

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2609

September 07, 2011, 1:30 PM

**175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

1. Minutes of August 17, 2011, Meeting No. 2608

CONSENT AGENDA:

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LS-20456**, (Lot-Split) (CD-3), Location: Northeast corner of North New Haven Avenue and East 36th Street North
3. **LS-20461**, (Lot-Split) (CD-8), Location: South of the intersection of 111th Street South and South Louisville Avenue
4. **LS-20455**, (Lot-Split) (CD-2), Location: North of the northwest corner of West 81st Street South and South Olympia Avenue (related to Items 5, 14 & 15)
5. **LC-353**, (Lot-Combination) (CD-2), Location: North of the northwest corner of West 81st Street South and South Olympia Avenue (related to Items 4, 14 & 15)
6. **LS-20458**, (Lot-Split) (CD-4), Location: South of the southeast corner of South Denver Avenue and West 2nd Street South (related to Item 7)
7. **LC-355**, (Lot-Combination) (CD-4), Location: Southeast corner of South Denver Avenue and West 2nd Street South (related to Item 6)
8. **Change of Access** – Location: 1624 South Memorial Drive, southwest corner of East 17th Street and South Memorial Drive (CD 5)

9. **Change of Access** - Location: East of northeast corner of West 4th Street and South Denver Avenue, Lots 5, 6, 7 of Block 133, Original Townsite of Tulsa (CD 4)
10. **PUD-179-S-7 – Crown Neon Signs/Justin Moydell/Mattress Firm**, Location: West of the southwest corner of 71st Street South and South Mingo Road, Requesting a Minor Amendment to increase the permitted wall signage allotment from one square foot of display surface area per lineal foot of building wall 1:1 to 2:1 and request to increase the height of a sign from 8 feet to 15 feet, **RM-1/CS/PUD**, (CD-7)
11. **PUD-649-3 – Tanner Consulting/Matt Baer/Birmingham Square**, Location: South of the southwest corner 31st Street South and South Birmingham Avenue, Requesting a Minor Amendment to raise the height of a screening wall to a maximum of 10' 6", **RS-1/PUD-649**, (C-9)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

12. **Stonegate III** – Preliminary Plat, Location: East of the northeast corner of East 51st Street South and South 177th East Avenue (CD 6)
13. **QuikTrip Number 0107** – Preliminary Plat, Location: East of northeast corner of Highway 75 and West 71st Street (CD 2)
14. **Z-7008-SP-1-3,5** – Plat Waiver, Location: North of the northwest corner of West 81st Street South and South Olympia Avenue (CD 2) (Related to Items 4, 5 & 15)
15. **Z-7008-SP-4 – Sack & Associates/Mark Capron/Tulsa Hills**, Location: North of the northwest corner of West 81st Street and South Olympia Avenue, Requesting a Corridor Plan to allow for automotive use to be added to Lot 10 and Tract 9B of Block 1 within the Tulsa Hills Regional Shopping Center, **CO**, (CD-2) (Related to Items 4, 5 & 14)
16. **2960 Charles Page Boulevard** – Plat Waiver, Restore Hope (CD 2)
17. **PUD-131-F – Kevin Bledsoe/QuikTrip**, Location: Southwest corner of South Garnett Road and East Skelly Drive, Requesting a Major Amendment to increase the height of a sign, decrease the sign setback requirement from an abutting freeway right-of-way and to decrease the setback requirement for a sign from a residential district, **CS/PUD-131-C to CS/PUD-131-F**, (CD-5)
18. **CZ-410 – Smalygo Properties, Inc./J. Smalygo**, Location: South of southwest corner of East 156th Street North and Highway 169, Requesting **AG to CG**, (County)
19. **Z-7180 – Jerome & Leslie Wade**, Location: East of southeast corner West Easton Court and North 27th West Avenue, Requesting **RS-3 to PK**, (CD-1)

20. **PUD-648-D/Z-6001-SP-4 – Andrew Shank/Olympia Land Development, LLC,** Location: Northeast corner of Highway 75 and West 71st Street, Requesting Major Amendment to Corridor Plan to add Outdoor Advertising as a permitted use within Development Areas B and D of PUD-648-B, **CO/PUD-648-B to CO/PUD-648-D,** (CD-2)
21. **Z-7181 – Roy D. Johnsen/Utica Place, LLC,** Location: East of southeast corner of East 22nd Place and South Utica Avenue, Requesting **RM-2 to OMH,** (CD-9) (Related to Item 22.)
22. **PUD-680-A – Roy D. Johnsen/Utica Place, LLC,** Location: Southeast corner of East 22nd Place and South Utica Avenue, Requesting a Major Amendment to amend the development standards for Development Area A to allow two mid-rise office buildings with a maximum height of four stories and under 51,000 square feet of permitted floor area, increase the permitted number of condominium dwelling units in Development Area B from ten units to twelve units, **RM-1/RM-2/PUD-680 to OMH/PUD-680-A,** (CD-9) (Related to Item 21.)
23. **CZ-411 – Bill Luster,** Location: Northeast corner of East 126th Street North and North 139th East Avenue, Requesting **AG to CS,** (County)
24. **Z-7182 – Roy D. Johnsen/Victor Welding Supply,** Location: East of southeast corner of South Peoria Avenue and East 2nd Street and east of the northeast corner of South Peoria Avenue and East 2nd Street, Requesting **RM-2 to IL,** (CD-4)
25. **Z-7178 – Tulsa North Community Development Corporation,** Location: North of northeast corner of East Latimer and North Main Street, Requesting **RS-4 to RM-3/CS,** (CD-1) (Related to Items 26 and 27.)
26. **Z-7179 – Tulsa Development Authority,** Location: North and east of East Latimer Street and North Main Street, Requesting **RS-4/CS to RM-3/CS,** (CD-1) (Related to Items 25 and 27.)
27. **PUD-786 – Tulsa Development Authority & Tulsa North Community Development Corporation,** Location: North and east of East Latimer and North Main Street, Requesting PUD is an infill development proposal to construct a mixed-use facility permitting 162 senior living apartment units with a maximum of 20,000 square feet of commercial floor area, two 4-story apartment buildings with commercial uses located on the ground floor of the southern building along Latimer Street and the building on the northern half of the subject site would be limited to the residential use, **RS-4/CS to RM-3/CS/PUD** (CD-1) (Related to Items 25 and 26.)

OTHER BUSINESS

28. **Commissioners' Comments**

ADJOURN

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org

TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.



2 West Second Street Suite 800 | Tulsa, OK 74103 | 918.584.7526 | www.TMAPC.org

A G E N D A

Tulsa Metropolitan Area Planning Commission

WORK SESSION

175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

Wednesday, September 7, 2011 – 1:45 p.m.*

(*Or immediately following adjournment of the TMAPC Meeting)

CONSIDER AND DISCUSS:

1. Discussion and status of the Form-Based Code for the remainder of the Pearl District/staff.

Adjourn.

Visit our website at www.tmapc.org

If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

Change of Access on Recorded Plat TMAPC September 7, 2011

1624 South Memorial Drive – (CD 5)

Southwest corner of East 17th Street and South Memorial Drive

This application is made to allow a change of access to shift an existing access and delete an access along East 17th Street, and to add an access along South Memorial Drive. The property is zoned CS (commercial shopping).

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

**CHANGE OF AND CONSENT TO
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT**

WHEREAS, BATMAN'S AUTO SALES
are the owners of 1624 S. MEMORIAL DR. E,
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof; and

WHEREAS, said owners desire to change the access points from 41 Feet
SOUTH WEST CORNER TO 86.5 FEET EAST to the above described property and,

WHEREAS, such change requires approval of the Tulsa Metropolitan Area
Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve
such change of access with a favorable recommendation by the City Engineer of the
City of Tulsa, Oklahoma, or County Engineer of Tulsa County, Oklahoma.

NOW THEREFORE, the undersigned owners of the above named property in
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,
does hereby change the access point(s) from its (their) present location as shown on
the above named plat as recorded in the office of the County Clerk of Tulsa County,
Oklahoma, as plat number _____ to the location(s) as shown on the attached Exhibit
A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its
approval to this instrument does hereby stipulate and agree to such change and, that
from and after the date of this consent, ingress and egress shall be permitted over,
through and across the areas of access as shown on attached Exhibit A, which is
incorporated herein by reference. The area of "access" as previously shown are hereby
revoked and access to the property prohibited across said area. The area of limits of no
access previously existing along the area of access now permitted by this change and
consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the parties have hereunto set their hands and
affixed their seals this _____ day of _____, 20____.


Owner

Owner

APPROVED:

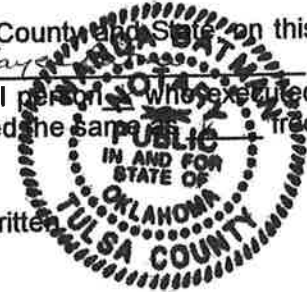
City/County Engineer

TMAPC

STATE OF Oklahoma)
COUNTY OF Tulsa)) SS

INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 4 day of August, 2011, personally appeared Faye, to me known to be the identical person who executed the foregoing instrument and acknowledged to me that K executed the same as its free and voluntary act and deed for the purposes therein set forth.



GIVEN under my hand and seal the day and year last above written

My Commission Expires: 10/24/13

[Signature] 09008791
Notary Public

STATE OF _____)
COUNTY OF _____)) SS

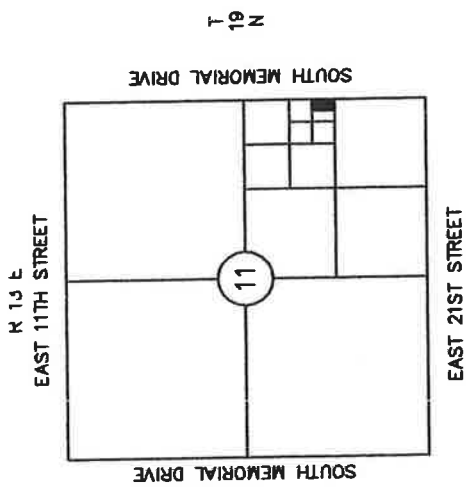
CORPORATE ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 20____, personally appeared _____, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its _____ and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed of such corporation, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: _____

Notary Public



LOCATION MAP

EXHIBIT 'A'

REVISED CHANGE OF ACCESS EXHIBIT

FOR

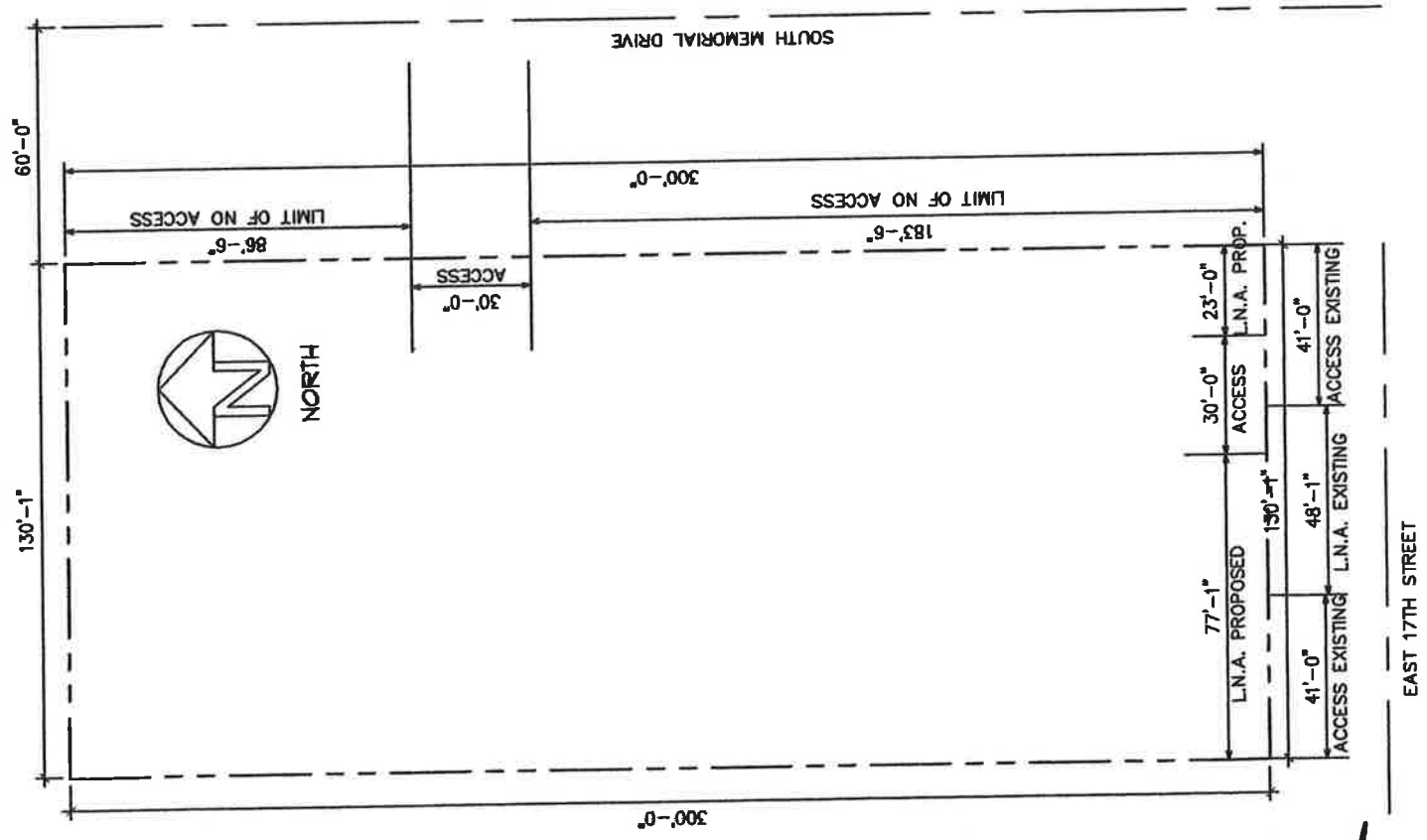
LOT DESCRIBED AS FOLLOWS:
SEE ATTACHED

JULY 10, 2011

APPROVED *[Signature]*
TRAFFIC ENGINEER

FEMI FASESIN, ARCHITECT
ARCHITECTURE & PLANNING

421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127
PHONE: 918-585-2289 • FAX: 918-585-2289



5.8

Change of Access on Recorded Plat TMAPC September 7, 2011

Lots 5,6,7, Block 133, Original Townsite Tulsa – (9201) (CD 4)
East of northeast corner of West 4th Street and South Denver Avenue

This application is made to allow a change of access to add an access on South Denver Avenue.
The property is zoned CBD (central business district).

Staff can recommend approval of the change of access because the Traffic Engineer and his staff have reviewed and approved the request.

**CHANGE OF AND CONSENT TO
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT**

WHEREAS, American Parking
are the owners of _____,
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof; and

WHEREAS, said owners desire to change the access points from refer
to approved Site plan to the above described property and,

WHEREAS, such change requires approval of the Tulsa Metropolitan Area
Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve
such change of access with a favorable recommendation by the City Engineer of the
City of Tulsa, Oklahoma, or County Engineer of Tulsa County, Oklahoma.

