area

Minimum Building Setbacks:	
from Centerline of E. 61st	901
from Centerline of So. 91st E. Ave.	55 ! *
from Abutting "R" District	601
Minimum-Landscaped Open Space:	15% **

* Applicant is requesting 40'.

from Property Boundaries

** Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation. A 15' landscape buffer and screening fence shall be required along the common boundary of Area "B" and any abutting "R" District, subject to Detail Site Plan Review.

AREA "C" - ELDERLY HOUSING

Land Area (Gross):	250,000 sf 5.74 acres
Permitted Uses: Elderly i	housing units as peritted in an RM-1
District.	
Maximum Building Height:	37¹ or 3 stories
Maximum Number of Units:	156 Units
Minimum Off-Street Parking:	1 space per unit (This requirement is a condition of approval only if the subject units are used for elderly housing. Conventional use of these units shall be subject to RM-1
	standards.)
Minimum Land Area per Dwelli	ng Unit: 1,602 sf
Minimum Livability Space per	Unit: 1,127 sf
Minimum Building Setbacks:	
from Centerline of So. 91s	† E. Ave. 110'

AREA "D" - APARTMENTS

401

Land Area (Gross): Permitted Uses: Multi-family residen	366,000 sf 8.40 acres tial uses as permitted in an
RM-1 District.	·
Maximum Building Height:	351
Maximum Number of Units:	220 units (72 - two bedrooms;
	148 - one bedroom)
Minimum Off-Street Parking:	366 spaces
Minimum Land Area per Dwelling Unit:	1,663 sf
Minimum Livability Space per Unit:	448 sf
Minimum Building Setbacks: *	
Rear	20 1
Side	101
Minimum Space between Buildings	351
from Centerline of So. 91st E. Ave.	35† **

- * Appropriate screening or privacy fencing shall be required along the south boundary if abutting area is developed for RS or RD.
- ** Applicant is requesting 25.

AREA "E" - SINGLE FAMILY RESIDENTIAL (Detached)

Land Area (Gross):

484.665 sf

11.13 acres

Permitted Uses: Uses permitted by right in an RS-3 Single Family Residential District - all uses shall be detached single family units.

Maximum Number of Units:	DO UNITS
Minimum Lot Area:	6,900 sf
Minimum Land Area per Dwelling:	8,655 sf
Maximum Structure Height:	35 ft
Minimum Livability Space per Dwelling:	4,000 sf
Minimum Front or Rear Yard Abutting	•
a Public Street:	

abile direct.	
Front	25 '
Rear/South 91st E. Ave.	55 ! *
Side Yard - One Side	10'
Other Side	0 †
Other Rear Yard	20 * **

- * Applicant is requesting 101.
- ** No single family unit shall be allowed to front onto South 91st East Avenue. A six foot privacy fence and 15' landscape buffer shall be provided along the east boundary of Development Area "E".
- That all trash, utility and equipment areas shall be screened from public view and no trash collection areas shall be permitted along the common boundary of office and residential development areas within required landscaped buffer areas, as noted in the Development Standards.
- 4) That all parking lot lighting shall be directed downward and away from the boundaries of Development Area "E". No light standards within 50' of that boundary sahll exceed 20' in height.
- 5) That all signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code.
- 6) That a Detail Landscape Plan shall be submitted to the TMAPC for review and approval by Development Area and installed prior to issuance of an Occupancy Permit.

- 7) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee.
- 8) That a Detail Site Plan shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit by Development Area.
- 9) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has 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.

Comments & Discussion:

Mr. Moody, who was unable to remain at the TMAPC meeting, requested Mr. Frank present the case to the Commission. Mr. Frank advised that Mr. Moody indicated no objections to the Staff recommendations.

Mr. Paddock discussed with Staff the FAR in Area "A" being .444, which is very close to an OM, but the uses are all OL. Mr. Frank indicated this was possible with a transfer of units from other areas, which could be converted to floor area. Mr. Paddock also commented the buildings in Area "C" (Elderly Housing) being three stories with walk ups. Draughon asked Staff if a response from Stormwater Management had been received as to how they were going to handle the compensatory storage, detention storage, or any fees paid in lieu of. Mr. Draughon further stated this is the type of development that causes additional flooding downstream, and he could not be in favor of a project of this size if they do not provide any detention, and moved to continue this case until a reply is received from Stormwater Management. Discussion among Staff and Commission followed regarding a possible continuance, as several members were very concerned about the letter from Stormwater Management. Ms. Wilson was in favor of a continuance. Mr. VanFossen was against the continuance as the letter could be made a condition of approval. Paddock agreed with Mr. VanFossen. Chairman Kempe stated the Commission could make a note for the City Commission to be aware of the expected Stormwater Management reply.