NOW THEREFORE, the undersigned owners of the above named property in
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,
does hereby change the access point(s) from its (their) present location as shown on
the above named plat as recorded in the office of the County Clerk of Tulsa County,
Oklahoma, as plat number 510 to the location(s) as shown on the attached Exhibit
A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its
approval to this instrument does hereby stipulate and agree to such change and, that
from and after the date of this consent, ingress and egress shall be permitted over,
through and across the areas of access as shown on attached Exhibit A, which is
incorporated herein by reference. The area of "access" as previously shown are hereby
revoked and access to the property prohibited across said area. The area of limits of no
access previously existing along the area of access now permitted by this change and
consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the parties have hereunto set their hands and
affixed their seals this _____ day of _____, 20____.

Owner

Owner

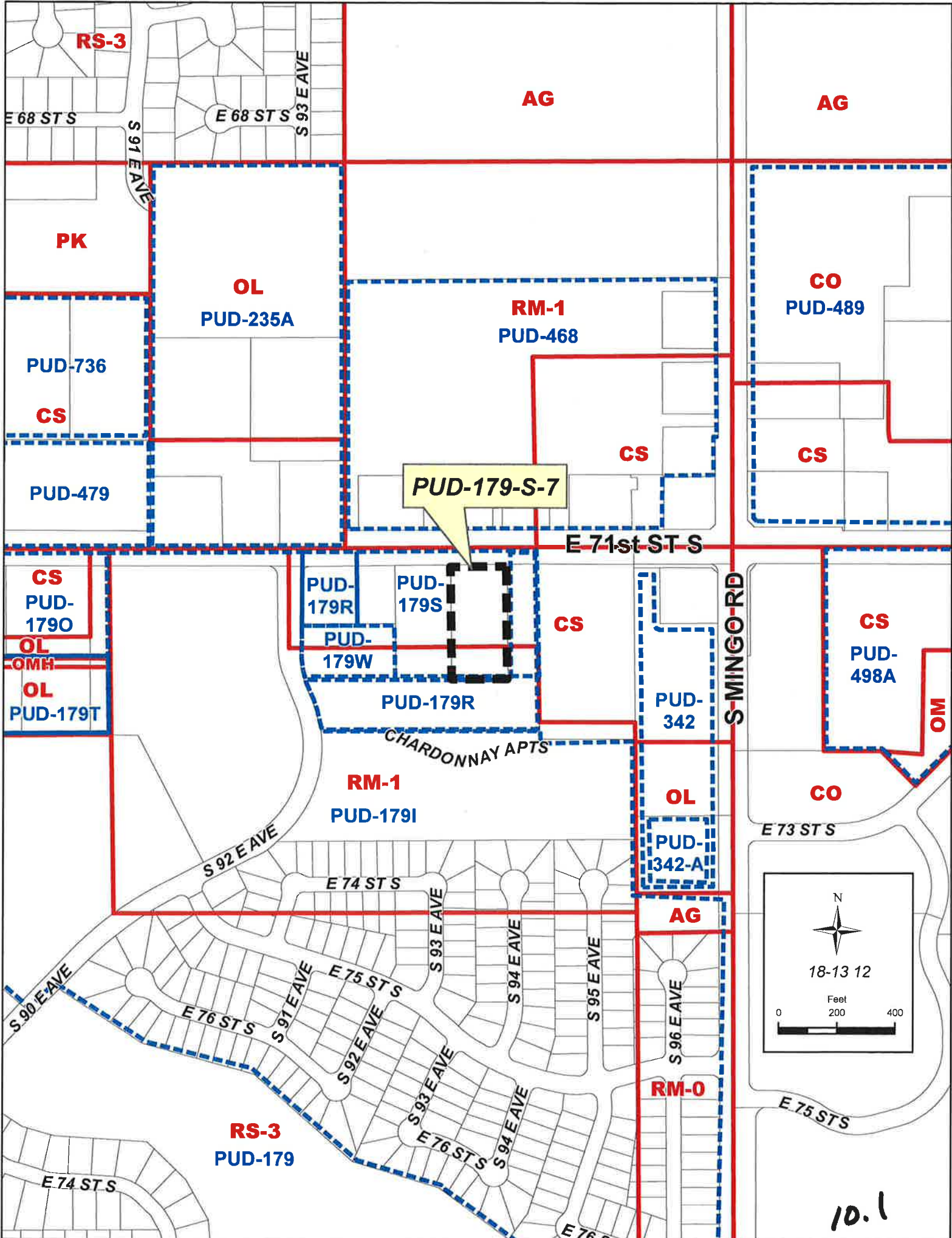
APPROVED:

Mark A. Brown
City/County Engineer

TMAPC



9.3





PUD-179-S-7

E 71st ST S

S MINGO RD

E 73 ST S

CHARDONNAY APTS

E 74 ST S

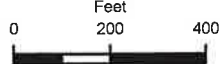
E 75 ST S

E 76 ST S

E 74 ST S



18-13 12



**Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010**

10.2

September 7, 2011

STAFF RECOMMENDATION

PUD-179-S-7: Minor Amendment – West of the southwest corner of 71st Street South and South Mingo Road; 9404 East 71st Street South; TRS 18-13-12; CZM 53; Atlas 1128; CD 7; RM-1/CS/PUD.

The applicant is requesting a minor amendment to increase the permitted wall signage allotment from 1 square foot (sf) of display surface area per lineal foot of building wall 1:1 to 2:1 and a request to increase the height of a sign from 8' to 15'. The request is being made for the subject tract only.

Sign standards for this lot currently allow wall signs at a ratio of 1:1 with no wall signs allowed on the south facing building wall and one monument style sign not to exceed 8 feet in height, nor 100 sf of display area. Research by staff does not conclusively determine why the sign standards for this lot were made restrictive, given the underlying CS zoning and the tract's proximity to residential development.

Please refer to the attached case photographs and exhibits. The lots fronting 71st Street South within the vicinity of the subject tract allow free standing signs which are comparable to the requested increase in sign height for the subject tract. These locations, including PUD-179-R to the west and PUD-468 to the north allow wall signs at a ratio of 2:1.

Triggering the need for this amendment is application for "remove and re-hang" sign permits with the City of Tulsa seeking to replace existing signage with the new tenant's signs of basically the same size and height. At that time it was discovered that the existing signage was non-conforming.

Given the surrounding commercial properties and the sign allotments for those properties staff contends approval of this request would not substantially alter the approved Development Plan or the character of the PUD.

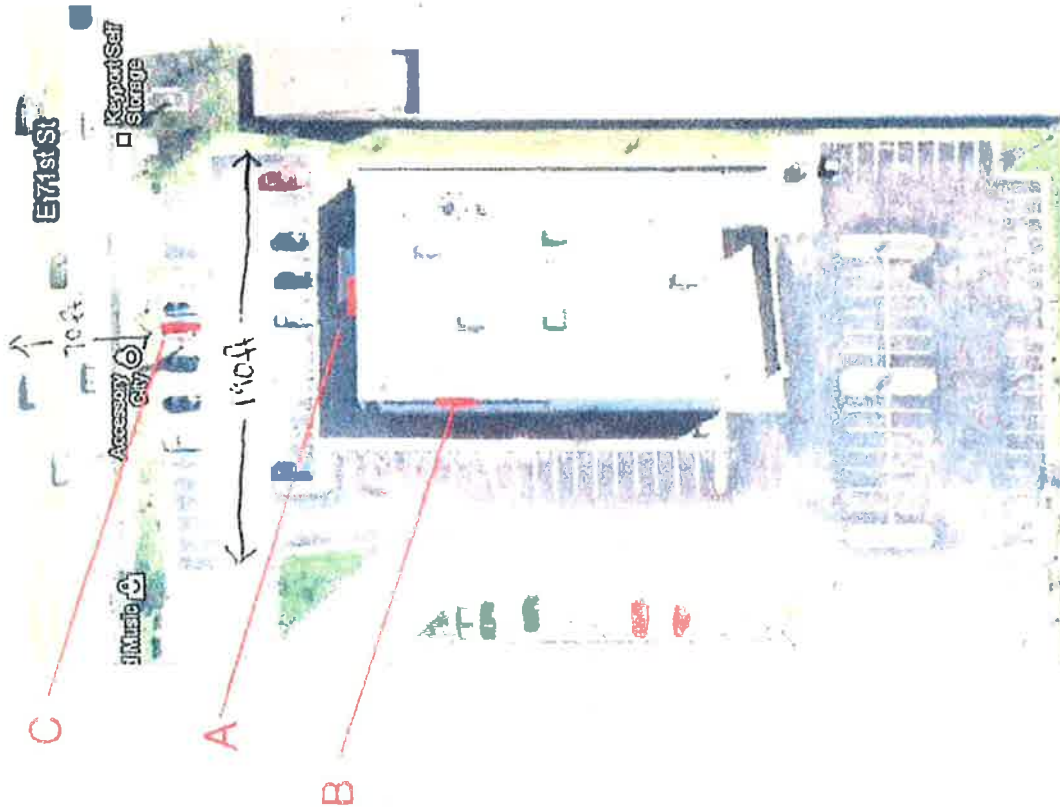
Therefore, staff recommends **APPROVAL** of minor amendment PUD-179-S-7 allowing one ground sign 15 feet in height with 50 sf of display area and a wall sign ratio of 2:1.

Note: Approval of a minor amendment does not constitute detail sign plan approval.

SITE PLAN DWG

3

Sign	Page #	Description
A	4	Front Elevation Channel Letters
B	5	Side Elevation Channel Letters & Cabinets
C	7	Pylon Replacement Faces



10.4

SIGN LOCATORS NOT DRAWN TO SCALE

Mattress Firm - Oklahoma Mattress Ventures
9404 East 71st Street
Tulsa, OK 74133
Version: #5

LANDLORD APPROVAL

CLIENT APPROVAL

All electrical signs will be used 120 volts, primary service. Other voltages are available at additional cost. Primary service time does not include electrical work and is not included in the price of the sign.

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ELEVATION DWG

NORTH ELEVATION

FACES	3/16" Acrylic - Red
TRIM CAP	Jewelrite - Black
RETURNS	5" Aluminum - Black
BACK	Aluminum
ILLUM.	LED - White
BACKPLATE	.065 Aluminum - Black

"SWOOSH"

FACES	2016 Yellow w/ Black vinyl
TRIM CAP	Jewelrite - Black
RETURNS	5" Aluminum - Black
BACK	Aluminum
ILLUM.	LED - Amber

NOTES:

- Any specifications not explicitly listed herein shall be determined at the sole discretion of IDM.
- See "Cut Sheet Direct Mount Led Channel Letters" for additional details.

Existing Storefront 100' Wide
Existing Sign 44' 10.5" x 6' 4.5"



10.5 id identity management

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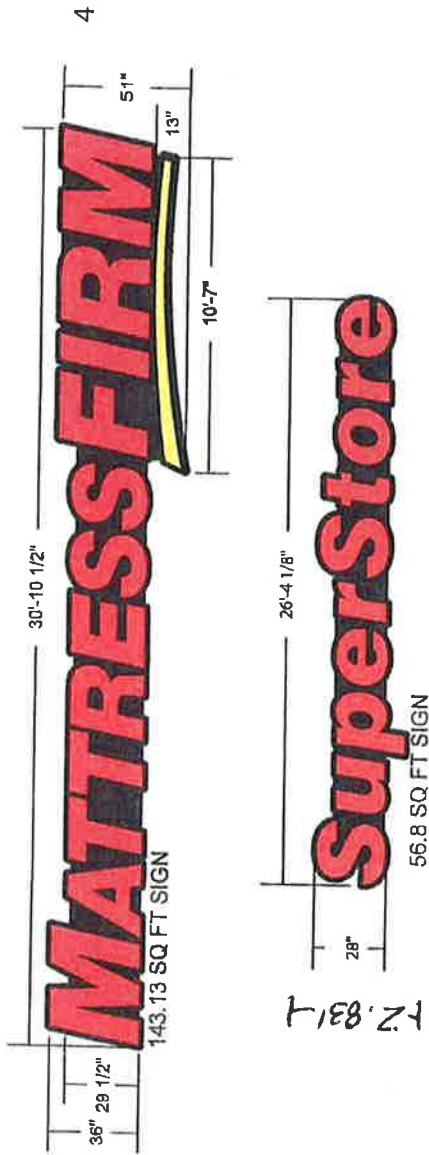
All electrical signs will be wired 120 volt, primary service. Other voltages are available at additional cost. Primary service line colors or other electrical devices not included in this presentation.

CLIENT APPROVAL

LANDLORD APPROVAL

Mattress Firm - Oklahoma Mattress Ventures
9404 East 71st Street
Tulsa, OK 74133

Version: #5



ELEVATION DWG

WEST ELEVATION

FACES	3/16" Acrylic - Red
TRIM CAP	Jewelrite - Black
RETURNS	5" Aluminum - Black
BACK	Aluminum
ILLUM.	LED - White
BACKPLATE	.065 Aluminum - Black

"SWOOSH"

FACES	2016 Yellow w/ Black vinyl
TRIM CAP	Jewelrite - Black
RETURNS	5" Aluminum - Black
BACK	Aluminum
ILLUM.	LED - Amber

NOTES:

- Any specifications not explicitly listed herein shall be determined at the sole discretion of IDM.
- See "Cut Sheet Direct Mount Led Channel Letters" for additional details.



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All electrical signs will be wired 120 volts primary service. Other voltages are available at additional cost. All signs will be wired for electrical safety. All signs are not included in this presentation.