On MOTION of DRAUGHON, the Planning Commission voted 3-4-0 (Draughon, Wilson, Woodard, "aye"; Connery, Kempe, Paddock, VanFossen, "nays"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to CONTINUE Consideration of PUD-397 for two weeks.

The continuance vote failing, Ms. Wilson directed Staff to include in the minutes the concerns of the Commissioners in regard to the unanswered request for a letter from Stormwater Management on the hydrology requirements, and asks that the City Commission be in receipt of this letter before voting on this case.

Before continuing with a vote, Mr. VanFossen inquired as to the setback in Area "D" from centerline of South 91st East Avenue. recommended 35 feet, the applicant is requesting 25 feet, and Mr. VanFossen suggested 45 feet. After discussion on this matter, Commission stated the setback is to be changed to 55 feet. Mr. VanFossen also discussed changes to item #4 regarding the lighting standards for the parking area, however no changes were made.

TMAPC ACTION: 7 members present

On MOTION of PADDOCK, the Planning Commission voted 6-1-0 (Connery, Kempe, Paddock, Wilson, Woodard, VanFossen, "aye"; Draughon, "nay"; no "abstentions"; (Carnes, Higgins, Harris, Young, "absent") to APPROVE PUD-397, as recommended by Staff, with the amendment to the setback from the centerline of South 91st East Avenue in Area "D" to 55 feet and any references to South 91st Street be changed to read South 91st East Avenue.

Legal Description:

The Northwest Quarter (NW/4) of the Northeast Quarter (NE/4), less and except the North 295' of the East 295' thereof, of Section One (1), Township Eighteen (18) North, Range Thirteen (13) East, Tulsa County, State of Oklahoma.

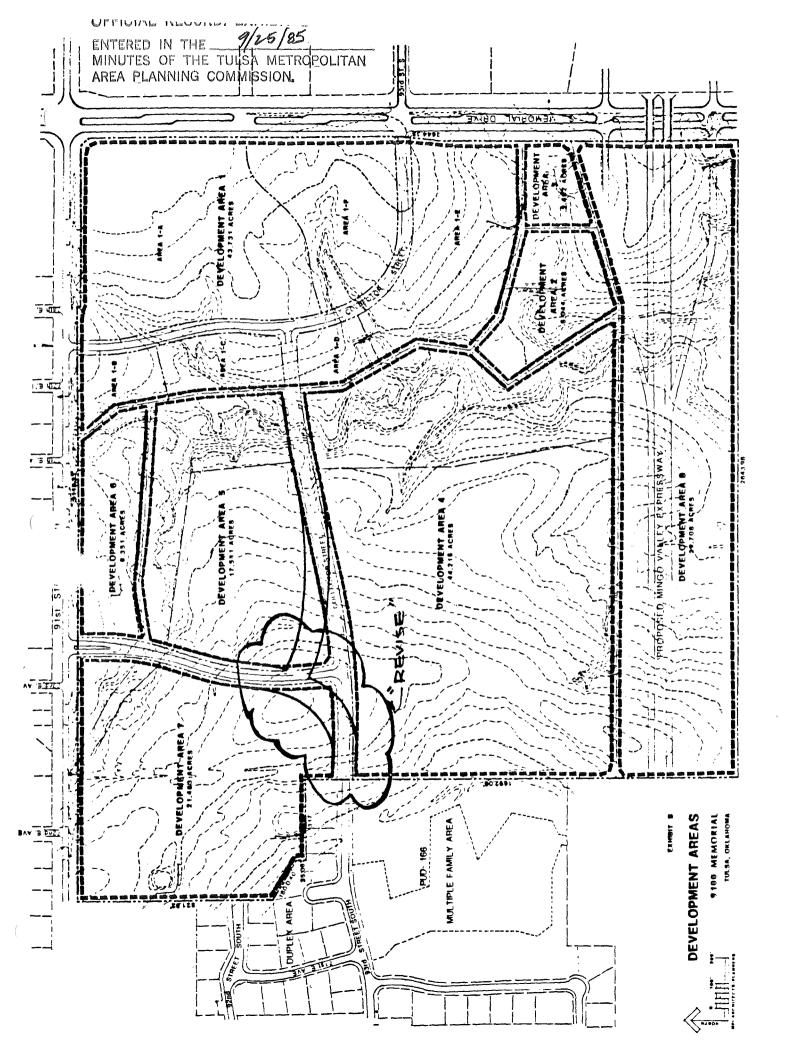
There being no further business, the Chairman declared the meeting adjourned at 4:00 p.m.

Date Approved October 2, 1985
Cherry Hampe

ATTEST:

9.18.85:1573(15)

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DEVELOPMENT AREA STANDARDS

Area 1-A

AUTOMOBILE SALES AND SERVICE AREA:

An area devoted primarily to the presentation of new automobiles for sale in a unique and aesthetically pleasing environment. Other uses in support of the primary use, such as auto services, bulk storage of automobiles and a gasoline service station, will be permitted within the area but with design and location controls to ensure that all uses are compatible with the total environment of 9100 Memorial.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Units 16 and 17 of the Tulsa Zoning Code relating to gasoline service stations, automotive sales and service only, one consolidated used car area and one gasoline service station area. The consolidated used car area shall not exceed two acres and shall not be subject to the automobile display limitations if such used car area is located at least 200 feet from an arterial street right-of-way. The gasoline service station area shall not exceed

... AREA (Gross):

760,209 sq. ft.

17.452 acres

MAXIMUM BUILDING FLOOR AREA:

126,850 SF

MAXIMUM LOT COVERAGE BY BUILDINGS:

.17 F.A.R./ 20%

MAXIMUM BUILDING HEIGHT:

2 stories or 35 feet

MAXIMUM NUMBER OF AUTOS TO BE DISPLAYED BETWEEN A FRONT OR SIDE BUILDING LINE AND A PUBLIC STREET RIGHT-OF-WAY:

Twenty autos per dealer (with no more than ten autos in a single row).

OFF-STREET PARKING:

One space per 600 square feet of floor area and one space per 1,000 square feet of open air display area.

MAXIMUM BUILDING SETBACK FROM PUBLIC STREET RIGHT-OF-WAY:

120 feet

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DEVELOPMENT AREA STANDARDS

Area 1-A (Continued)

MINIMUM BUILDING SETBACK FROM PUBLIC STREET RIGHT-OF-WAY:

60 feet

MINIMUM SETBACK FOR AUTOMOBILE DISPAY FROM PUBLIC STREET RIGHT-OF-WAY:

40 feet

MINIMUM LANDSCAPED AREA:

- 1) 7% of net lot area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

IGNS:

- 1) Ground signs shall be limited to one per automobile sales franchise with a maximum of 160 square feet display surface area and 25 feet in height.
- 2) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached.
- 3) Internal directional signs shall be limited to 10 square feet of display surface area and 8 feet in height.
- 4) Monument signs shall be permitted at each arterial street entry with a maximum of 60 square feet display surface and 6 feet in height.

_ GHTING:

- 1) Light standards shall be limited to 30 feet in height with deflectors directing the light downward and away from adjacent boundaries of Development Area 1-A.
- 2) Building mounted lights shall be hooded and directed downward to prevent any spillover lighting.
- *Staff recommends that the following uses <u>not</u> be permitted: Boat Sales, Agriculture Equipment Sales, Aircraft Sales, Mobile Home Sales, Mini-Storage, and Overnight Campgrounds for recreation vehicles.

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DEVELOPMENT AREA STANDARDS

Area 1-A (Continued)

ADDITIONAL DEVELOPMENT STANDARDS FOR GASOLINE SERVICE STATION AREA

MAXIMUM LOT COVERAGE BY BUILDINGS:

20%

MAXIMUM BUILDING HEIGHT:

1 story

MINIMUM LANDSCAPED AREA:

- 1) 7% of net lot area shall be devoted to planted area.
- 2) Minimum of 5 feet from street frontage right-of-way.