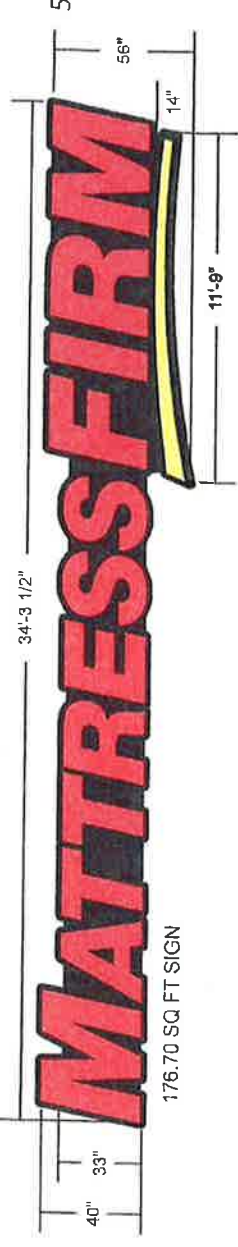
CLIENT APPROVAL

LANDLORD APPROVAL

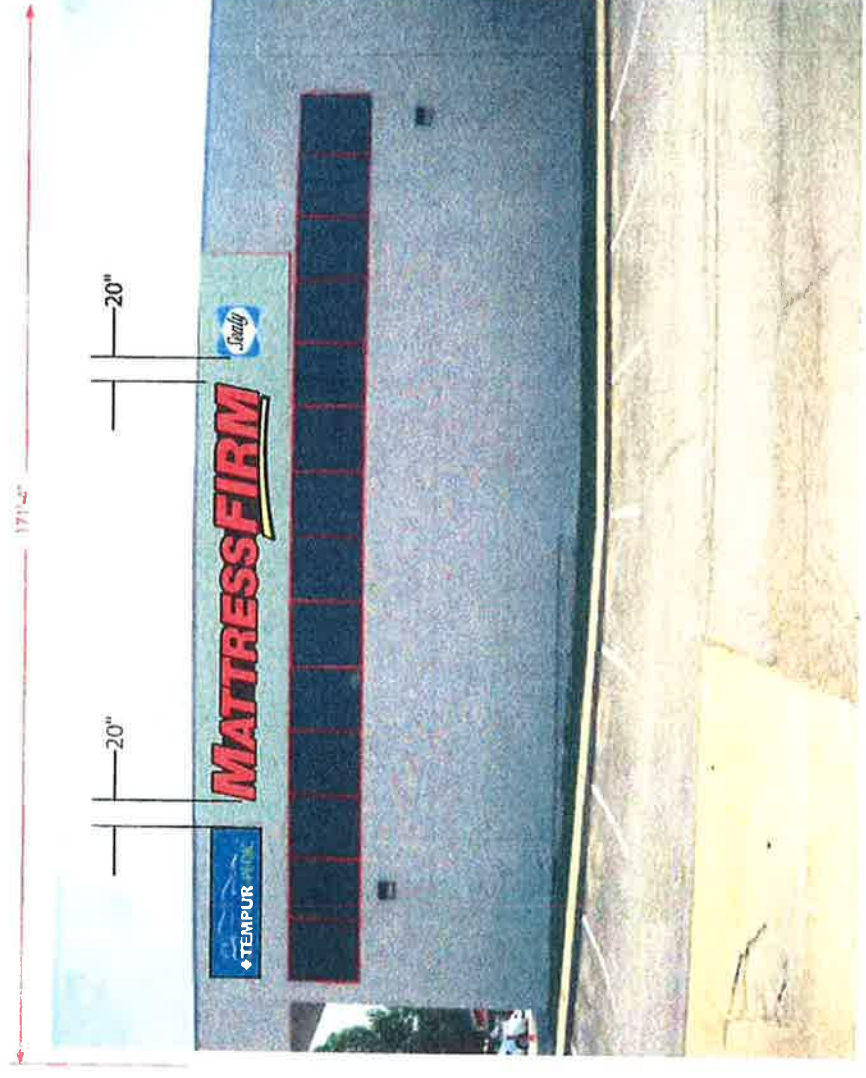
Mattress Firm - Oklahoma Mattress Ventures
9404 East 71st Street
Tulsa, OK 74133

Version: #5

10.6



SIDE ELEVATION SIGNAGE
MAY REQUIRE A "MINOR
AMENDMENT TO THE PUD"
AND A "PUD DETAIL SIGN
PLAN REVIEW"



SIGN PANEL

QUANTITY OF SIGNS: 1 (D/F)
TOTAL QUANTITY OF PANELS: 2

MATERIAL

FACES Flex - White

VINYL OBJECT COLOR

MattressFirm	Background	3630-33 Red
	"Cloud"	Black
	"Swoosh"	3630-25 Sunflower
Tempur-Pedic	Background	3630-36 European Blue
	"-PEDIC"	3630-136 Lime Green

ADDITIONAL SPECIFICATIONS:

- White areas are the acrylic panel showing thru weeded out vinyl
- Cabinets, Trim cap & Pipe to be painted black

EXISTING Ground sign



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id identity management

CLIENT APPROVAL

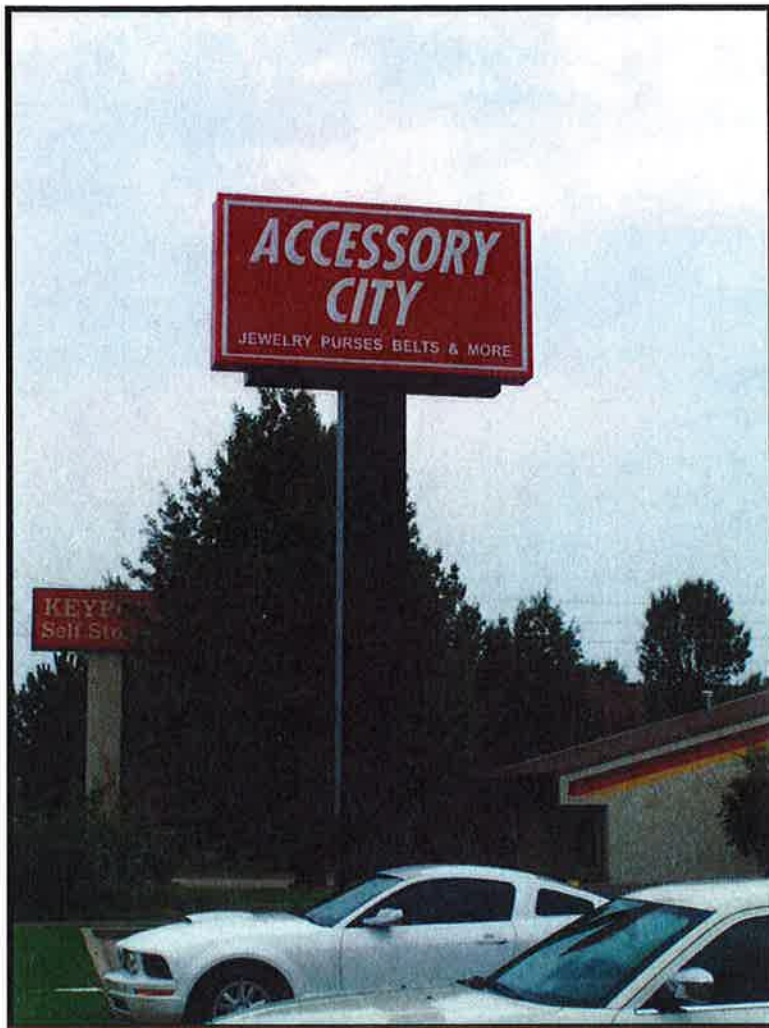
Mattress Firm - Oklahoma Mattress Ventures
9404 East 71st Street
Tulsa, OK 74133

Version: #5

LANDLORD APPROVAL



10.7



**Subject sign to be refaced for
Mattress Firm and subject of
this request.**



Accessory City building to be occupied by Mattress Firm



Keyport self storage—located adjacent to the east and south of subject tract.



Arby's sign across 71st St. Sign is permitted by PUD-468.



Applebee's sign across 71st St. Sign is permitted by PUD-468.

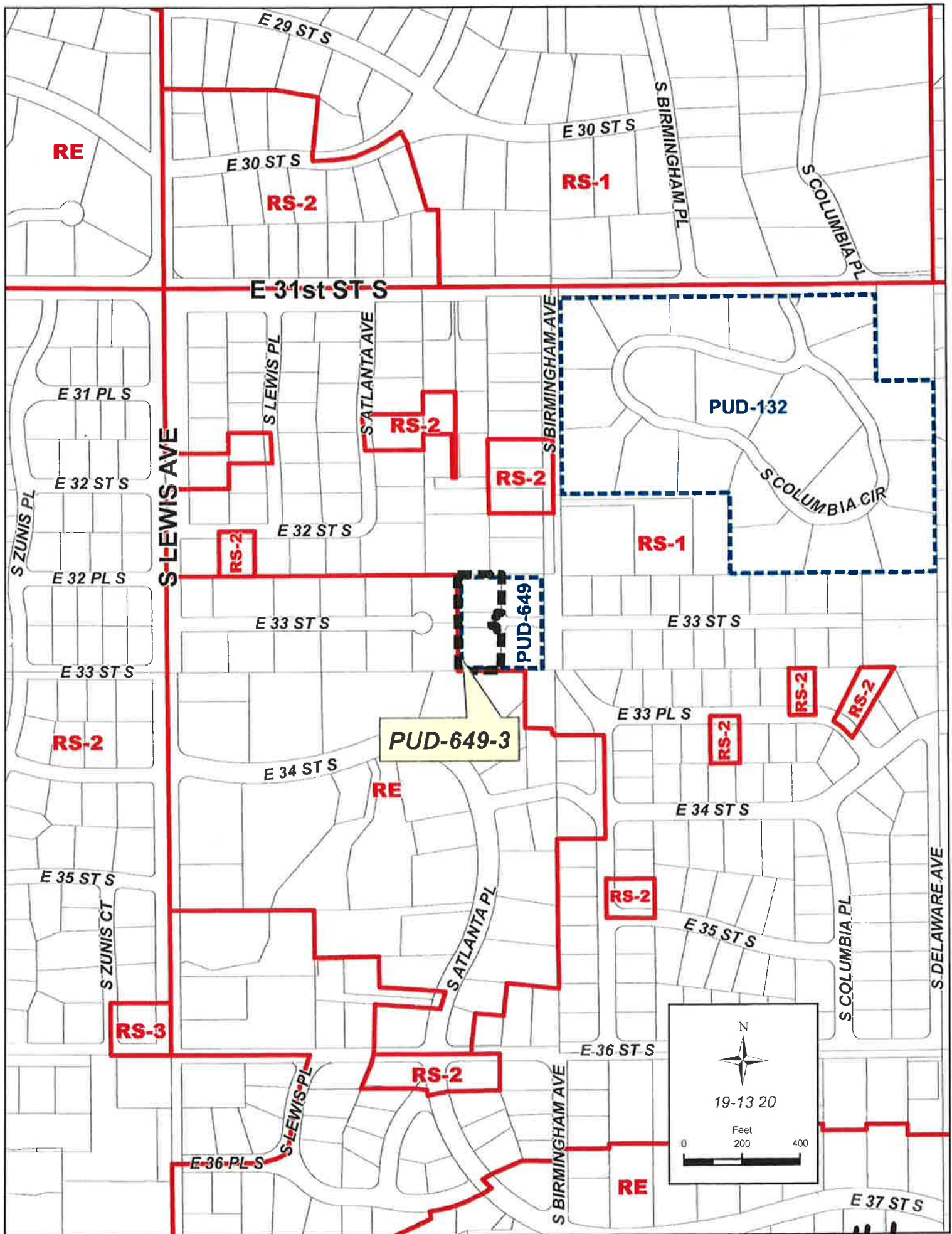


Fred's sign permitted by PUD-468; Al's Bistro by PUD-235 both across street from subject tract.

10.10



Signs adjacent to subject tract to the west. All signs permitted by PUD-179.



11.1



PUD-649-3



19-13 20

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

11.2

September 7, 2011

STAFF RECOMMENDATION

PUD-649-3: Minor Amendment – South of the southwest corner of 31st Street South and South Birmingham Avenue; All of Lots 2 and 3 and Reserve B, Block 1 – Birmingham Square;

The applicant is requesting a minor amendment to raise the height of a screening wall to a maximum of 10' 6". Please refer to the attached Exhibit 1. Specifically, the height of the columns of the wall would reach a maximum of 10' 6", while the wall panels themselves would vary from 8' to approximately 10'. The increase is being sought for 140 linear feet of the wall.

Please refer to the attached case photographs. The site of the wall sits at a location where two gradual slopes come together on a decline. The applicant cites the terrain of the wall location as creating the need to raise the height of the wall to allow for increased privacy.

The planning commission by minor amendment may change structure heights so long as the approved Development Plan, the approved PUD standards, and the character of the development are not substantially altered.

Given the sloping terrain toward the wall location, staff believes an increase in the height of this wall, at this location will not substantially alter the development and can support the application.

Therefore, staff recommends **APPROVAL** of PUD-649-3.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.