GROUND SIGNS:

- 1) One sign shall be permitted with a maximum height of 25 feet and 160 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed .5 square feet of display surface area per lineal foot of building wall to which attached.

LIGHTING:

Light standards shall be limited to 30 feet in height with deflectors directing light downward and away from adjacent boundaries of Tract 1.

GENERAL RESTRICTIONS AND DESIGN CONTROLS WITHIN TRACT 1-A:

- 1) Automobile service interior work areas shall not be asible from any public streets.
- 2) The use of temporary signs, banners and streamers are prohibited.
 - 3) All building exteriors shall be concrete or masonry.*
- 4) The lots fronting arterial streets shall be served by an interior frontage road to minimize curb openings to arterial streets.
- 5) Automotive body work and painting shall not be permitted.
- 6) No trucks larger than 3/4-ton or equivalent shall be displayed or offered for sale.

^{*}Staff recommends that concrete block not be an acceptable exterior building facade.

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DEVELOPMENT AREA STANDARDS

Area 1-B

OFFICE PARK AREA:

An area devoted exclusively to office uses and customary accessory uses within the principal office building. The office park design restrictions and requirements will provide use transitions between the retail uses and the adjacent uses.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Unit 11 of the Tulsa Zoning Code, and accessory uses including barber and beauty shops, eating establishments, other than drive-ins, and rivate clubs, provided such accessory uses shall not occupy more tan 5% of the gross floor area of the building in which located.

LAND AREA (Gross):

106,722 sq. ft.

2.450 acres

MAXIMUM BUILDING FLOOR AREA:

31,360 SF

MAXIMUM LOT COVERAGE BY BUILDING:

.29 F.A.R./ 30%

MAXIMUM BUILDING HEIGHT

2 stories or 35 feet

MINIMUM LANDSCAPED AREA:**

- 1) 16% of net lot area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACK FROM PUBLIC STREET RIGHT-OF-WAY:

70 feet

SIGNS:

- 1) One monument sign per street entry not to exceed 4 feet in height and 32 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed .5 square feet of display surface area per lineal foot of building wall to which attached.
- *Staff recommends the following uses <u>not</u> be permitted.

 Drive-in Banks, Funeral Homes.
- **Staff recommends that privacy fencing or suitable screening be placed on the

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DEVELOPMENT AREA STANDARDS

Area 1-C

AUTOMOBILE STORAGE AREA:

An area used exclusively for the storage and preparation of automobiles to be offered for sale within Development Area 1-A.

PERMITTED USES:

The storage and preparation of automobiles and light trucks for sale within Tract 1-A.

LAND AREA (Gross):

131,377 sq. ft.

3.016 acres

MAXIMUM BUILDING FLOOR AREA:

.17 F.A.R./21,700 SF*

IMUM BUILDING HEIGHT:

1 story or 15 feet

THINING LANDSCAPED AREA: **

- 1) 7% of net lot area shall be devoted to planted area.
- 2) Minimum of 5 feet from street frontage right-of-way.

LIGHTING:

Light standards shall be limited to 30 feet in height with deflectors directing the light downward and away from adjacent boundaries of Development Area 1.

- *The Staff recommends this floor area be reduced to 14,050 square feet in order to be consistent and not exceed the existing 10 acres of CS zoning.
- **The Staff recommends that a privacy fence or suitable screening be placed on the west boundary.

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DEVELOPMENT AREA STANDARDS

Area 1-D

OFFICE PARK AREA:

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An area devoted exclusively to office uses and customary accessory uses within the principal office building. The office park design restrictions and requirements will provide use transitions between the retail uses and the adjacent uses.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Unit 11 of the Tulsa Zoning Code, and accessory uses including barber and beauty shops, eating establishments, other than drive-ins, and rivate clubs, provided such accessory uses shall not occupy more on 5% of the gross floor area of the building in which located.

LAND AREA (Gross):

86,510 sq. ft. 1.986 acres

MAXIMUM BUILDING FLOOR AREA:

65,300 SF

MAXIMUM LOT COVERAGE BY BUILDING:

.75 F.A.R./ 30%

MAXIMUM BUILDING HEIGHT:

10 stories

"""THIM LANDSCAPED AREA: **

- 1) 12% of net lot area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

MINIMUM BUILDING SETBACK FROM PUBLIC STREET***
RIGHT-OF-WAY:

70 feet

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

SIGNS:

- 1) One monument sign per street entry not to exceed 4 feet in height and 60 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed .5 square feet of display surface area per lineal foot of building wall to which attached.
- *Staff Recommends that the following uses <u>not</u> be permitted: Drive-in Banks, Funeral Homes.
- **Staff recommends that privacy fencing or suitable screening be required on the west boundary.
- ***Setback from abutting R District shall be 10' minimum, plus 2' for each 1' of building height exceeding 15'.

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DEVELOPMENT AREA STANDARDS

Area 1-E

OFFICE PARK AREA:

An area devoted exclusively to office uses and customary accessory uses within the principal office building. The office park design restrictions and requirements will provide use transitions between the retail uses and the adjacent uses.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Unit 11 of the Tulsa Zoning Code, and accessory uses including barber and beauty shops, eating establishments, other than drive-ins, and private clubs, provided such accessory uses shall not occupy more than 5% of the gross floor area of the building in which located.

LAND AREA (Gross):

471,145 sq. ft. 10.816 acres

IMUM BUILDING FLOOR AREA:

372,800 SF

MAXIMUM LOT COVERAGE BY BUILDING:

.79 F.A.R./ 30%

MAXIMUM BUILDING HEIGHT:

10 stories

MINIMUM LANDSCAPED AREA:**

- 1) 12% of net lot area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

MINIMUM BUILDING SETBACK FROM PUBLIC STREET***

70 feet

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

SIGNS:

- 1) One monument sign per street entry not to exceed 4 feet in height and 60 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed .5 square feet of display surface area per lineal foot of building wall to which attached.
- *Staff recommends the following uses <u>not</u> be permitted: Drive-in Banks, Funeral Homes.
- **Staff recommends that privacy fencing or suitable screening be required on the west boundary.
- ***Setback from abutting R District shall be 10' minimum, plus 2' for each 1' of building height exceeding 15'.

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DEVELOPMENT AREA STANDARDS

Area 1-F

ACCESSORY RETAIL AREA:

An area designed primarily for retail uses accessory to the automotive park including restaurants and eating facilities in an environment that will foster compatibility of use through design controls. Other compatible retail and office uses are permitted providing they comply with the design controls for the area.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Units 11, 12, 13 and 14 of the Tulsa Zoning Code.

LAND AREA (Gross):

348,959 sq. ft. **8.011 acres**

MAXIMUM BUILDING FLOOR AREA:

76,900 SF

"IM LOT COVERAGE BY BUILDINGS:

.22 F.A.R./ 30%

MAXIMUM BUILDING HEIGHT:

2 stories or 35 feet

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACK FROM CENTERLINE OF PUBLIC STREET RIGHT-OF-WAY:

210 feet (South Memorial Drive); 100 feet (Internal Public Lector street).

MINIMUM LANDSCAPED AREA:

- 1) 7% of net land area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

SIGNS:

1) One ground sign with a maximum of 25 feet in height and 160 square feet of display surface area.

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DEVELOPMENT AREA STANDARDS

Area 1-F (Continued)

- 2) Wall signs shall be limited to 1.5 square feet of display surface area per 1 lineal foot of building wall to which attached.
- 3) Internal directional signs shall be limited to 10 square feet of display surface area and 8 feet in height.
- 4) One monument sign shall be permitted at the arterial street entry, with a maximum of 60 square feet display surface area and 6 feet in height.
- *Staff recommends the following uses <u>not</u> be permitted: Drive-in Banks, Funeral Homes, Nightclubs, Taverns, Bars, Dance Halls.

LIGHTING:

- 1) Light standards shall be limited to 30 feet in height with deflectors directing the light downward and away from adjacent boundaries of Development Area 1.
 - Building mounted lights shall be hooded and directed downward to prevent allover lighting.

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DEVELOPMENT AREA STANDARDS

Area 2

STORMWATER DETENTION AREA AND OPEN SPACE:

An area devoted entirely to stormwater detention and caped open area. No buildings or off-street parking shall permitted.