PUD-649 from the north

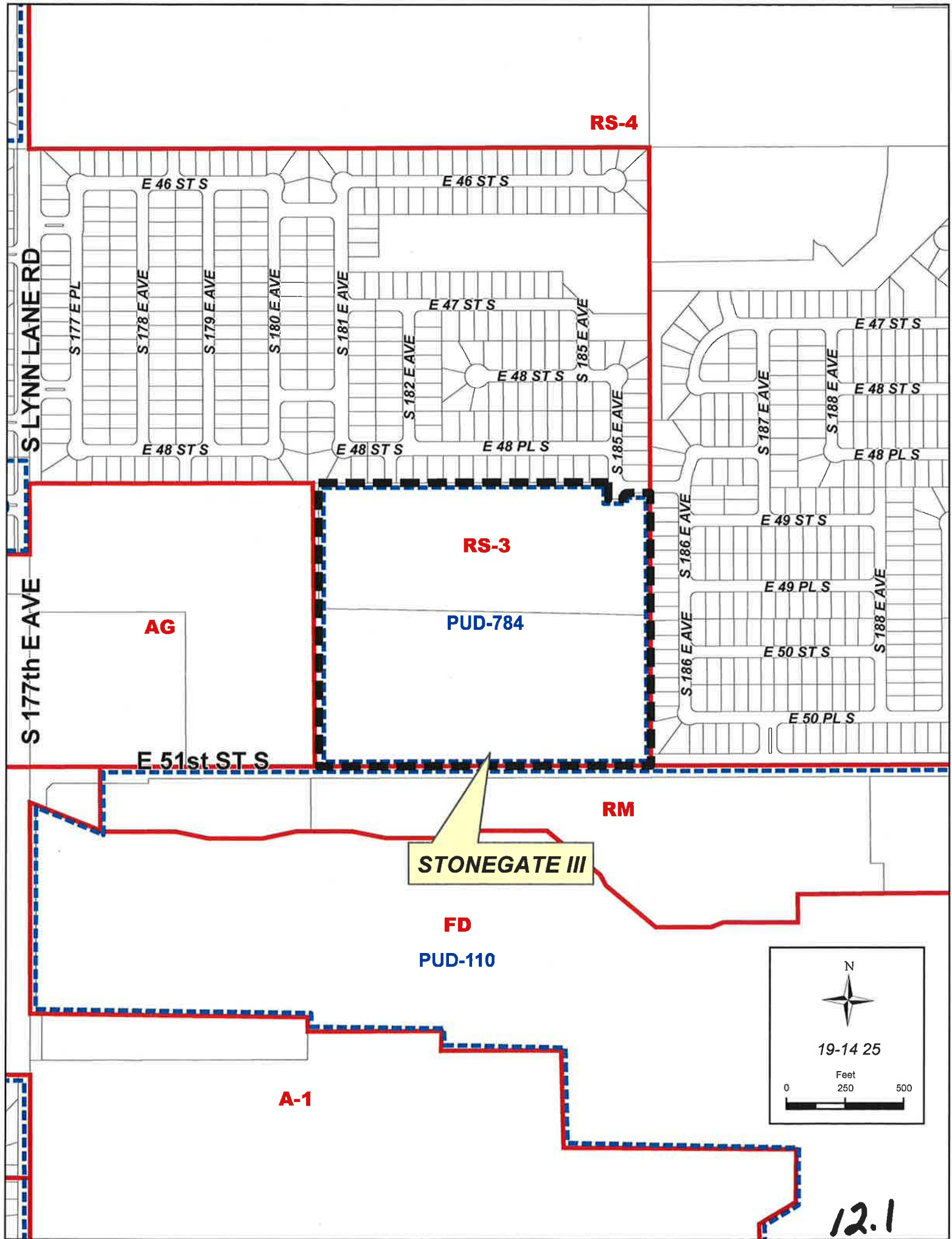


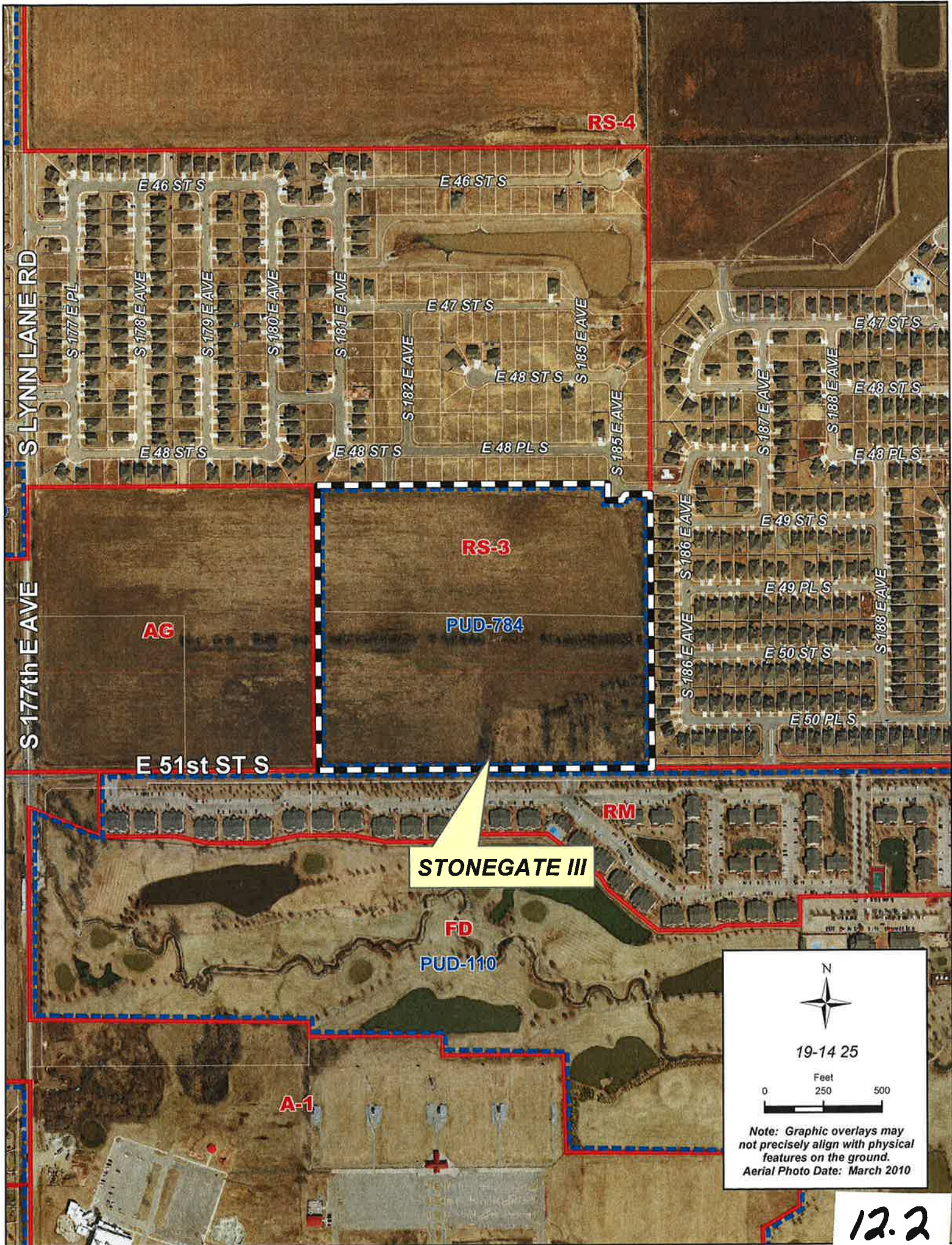
Looking into PUD-649 from the west (from 33rd Street)

11.6



Looking into PUD-649 from the east





PRELIMINARY SUBDIVISION PLAT

Stonegate III - (9425) (CD 6)

East of the Northeast corner of East 51st Street South and South 177th East Avenue

This plat consists of 154 Lots, 6 Blocks, on 38.99 acres.

The following issues were discussed August 18, 2011, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned Planned Unit Development 784 (RS-3). Square footages of each lot need to be shown. Typos in covenants need to be corrected. All PUD standards need to be shown in the covenants. A Homeowners' Association is required to be formed. All PUD standards must be met.
2. **Streets:** Add note on face of plat: Where sidewalks are not constructed by developer, the builder of each lot shall construct the required sidewalk.
3. **Sewer:** None of the side lot easements are dimensioned, and they appear to be a different size from the back to back 11' easements along the back lot lines. The side lot easement between Lots 11 and 12, Block 1, and between Lots 20 and 21, Block 1, must be a minimum of 15' in width with the sewer pipe centered within the easement. The 15' building line along the south boundary line of Block 1 must also be designated as a utility easement. In Section II b-2, omit the words "In Excess of 3 Feet".
4. **Water:** Provide utility easements on the south side and east side of roadways along the route of the water main line. The extension of a looped water main line is required. Show water service conduits serving each lot. Include fire hydrants and valves on the proposed water main line.
5. **Storm Drainage:** Remove the contours, the phases, and the phase dividing line. Label the storm sewer easements running north and south in Blocks 3, 5, and 6. They should be centered on the lot lines and have a minimum width of 7.5 feet on each lot. These widths must be labeled on the plat. Add storm sewer easement to the legend. Use standard language for "water, sanitary sewer, and storm sewer service", "Reserve "A" Stormwater Detention Easement", and "Surface Drainage". Add standard language for "Roof Drainage Requirements". In Section II G. and H. Overland drainage easement use is defined. If overland drainage easements will be required for this platted area, then the standard language for overland drainage

easements must be added to the covenants.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be necessary.
7. **Other: Fire:** No fire hydrants shown on conceptual drawings. Provide fire hydrants per Appendix B, C and D of the international fire code. **GIS:** Provide the email address for the engineer/surveyor. Label all subdivisions within the mile section of the location map (Oak Ridge Park and Stone Creek Commercial Center are not labeled). Provide a written scale for the location map. Add a north arrow to the location map. On the face of the plat provide a written scale under the graphic scale. The plat scales 1"=100' but the graphic scale bar shown measures 1"=50'. Add point of beginning and a description for it to the legend. The basis of bearings information from Exhibit A of the legal description needs to also be shown on the face of the plat. In the northeast corner of the plat along East 49th Place South the bearing for the distance of 95.17 feet is shown on the face of the plat as N89°56'33W but should be S89° 56'33E as shown in the legal description. Add Stonegate III label above sheet 1 and 2 label in the lower right corner of the page. Submit a Subdivision Control Data Form (Appendix D), last page of the subdivision regulations for the Tulsa Metropolitan Area, in which the first point shall be the point of beginning with two other points on or near the plat's boundary. Scale and plat dimensions need to match. Add paragraphs for Certificate of Occupancy restrictions and utility easement dedication.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the public works department and development services staff must be taken care of to their satisfaction.

Standard Conditions:

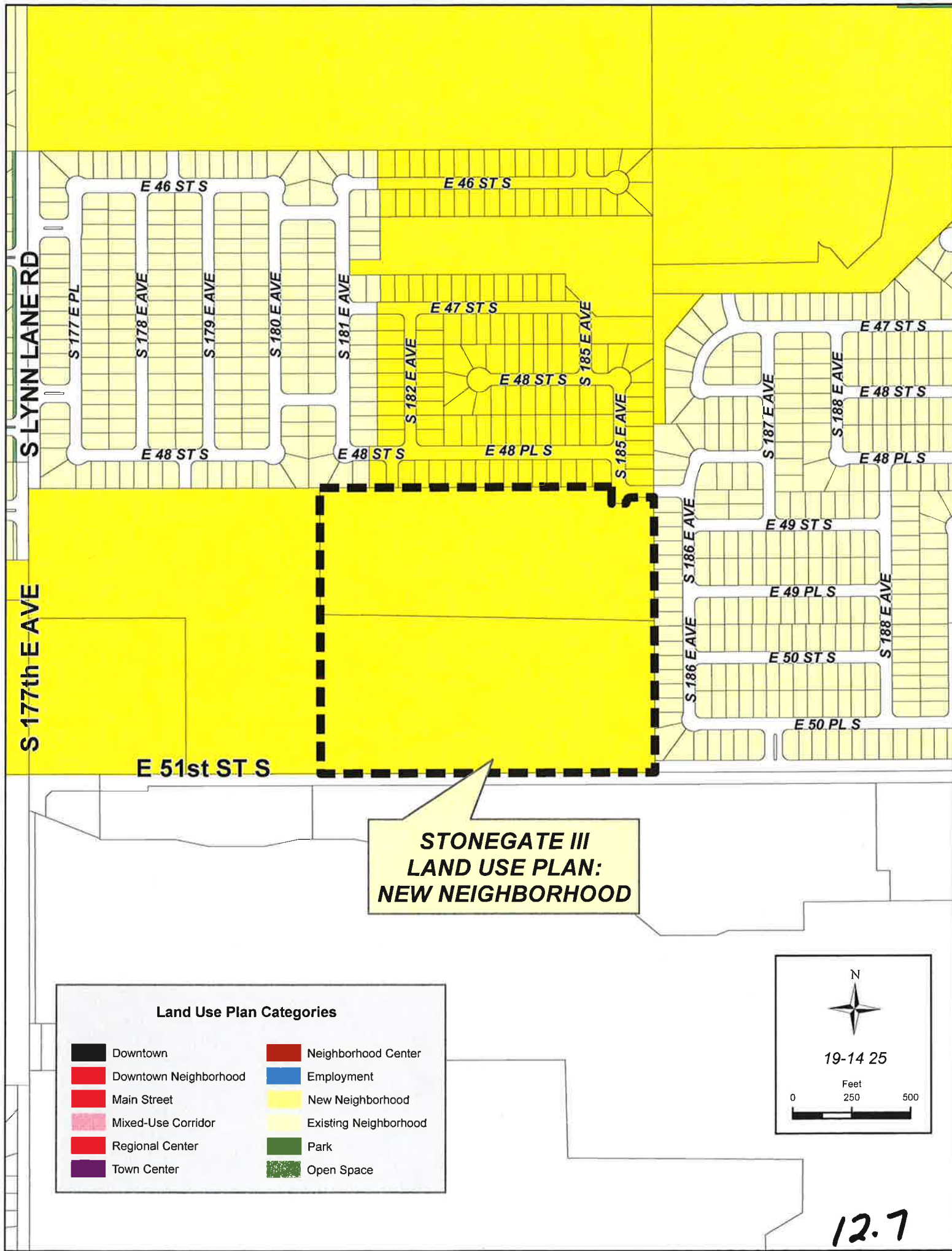
1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities

12.4

in covenants.)

3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



S LYNN LANE RD

S 177th E AVE

S 177 E PL

E 46 ST S

S 178 E AVE

S 179 E AVE

S 180 E AVE

S 181 E AVE

E 46 ST S

E 47 ST S

E 48 ST S

E 48 PL S

E 48 ST S

E 48 ST S

S 182 E AVE

S 185 E AVE

S 185 E AVE

S 186 E AVE

S 186 E AVE

E 49 ST S

E 49 PL S

E 50 ST S

E 50 PL S

S 187 E AVE

S 188 E AVE

E 47 ST S

E 48 ST S

E 48 PL S

E 51st ST S

STONEGATE III
LAND USE PLAN:
NEW NEIGHBORHOOD

Land Use Plan Categories

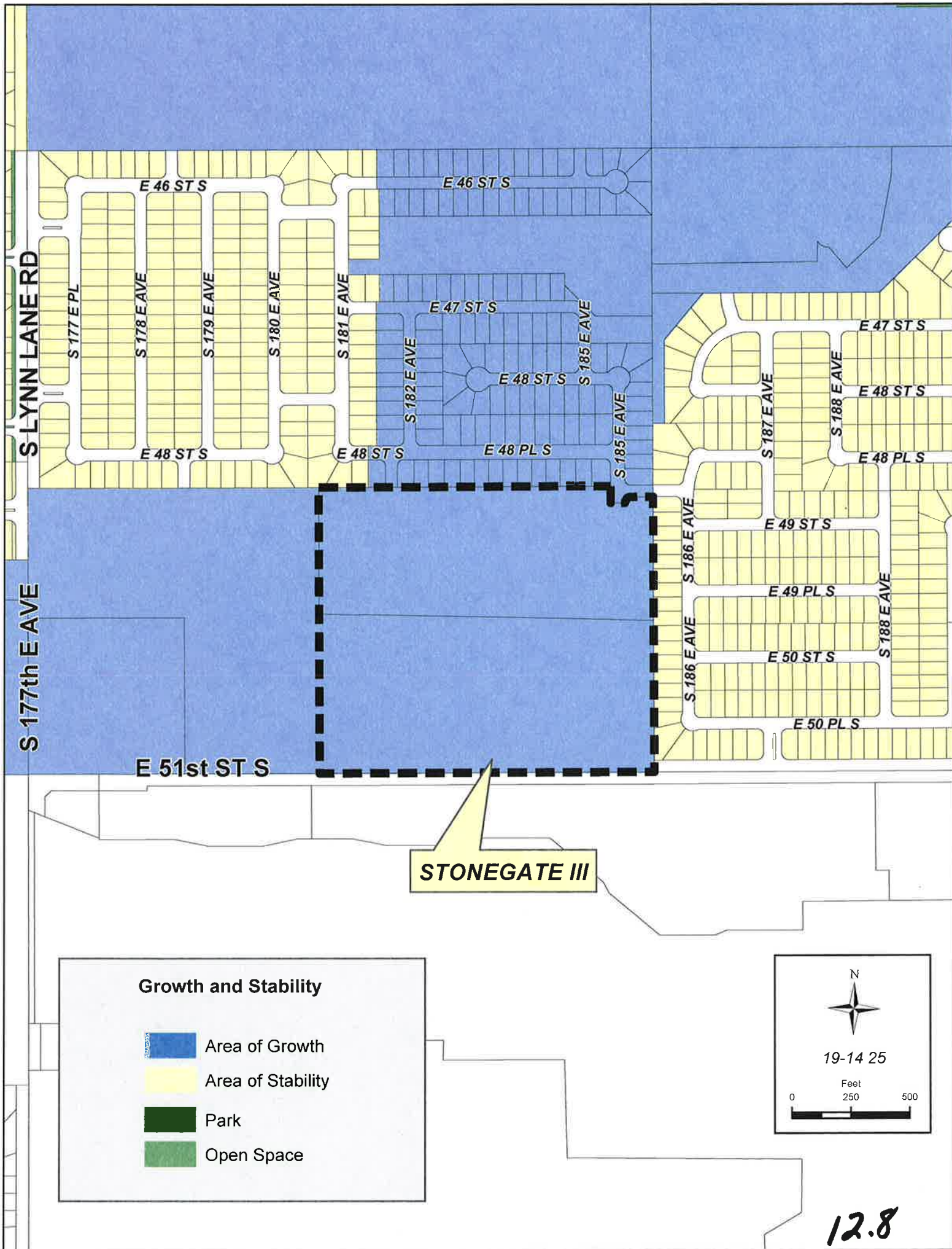
- | | |
|-----------------------|-----------------------|
| Downtown | Neighborhood Center |
| Downtown Neighborhood | Employment |
| Main Street | New Neighborhood |
| Mixed-Use Corridor | Existing Neighborhood |
| Regional Center | Park |
| Town Center | Open Space |



19-14 25

Feet
0 250 500

12.7



Preliminary Plat - PUD #784

A SUBDIVISION IN THE SOUTHWEST QUARTER OF (SW/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

MEMBER	END IN TABLE	NUMBER	MAX. LENGTH
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C	BCDVC		

LINE TABLE		
NAME/NO.	REMARKS	DATE
1.1	REMARKS	DATE

Owner/Developer
DWIGHT CLAXTON
5407 SOUTH LEWIS AVE.
TULSA, OK 74105
PHONE: (918) 746-9940
FAX: (918) 746-1812

Engineer/Surveyor
HRAOK, INC
1913 WEST TACOMA, SUITE A
BROKEN ARROW, OKLAHOMA 74011
PHONE: (918) 258-3737
FAX: (918) 258-2554
C.A.#0843 EXPIRES JUNE 30, 2011

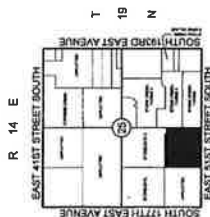
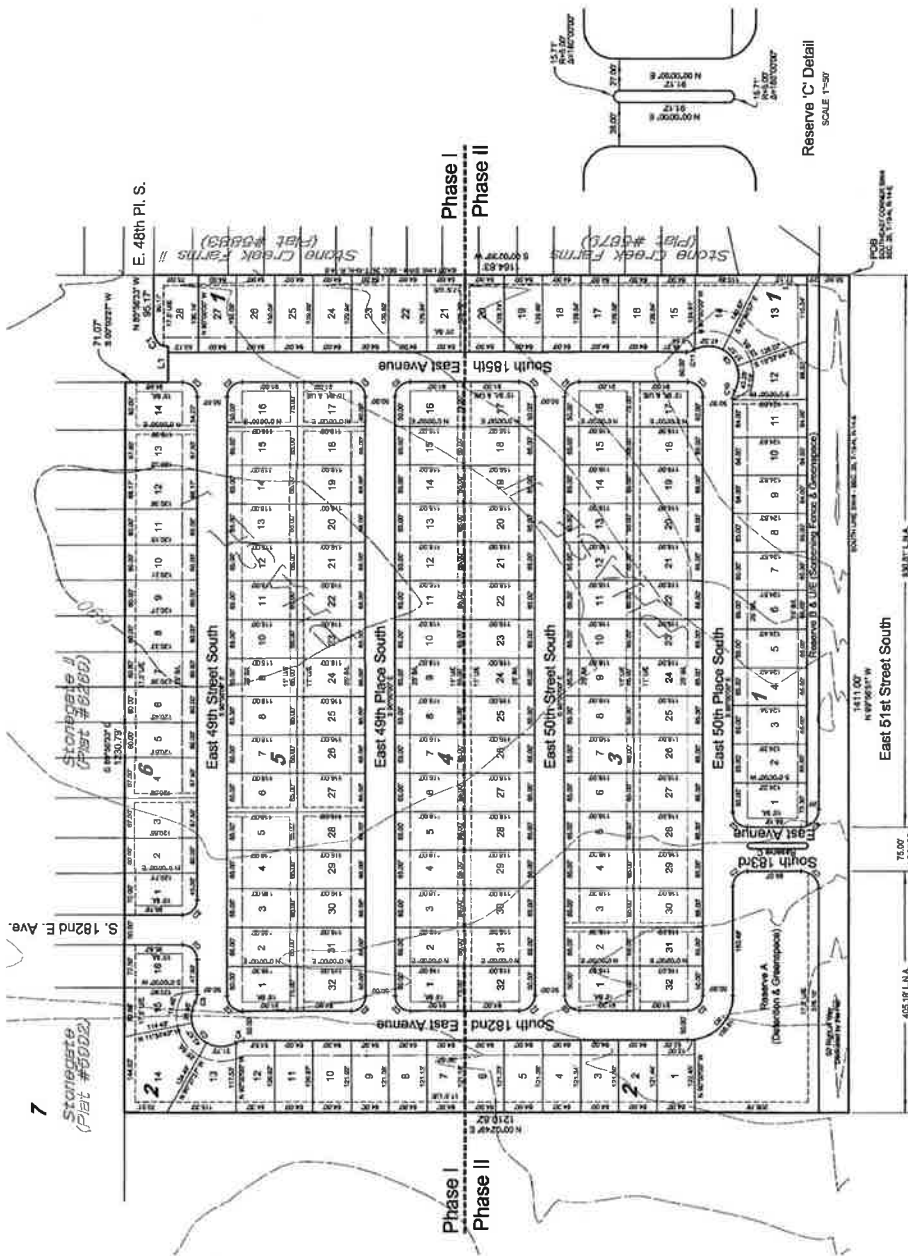
<u>PLAT NO.</u>	<u>FINAL PLAT</u>
	<u>CERTIFICATE OF ADOPTION</u>
	I hereby certify that said map was approved by the Tulsa Metropolitan Area Planning Commission on:
	<u>TIMPOINOG</u>
	This approval is valid if this date is not filed in the Office of the County Clerk, on or before:
	<u>COUNTY or CITY ENGINEER</u>
	<u>APPROVED _____ by the</u> <u>Council of the City of Tulsa,</u> <u>Oklahoma.</u>
	<u>Chairman</u>
	<u>Mayor</u>
	<u>Attest: City Clerk</u>
	<u>Approved: City Attorney</u>

COUNTY CLERK STAMP

RECEIVED
JUL 22 2011
TECHNICAL ADVISORY
COUNCIL MEETING
AUG 18 2011
TULSA METROPOLITAN AREA
HVS COMMUNITY

COUNTY TREASURER STAMP

RECEIVED
JUL 27 1973
Public Information &
Planning Committee



Location Map

[illegible]

SUBDIVISION CONTAINS 38,980 ACRES



Legend

B/L	BUILDING LINE
LNA	LIMITS OF NO ACCESS
MAF	MUTUAL ACCESS EASEMENT
URE	UTILITY EASEMENT
230	STREET ADDRESS

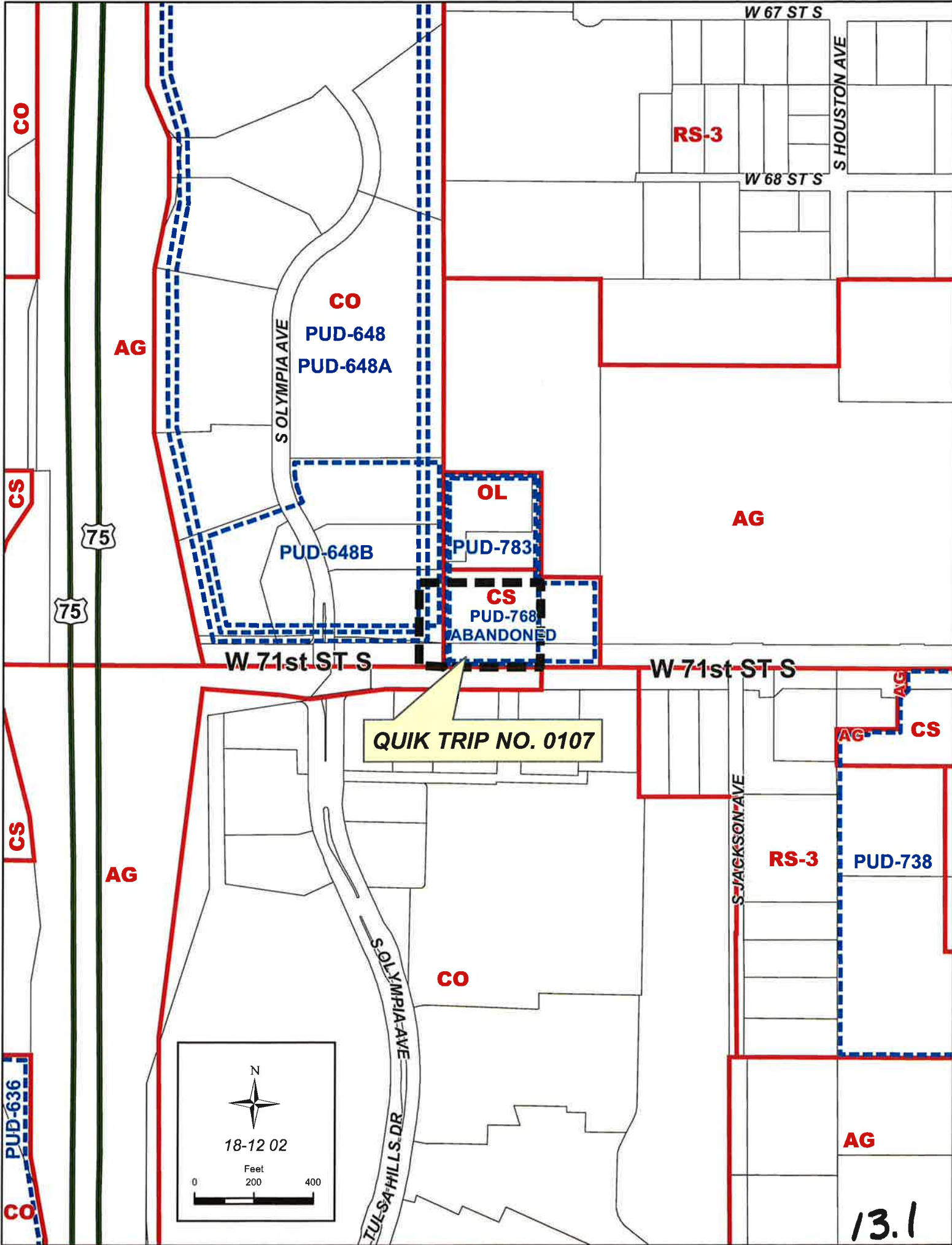
Monumentation

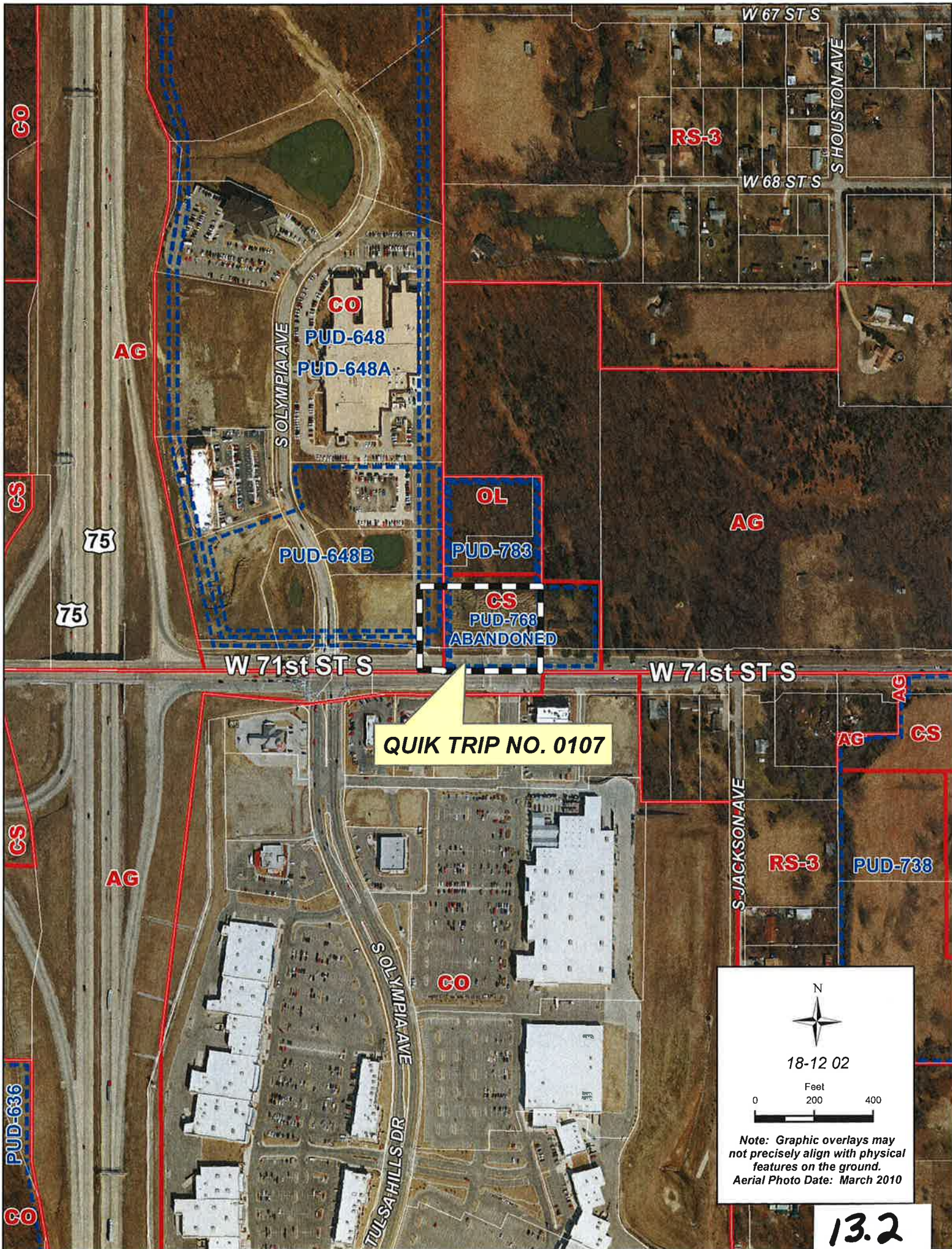
Benchmark
 158" REBAR-1 1/2" ALUMINUM CAP-FLUSH-SET IN
 CONCRETE-STAMPED "90". SET N.E. OF THE
 INTERSECTION OF 103RD E AVE. AND 51ST ST.
 ELEV=688.246' (NAVD 1983)

Notes

ALL STREET RIGHT-OF-WAY SHALL BE DEDICATED AS PUBLIC STREETS BY THIS PLAT

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE MOVED ON IN PLACE OF LEGAL DESCRIPTION.





N

18-12 02

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

PRELIMINARY SUBDIVISION PLAT

Quik Trip No. 0107 - (8202) (CD 2)

East of northeast corner of Highway 75 and West 71st Street South

This plat consists of 1 Lot, 1 Block, on 2.68 acres.