LAND AREA:

5.044 acres

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DEVELOPMENT AREA STANDARDS

Area 3

OFFICE PARK AREA:

An area devoted exclusively to office uses and customary accessory uses within the principal office building.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Unit 11 of the Tulsa Zoning Code, and accessory uses including barber and beauty shops, eating establishments, other than drive-ins, and private clubs, provided such accessory uses shall not occupy more than 5% of the gross floor area of the building in which located.

LAND AREA (Gross):

108,522 sq. ft.

2.492 acres

MAXIMUM BUILDING FLOOR AREA:

85,800 SF

MAXIMUM LOT COVERAGE BY BUILDINGS:

.79 F.A.R./ 30%

MAXIMUM BUILDING HEIGHT:

10 stories

TIMUM LANDSCAPED AREA:

- 1) 12% of net lot area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

MINIMUM BUILDING SETBACK FROM PUBLIC STREET RIGHT-OF-WAY:

70 feet

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

SIGNS:

- 1) One monument sign per street entry not to exceed 4 feet in height and 60 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed .5 square feet of display surface area per lineal foot of building wall to which attached.

^{*}Staff recommends the following uses <u>not</u> be permitted: Drive-in Banks, Furneral Homes.

DEVELOPMENT AREA STANDARDS

Area 4

APARTMENT AREA:*

An area intended primarily for the development of garden apartments or other types of residential multi-family units.

PERMITTED USES:

Those uses permitted as a matter of right in Use Units 7 and 8 of the Tulsa Zoning Code.

TAND AREA (Gross):

1,926,005 sq. ft. 44.215 acres

M NUMBER OF DWELLING UNITS:

(19.6 units/acre) 866

MAXIMUM BUILDING HEIGHT

3 stories or 42 feet

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

BUILDING SETBACKS:

As required by Section 430 of the Tulsa Zoning Code.

MINIMUM LIVABILITY SPACE PER DWELLING UNIT:

200 square feet (exclusive of the open space area required for stormwater detention and drainage).

*Staff recommends that the west boundary be screened if the abutting property is developed at RS or RD densities.

DEVELOPMENT AREA STANDARDS

Area 5

APARTMENT AREA:

An area intended primarily for the development of garden apartments or other types of residential multi-family units.

PERMITTED USES:

Those uses permitted as a matter of right in Use Units 7 and 8 of the Tulsa Zoning Code.

LAND AREA (Gross):

762,779 sq. ft. 17.511 acres

MUM NUMBER OF DWELLING UNITS:

(19.6 units/acre) 344

MAKIMUM BUILDING HEIGHT:

3 stories or 42 feet

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

As required by Section 430 of the Tulsa Zoning Code.

MINIMUM LIVABILITY SPACE PER DWELLING UNIT:

200 square feet (exclusive of the open space area required for stormwater detention and drainage).

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DEVELOPMENT AREA STANDARDS .

Area 6

OFFICE PARK AREA:

An area devoted exclusively to office uses and customary accessory uses within the principal office building.

PERMITTED USES:*

Those uses permitted as a matter of right in Use Unit 11 of the Tulsa Zoning Code, and accessory uses including barber and beauty shops, eating establishments, other than drive-ins, and private clubs, provided such accessory uses shall not occupy more than 5% of the gross floor area of the building in which located.

LAND AREA (Gross):

276,650 sq. ft. 6.351 acres

MAXIMUM BUILDING FLOOR AREA:

98,000 SF

MAXIMUM LOT COVERAGE BY BUILDINGS:

.35 F.A.R./30%

PAXIMUM BUILDING HEIGHT:

2 stories or 35 feet

MINIMUM LANDSCAPED AREA: **

- 1) 16% of net lot area shall be devoted to planted open area.
 - 2) Minimum of 5 feet from street frontage right-of-way.

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACK FROM PUBLIC STREET RIGHT-OF-WAY:

70 feet

SIGNS:

- 1) One monument sign per street entry not to exceed 4 feet in height and 32 square feet of display surface area.
- 2) Wall signs shall be permitted not to exceed .5 square feet of display surface area per lineal foot of building wall to which attached.
- *Staff recommends the following uses <u>not</u> be permitted: Drive-in Banks, Funeral Homes.
- **Staff recommends that the south boundary be required to be privacy fenced or suitably screened from adjacent R development.

DEVELOPMENT AREA STANDARDS

Area 7

APARTMENT AREA:*

An area intended primarily for the development of garden apartments or other types of residential multifamily units.

PERMITTED USES:**

Those uses permitted as a matter of right in Use Units 7 and 8 of the Tulsa Zoning Code.

LAND AREA (Gross):

935,799 sq. ft. 21.483 acres

MAXIMUM NUMBER OF DWELLING UNITS:

(14.3 units/acre) 308*

MAXIMUM BUILDING HEIGHT:

3 stories or 42 feet***

OFF-STREET PARKING:

As required by the applicable use unit of the Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

As required by Section 430 of the Tulsa Zoning Code.

MINIMUM LIVABILITY SPACE PER DWELLING UNIT:

600 square feet (exclusive of the open space area required for stormwater detention and drainage).

- *The Staff recommends that this area be developed at a maximum of RS-3 intensities (5.2 units/acre) considering existing single family north across 91st. Therefore, the requested 308 units shall be reduced to 203 units.
- **The Staff recommends that a cul-de-sac be constructed on the east end of 92nd Street South on west boundary of Area 7.
- ***The Staff recommends that the maximum building height be reduced to 2 stories or 26 feet.

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DEVELOPMENT AREA STANDARDS

Area 8

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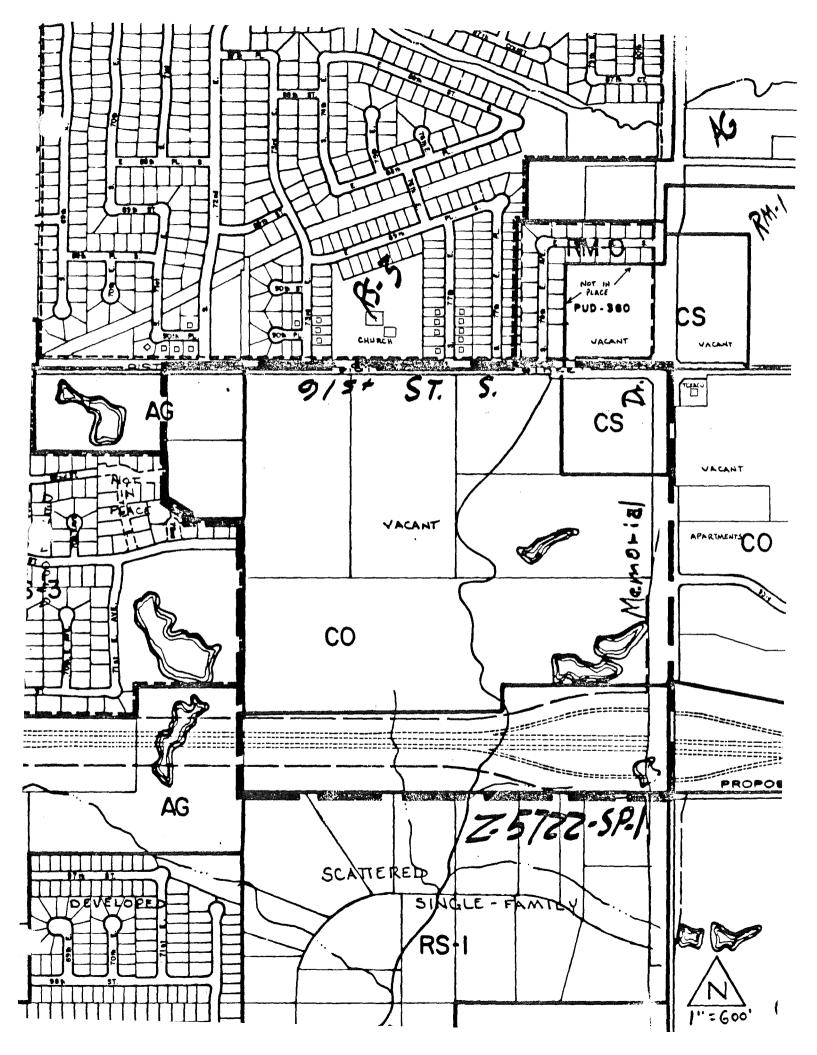
An area reserved to provide right-of-way for the proposed expressway and its interchange with Memorial Drive.

PERMITTED USES:

Those uses permitted as a matter of right in the AG district.

LAND AREA (Gross):

29.708 acres



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