The following issues were discussed August 18, 2011, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned PUD 783-A (CS/OL). Release letters from the pipeline company with lines crossing the property are needed.
2. **Streets:** A 28 foot emergency access must be designated as mutual access easement by separate instrument. Limits of No Access and access outside the site boundary must provide plat reference. Access with median is called out as 65 feet and 70 feet. Both should be the same. Section 1.H.; Section II.D- Use standard sidewalk language. Show curve information for driveways.
3. **Sewer:** The 11 foot utility easement along the north boundary line needs to be increased to a 17.5 foot utility easement. Excess capacity fees of \$1,900.00/acre will be assessed for the area that was not originally included in the Olympia Medical Park plat. Off-site separate easements may be needed to be dedicated by separate instrument.
4. **Water:** Add to the legend R/W/E – Restrictive Waterline Easement; Add “By Separate Instrument” to the off site waterline easement. On the eastern property line a 15 foot R/W/E can be allowed so long as it stays adjacent to a utility easement. Provide language that allows the 20 foot restrictive waterline easement to be placed inside an existing 60 foot R/W for TransOk Pipeline. Show the existing pipe inside the Trans OK 60 foot R/W area. Show both valves and fire hydrants on the proposed water main line.
5. **Storm Drainage:** The instrument number for the mutual access easement must be placed in the blank. Remove Olympia Medical Park II Lot and Block information from the platted area. Distinguish between existing easements and those being dedicated by this plan, by using different line symbols. Add “R/W/E” to the legend. Add bearings for the north and east boundary lines of the stormwater detention easement, which must be in a Reserve because this plat has more than 1 lot. Add distances and bearings for the bounding lines of Reserve D in this platted area. Drainage flowing onto this site, from the north right of way of 71st Street, is public drainage, and as such, it must be collected at the south plat boundary. Then it must be conveyed across

this site in a public easement, either overland drainage easement or storm sewer easement, which must be shown on the plat. Use standard language for "Water, Sanitary Sewer, and Storm Sewer Service", and "Reserve A" stormwater detention easement", "overland drainage easement" may need to be added. Offsite drainage flowing onto the site must be collected and conveyed across the site in a public easement. Quik Trip's south and west curb will not be allowed to block this drainage. All additional drainage must be collected, and then piped to the stormwater detention facility.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Any signs proposed in easements will need to be further reviewed. If PSO lines are to be relocated on the east side the developer will have to pay for this cost.
7. **Other: Fire:** No comment. **GIS:** Provide the email address for the surveyor. On the location map the properties of New Life Christian school and new life Pentecostal church are platted as the lighthouse church on the County Assessors' map. Add a north arrow to the location map. The point of commencement to the point of beginning will need to be described in the legal description. Add a leading zero to all single digit degree descriptions on the face of the plat to match what is shown in the legal description. Submit a subdivision control data form correctly describing boundaries. Address is 809 West 71st Street. **Airport:** Air study reports are needed.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

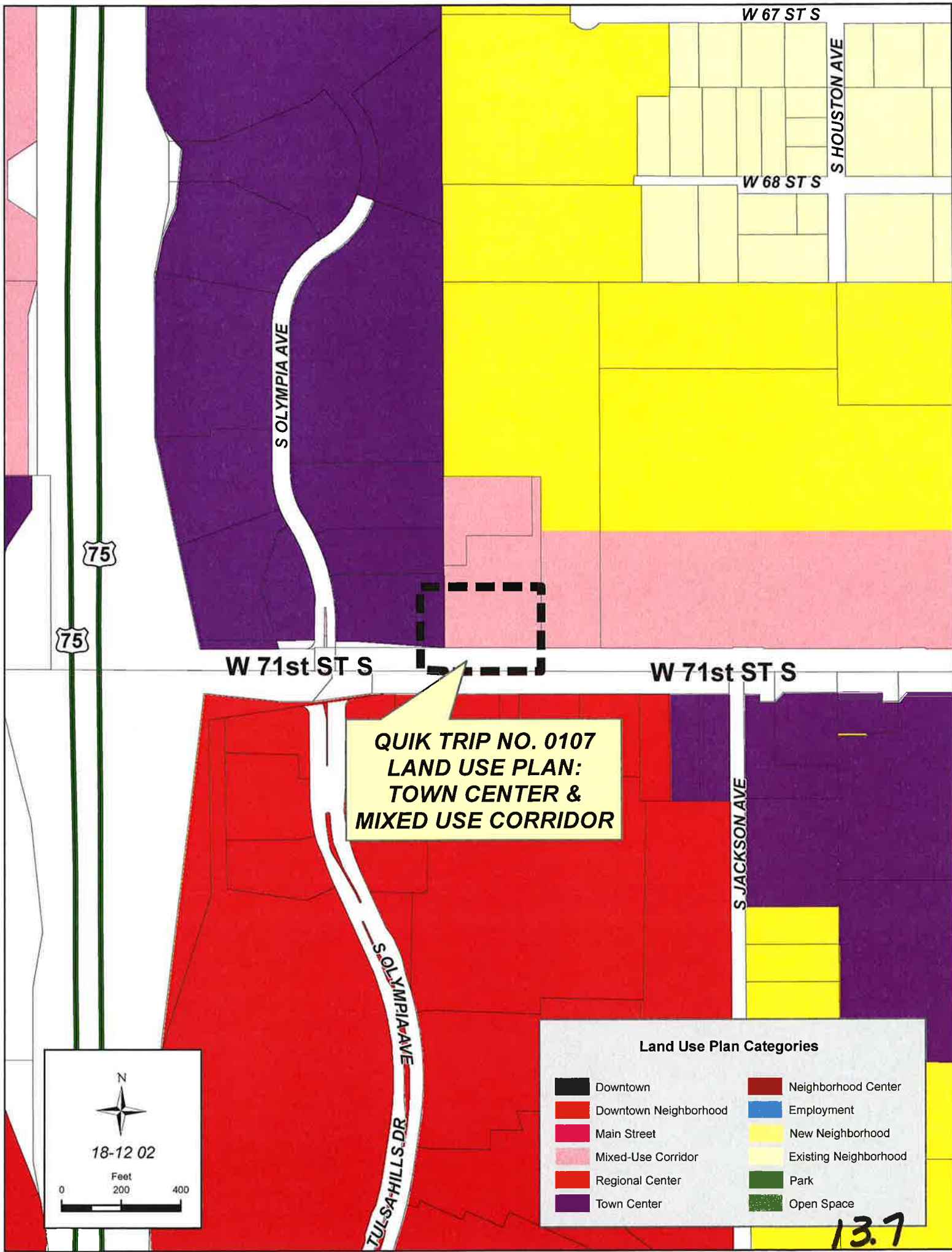
1. The concerns of the public works department and development services staff must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)

3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



W 67 ST S

S HOUSTON AVE

W 68 ST S

S OLYMPIA AVE

75

75

W 71st ST S

W 71st ST S

QUIK TRIP NO. 0107
LAND USE PLAN:
TOWN CENTER &
MIXED USE CORRIDOR

S JACKSON AVE

S OLYMPIA AVE
TULSA ST

Land Use Plan Categories

- | | |
|-----------------------|-----------------------|
| Downtown | Neighborhood Center |
| Downtown Neighborhood | Employment |
| Main Street | New Neighborhood |
| Mixed-Use Corridor | Existing Neighborhood |
| Regional Center | Park |
| Town Center | Open Space |



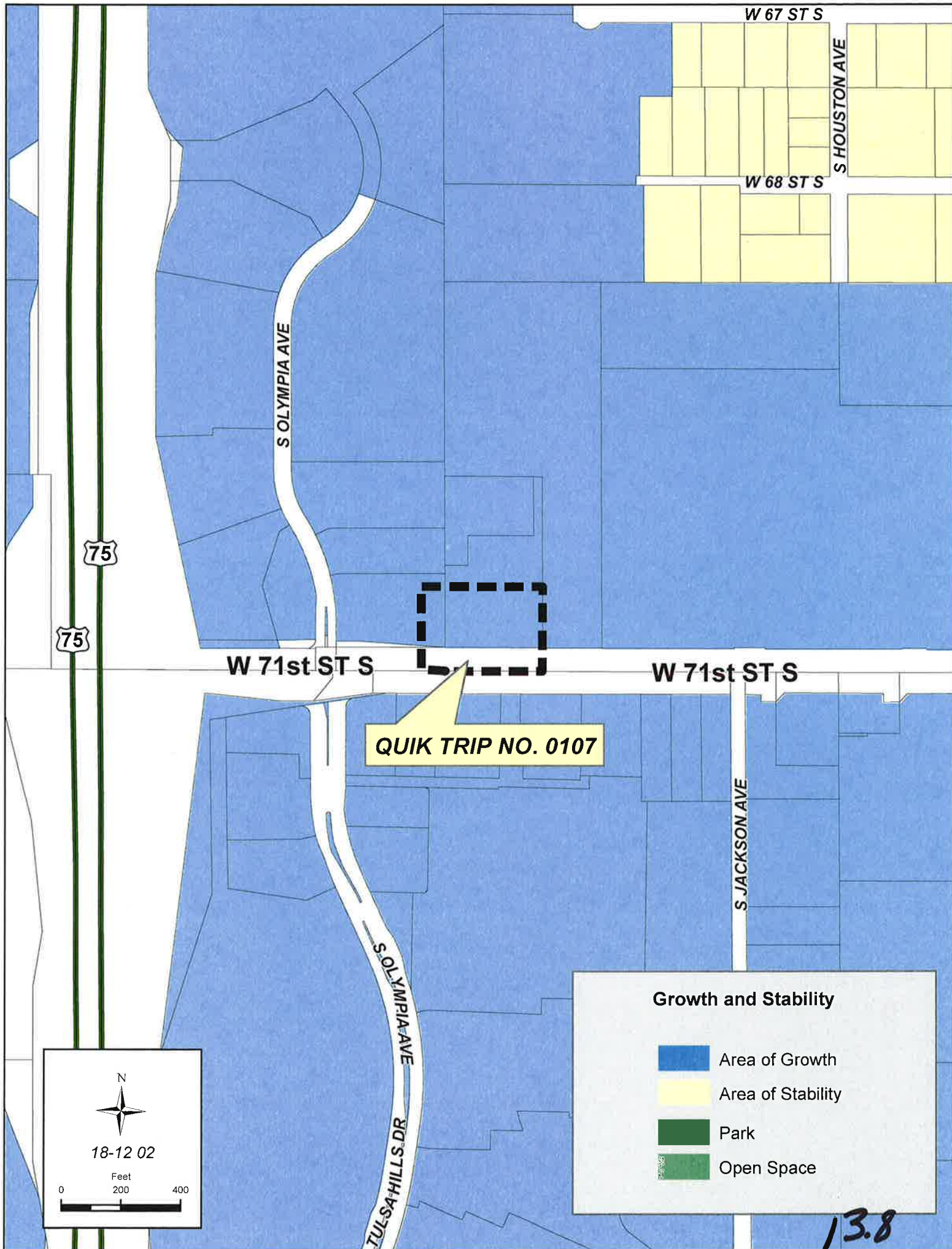
18-12 02

Feet

200

400

13.7



W 67 ST S

S HOUSTON AVE

W 68 ST S

S OLYMPIA AVE

75

75

W 71st ST S

W 71st ST S

QUIK TRIP NO. 0107

S JACKSON AVE

S OLYMPIA AVE
TULSA DR

Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space



18-12 02

Feet

0 200 400

13.8

Preliminary Plat
QuikTrip No. 0107

P.U.D. NO. 783-A



Legend

- U/E UTILITY EASEMENT
- B/L BUILDING SETBACK LINE
- S/E STORM SEWER EASEMENT
- S/OE STORM SEWER EASEMENT
- ACC ACCESS
- L/A LIMITS OF NO ACCESS
- R/W RIGHT-OF-WAY
- P/OB POINT OF BEGINNING
- P/C POINT OF COMMENCEMENT
- B/C BOX
- PAGE PAGE
- PG. PAGE
- C/B CHORD BEARING
- CL CHORD LENGTH

Monumentation:
3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS
UNLESS OTHERWISE NOTED.

Basis of Bearing:
THE BEARING BASE FOR THIS SURVEY ARE GRID BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE AND (N 1963). ADDITIONALLY, THE SOUTH LINE OF THE SD4 FOR SECTION 2 HAS A BEARING OF S 89°05'10" W.

Benchmark:
CASTLES SQUARE ON CONCRETE CURBS LOCATED APPROXIMATELY
106.5' WEST OF THE SE CORNER OF LOT 1, BLOCK 2, OLYMPIA
MEDICAL PARK II,
NAVD 1988 DATUM
ELEVATION 712.66

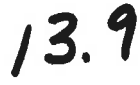
Owner:
Sunny Investment Properties, LLC
An Oklahoma Limited Liability Company
450 S. Collamore
Edmond, Oklahoma 73034
Phone: (405) 820-9832
Contact: Champaak B. Patel

Engineer:
PSA-Dewberry Inc.
Certificate of Authorization No. 4701 Exp. June 30, 2013
1350 S. Boulder Ave., Suite 500
Tulsa, Oklahoma 74119
Phone: (918) 587-7283
Email: cs.wangle@dewberry.com

Surveyor:
Sisemore Weisz & Associates, Inc.
Certificate of Authorization No. 2421 Exp. June 30, 2013
6111 E. 32nd Place
Tulsa, Oklahoma 74135
Phone: (918) 665-3600

CURVE	LENGTH (L)	RADIUS (R)	DELTA (Δ)	CROSS LENGTH (L _C)	CROSS NEAR-SIDE (L _N)
C1	30.45'	25.00'	95.2437°	30.45'	N 43°56'42"E

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT.



CERTIFICATE OF APPROVAL	TOWN ENGINEER
I hereby certify that the plan submitted by the Tulsa Metropolitan Area Planning Commission on _____	TOWN ENGINEER
_____	_____
This approval is void if the plan is not filed in the Office of the City Clerk on or before _____	CITY ENGINEER
_____	_____
APPROVED _____ by the Council of the City of Tulsa, Oklahoma.	_____
City name:	_____
Tulsa	_____
Mayor	_____
Alders: City Clerk	_____
Approved City Attorney	_____

PLAT WAIVER

September 7, 2011

Z-7008-SP-1-3,5 – North of the northwest corner of West 81st Street South and South Olympia Avenue

The platting requirement is being triggered by an amendment to a Corridor district.

Staff provides the following information from TAC at their August 18, 2011 meeting:

ZONING:

- TMAPC Staff: The property has been platted properly and a replat is not necessary at this time.

STREETS:

- No comment.

SEWER:

- No comment.

WATER:

- A 12 inch water main line exists on the east side of Olympia Avenue.

STORMWATER:

- No comment.

FIRE:

- No comment.

UTILITIES:

- No comment.

Staff recommends **Approval** of the waiver for the previously platted property.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | Yes | NO |
|---|-----|----|
| 1. Has Property previously been platted? | X | |
| 2. Are there restrictive covenants contained in a previously filed plat? | X | |
| 3. Is property adequately described by surrounding platted properties or street right-of-way? | X | |

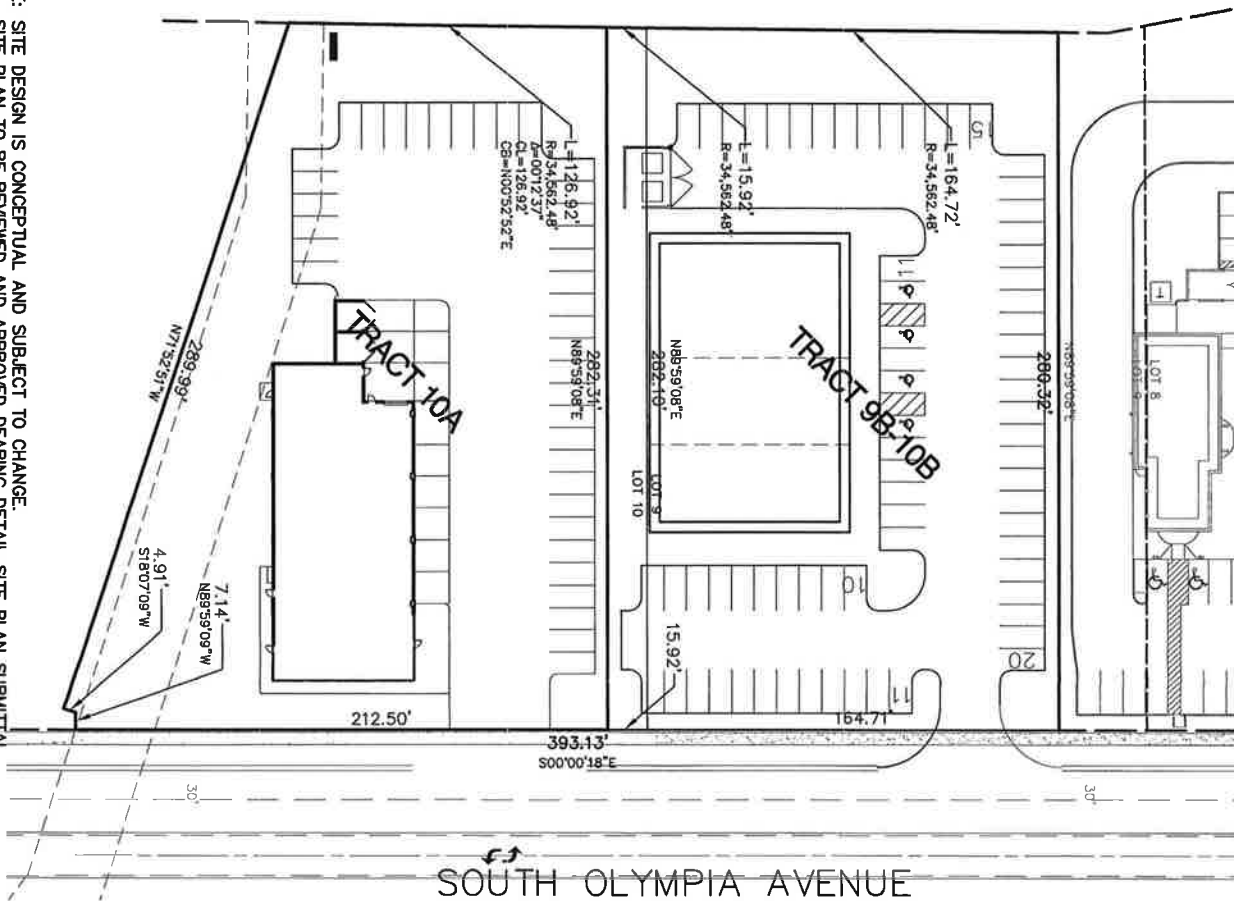
A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		X
a) If yes, was plat recorded for the original P.U.D.		
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X



U.S. HIGHWAY 75

NOTE: SITE DESIGN IS CONCEPTUAL AND SUBJECT TO CHANGE.
SITE PLAN TO BE REVIEWED AND APPROVED DEARING DETAIL SITE PLAN SUBMITTAL.



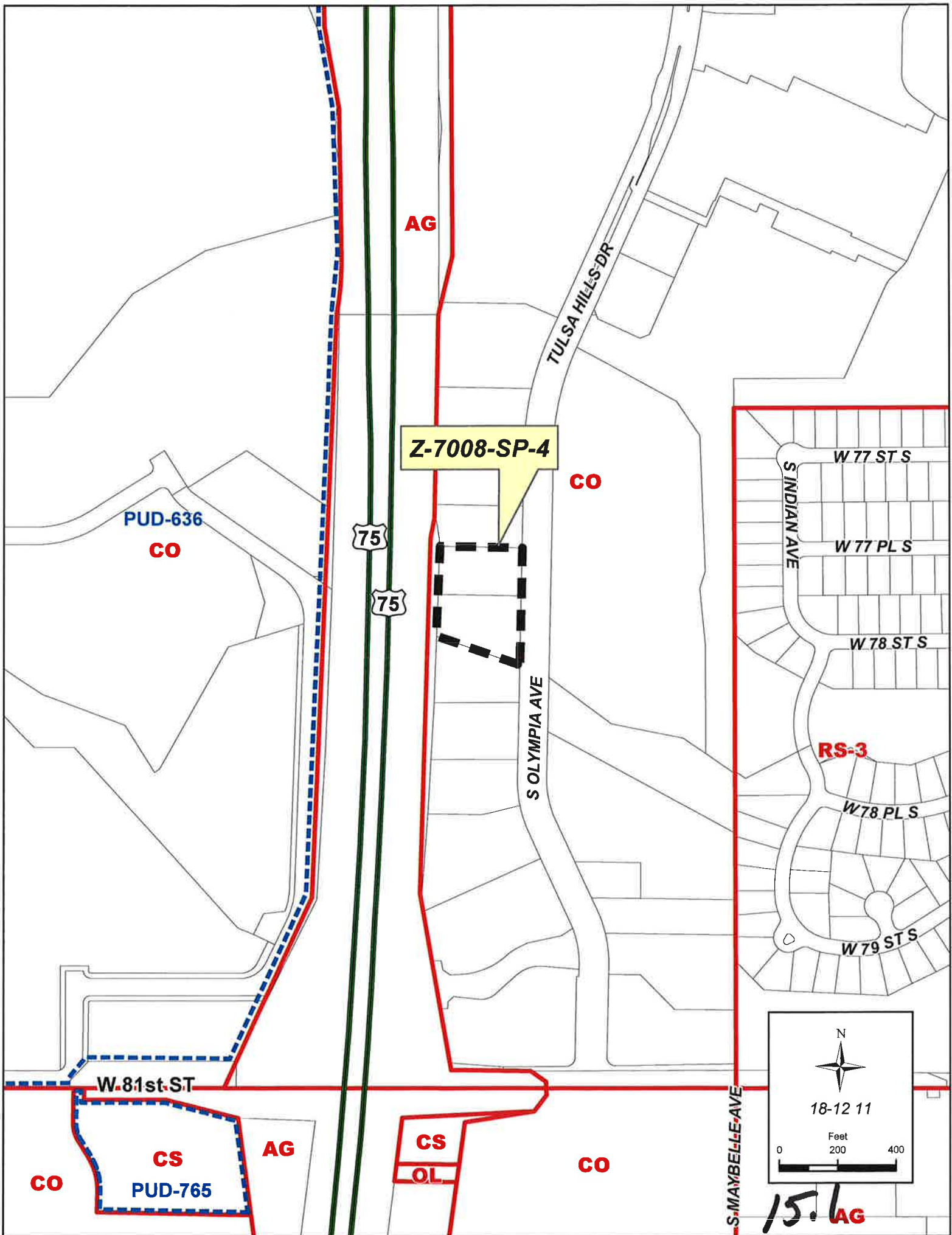
SOUTH OLYMPIA AVENUE



14.3

CONCEPTUAL SITE PLAN EXHIBIT
CORRIDOR DISTRICT SITE PLAN
MAJOR AMENDMENT Z-7008-SP-1S
IN DEVELOPMENT AREA D
OF
PART OF LOT 9 AND LOT 10
IN BLOCK 1
OF
'TULSA HILLS'
SECTION 11, T-18-N, R-11-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA







Z-7008-SP-4

75

75

S OLYMPIA AVE

TULSA HILLS DR

S INDIAN AVE

W 77 ST S

W 77 PL S

W 78 ST S

W 78 PL S

W 79 ST S

W 81st ST



18-12-11

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date

15.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7008-SP-4

TRS 8211

Atlas 0

CZM 51

CD-2

TMAPC Hearing Date: September 7, 2011

Applicant: Sack and Associates, Inc.

Tract Size: 2.29± acres

ADDRESS/GENERAL LOCATION: North of northwest corner of West 81st Street and South Olympia Avenue

PRESENT ZONING: CO

PROPOSED USE: Add UU17/ lot-split/ re-allocation of floor area

ZONING ORDINANCE: Ordinance number 21009 dated February 18, 2005, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7008-SP-3 December 2009: All concurred in approval of a Corridor Site Plan on a 6.56± acre tract of land to add auto wash only within Use Unit 17 on tract 2-C, in the Tulsa Hills development, on property located north of northeast corner of West 81st Street and South Olympia Avenue.

Z-7008-SP-2 March 2008: All concurred in approval of a Corridor Site Plan on a 1.31± acre tract of land to add tire sales, brake repair/ replacement, chassis alignment, shock absorber maintenance and installation, battery sales, oil changes and lubrication, and engine tune-up services only, to the permitted uses of Tract A, in the Tulsa Hills development, and to approve specific building materials as well as orientation of service bay doors, on property located north of northwest corner of West 81st Street and South Olympia Avenue.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in approval of a Corridor Site Plan on 176± acres to permit a regional shopping center know as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio. On property located east of US Highway 75 between West 71st and West 81st Streets.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.29± acres in size and is located north of northwest corner of West 81st Street and South Olympia Avenue. The property appears to be vacant and is zoned CO.

SURROUNDING AREA: The subject tract is abutted on the east by Olympia Avenue, and then Lots 3 and 4, Block 2 Tulsa Hills (Sam's Club) zoned CO; on the north by Lot 8, Block 1 –

Tulsa Hills, zoned CO; on the south by a drainage channel, zoned CO; and on the west by Highway 75, zoned AG.

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Tulsa Comprehensive Plan does not designate Olympia Avenue.

TULSA CITY-CIOUNTY MAJOR STREET AND HIGHWAY PLAN

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Olympia Avenue	Residential Collector	100'	5

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject tract as an "Area of Growth" with a land use classification of "Regional Center".

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

A **center** is the focal point of one or more neighborhoods. Centers provide convenient access to shops, restaurants and community-oriented services, such as day cares, libraries and meeting halls. There are shorter auto trips and more walking and bicycling in a center since residential and commercial areas are near each other. Centers often are the site for transit stations and bus route intersections. Those centers with pedestrian and bicycle-friendly streets entice residents to walk to major transit facilities. Attractive and safe pedestrian connections from the surrounding neighborhood to the center encourage people to walk or bike to destinations such as transit stations, bus stops or businesses.

The size of a center and its role in the city vary correspondingly with the scale and accessibility of the surrounding neighborhoods. Ideally, centers should support both daytime and evening activities to create an attractive and safe neighborhood destination.

The Centers building block includes three types of plan categories, Neighborhood Centers, Town Centers, and Regional Centers.

15.4

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Staff contends the proposed Corridor District Plan **is in accord** with the Plan.

STAFF RECOMMENDATION:

The purpose of Corridor District Plan Z-7008-SP-4 is to allow for automotive use to be added to Lot 10 and Tract 9B of Block 1 within the Tulsa Hills Regional Shopping Center. The tracts are located on the west side of Olympia Avenue, adjacent to US Highway 75 just north of the existing Hibdon Tire Store. The proposal is to allow for construction of a discount retail tire store.

The Corridor Plan also proposes the splitting of Lot 10 by splitting a 15-foot by 282 foot tract from Lot 10 and adding it to Tract 9B creating the new Tract 9B-10B. Also appearing on the 9/7/2011 agenda of the TMAPC are associated Lot Split Application LS-20445 and Lot Combination LC-353.

The proposed amendment also re-allocates floor area between the two tracts. There is no zoning change request nor is there a request to increase floor area as a result of the lot split and combination. If approved, all other development standards of Tulsa Hills as originally approved would remain effective.

With the addition of automotive uses to Tulsa Hills in 2008 (Hibdon Tires) and 2009 (the tunnel car wash on east side of Olympia Avenue) there was some concern among a few of the Planning Commissioners that the complexion of the development would be irreparably harmed. There has also been the construction of a Sam's Club Fueling Facility this year (allowed by right under Use Unit 14 – Shopping Goods and Services). Given the location of these lots, excepting the car wash, along the west side of the development along US Highway 75 it seems as if the use is occurring with little to no disruption or impact to the surrounding business properties and most importantly the neighborhood located approximately 725 feet to the east. There is also a Sam's Club Store now intervening between the subject tracts and the neighborhood to the east.

Staff has carefully reviewed this proposal and would like to

Based on the factors cited above, staff can support this application. Based upon the proposed Concept Plan staff finds Z-7008-SP-4 to be: (1) in harmony with the existing development of surrounding areas; (2) a unified treatment of the development possibilities of the site given the previously approved automotive uses; and (3) consistent with the stated purposes and standards of the CO Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Z-7008-SP-4 subject to approval of Lot Split application LS-20445 and Lot Combination LC-353, and subject to the following conditions:

15.5

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

All development standards of Z-7008-SP-1 shall remain effective unless modified herein.

2. Development Standards:

Lot 9A-10B Lot Area:	50,799 sf
Tract 10 A Lot Area:	49,129 sf

ADDITIONAL PERMITTED USES:

Automobile Tire Sales and Automobile Service only as permitted within vehicle repair and service by Use Unit 17 – Automotive and Allied Activities including the sale of tire and auto accessories.

MAXIMUM PERMITTED FLOOR AREA:

Lot 9A-10B:	14,590 sf
Tract 10A:	14,110 sf

3. No zoning clearance permit shall be issued for a lot within the Corridor Site Plan until a detail site plan for the lot, which includes all buildings, parking, and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.
4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to occupancy or at the soonest appropriate planting time. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the development until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required Stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

15.4

9. No building permit shall be issued until the requirements of Section 805-E 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 Corridor Site plan conditions of approval and making the City beneficiary to said covenants that relate to the Corridor Site Plan conditions.
10. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.
11. Approval of the Corridor Site Plan is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments:

General: No comments.

Water: A 12-inch water main line exists on the eastside of Olympia Ave.

Fire: No comments.

Stormwater: No comments.

Wastewater: No comments.

Transportation: No comments.

INCOG Transportation:

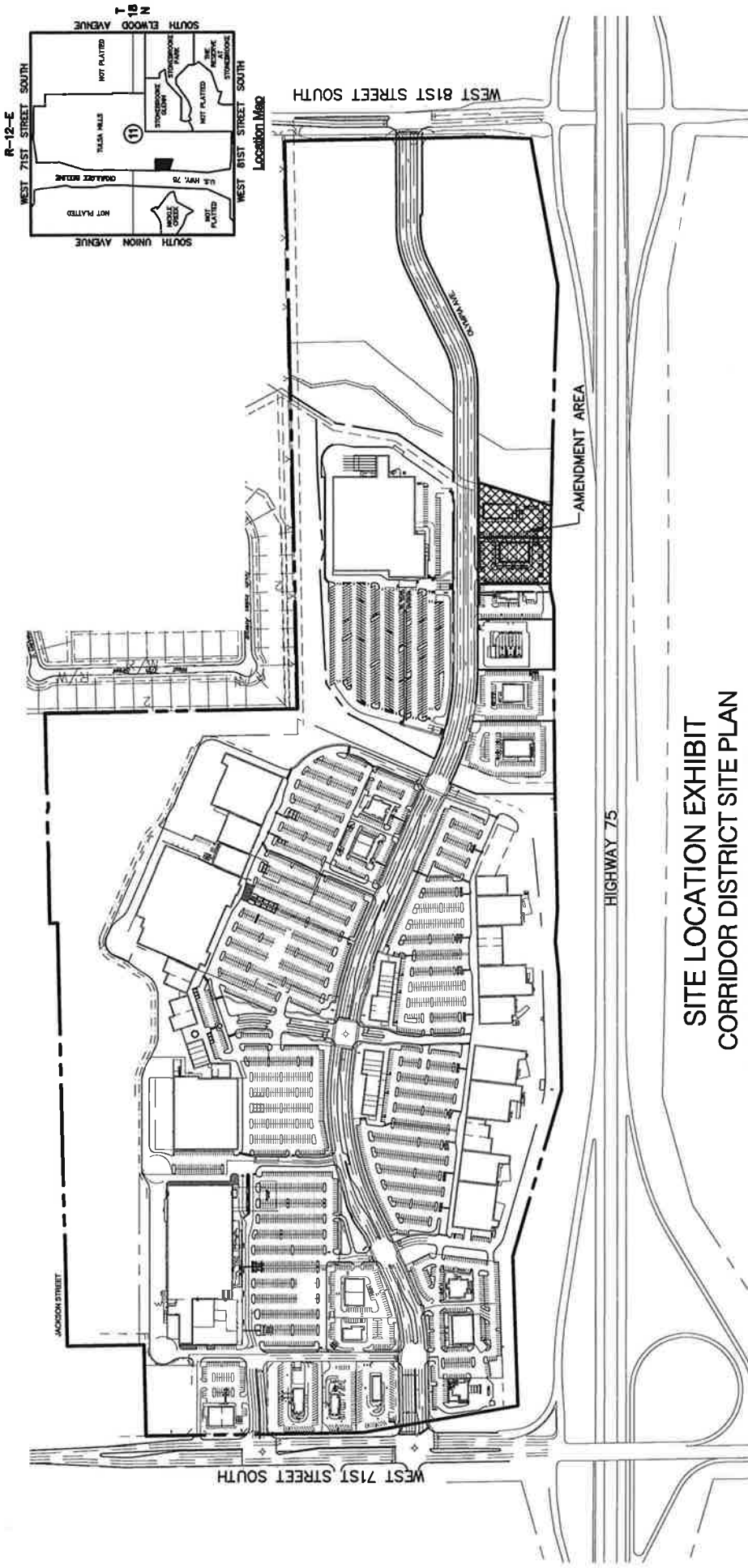
- **MSHP:** US HWY 75 borders the W. side of the property. Olympia Ave. between 71st St. and 81st W. is designated residential collector.
- **LRTP:** US-75, between W. 71st Street S. and W. 81st Street S., planned 6 lanes. Per Subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing.
- **TMP:** No comments.
- **Transit:** Currently, Tulsa Transit operates existing routes at this location. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.

Traffic: No comments.

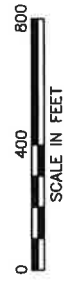
GIS: No comments.

Street Addressing: No comments.

Inspection Services: No comments.



SITE LOCATION EXHIBIT
CORRIDOR DISTRICT SITE PLAN
MAJOR AMENDMENT Z-7008-SP-
IN DEVELOPMENT AREA D
OF
PART OF LOT 9 AND LOT 10
IN BLOCK 1
OF
'TULSA HILLS'
SECTION 11, T-18-N, R-11-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

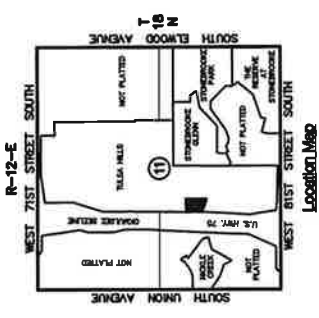
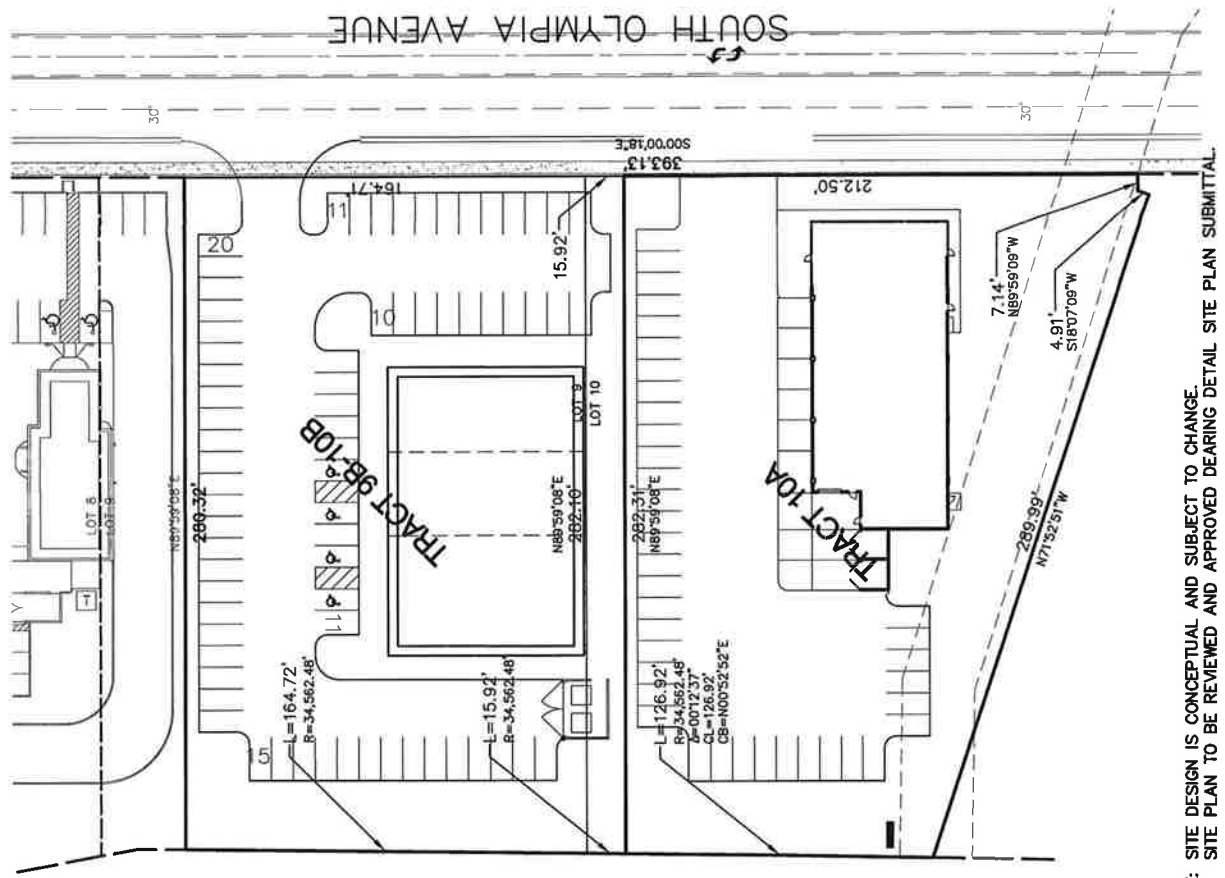


SACK AND ASSOCIATES, INC.
2550 East 34th Street, Suite A, Tulsa, Oklahoma 74135-1519
P.O. Box 1519, Tulsa, Oklahoma 74135-1519
CA Number 17862 (PA/LS) and 1462 (JA)
Drawing: D018102-000
Date: 10/12/11
Drawn: JLD
Checked: C

15.8



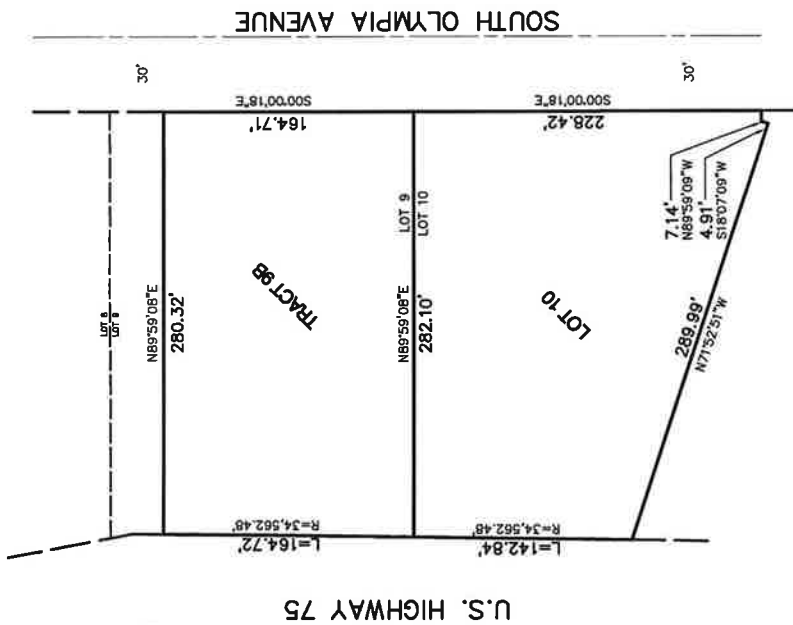
U.S. HIGHWAY 75



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SECTION 11, T-18-N, R-11-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

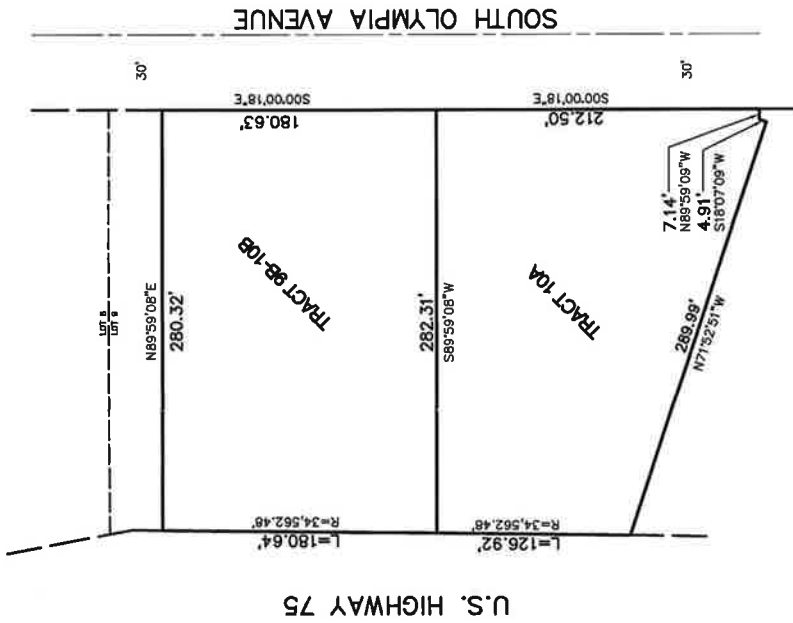


SACK AND ASSOCIATES, INC.
1000 N. W. 10th St., Suite 100
Tulsa, Oklahoma 74103
Tel: 918.582.4223 Fax: 918.582.4224
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Drawing No. 1812.11-11-01
Project No. 1812.11-01
Project Date: 23 JUL 2011



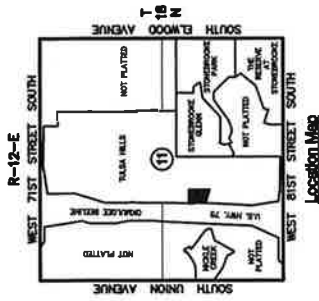
Current

	LOT AREA	BUILDING AREA
TRACT 9A	46,306 SQ. FT.	13,264 SQ. FT.
LOT 10	53,622 SQ. FT.	15,436 SQ. FT.
TOTAL	99,928 SQ. FT.	28,700 SQ. FT.



Proposed

	LOT AREA	BUILDING AREA
TRACT 9A-10B	50,799 SQ. FT.	14,590 SQ. FT.
TRACT 10A	49,129 SQ. FT.	14,110 SQ. FT.
TOTAL	99,928 SQ. FT.	28,700 SQ. FT.



FLOOR AREA ALLOCATION
EXHIBIT
CORRIDOR DISTRICT SITE PLAN
MAJOR AMENDMENT Z-7008-SP-
IN DEVELOPMENT AREA D
OF
PART OF LOT 9 AND LOT 10
IN BLOCK 1
OF
'TULSA HILLS'

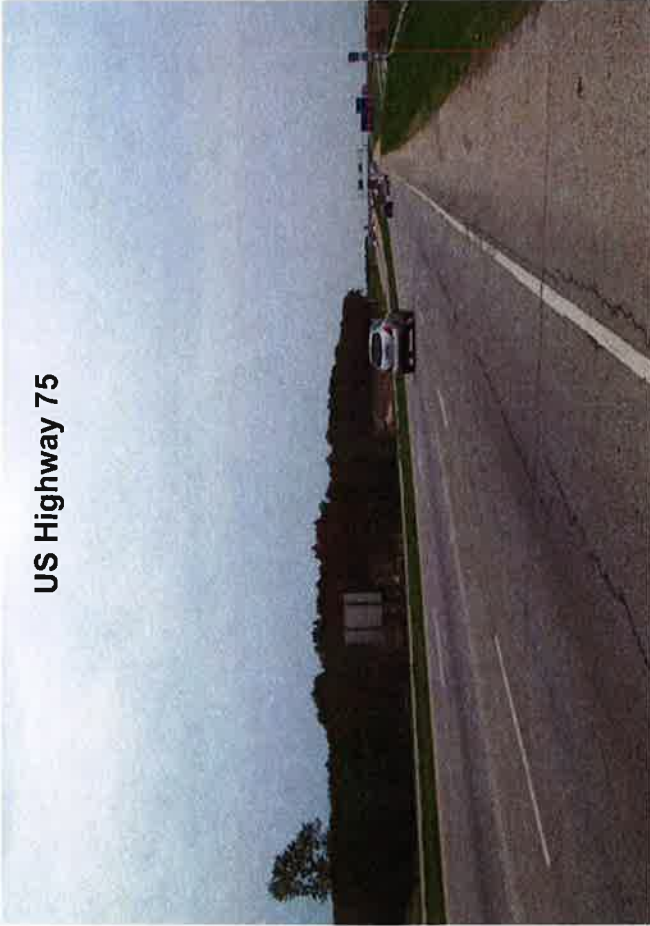
SECTION 11, T-18-N, R-11-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA
JULY 25, 2011



SACK AND ASSOCIATES, INC.
2532 East 21st Street, Suite A, Tulsa, Oklahoma 74135-1519
Phone: 918.552.4141 Fax: 918.552.4142 Email: info@sackandassociates.com
Project: TULSA HILLS III LID-A Drawing: D008D20A File: 1812.11 Drawn: C
Drawn: LMR Order: F85A XREF: COPYWRITE S-117X T-542
Posted: 15 JUL 2011

15.10

US Highway 75



Subject Tract



Hibdon Tire Store



View of subject tract from Highway 75



Surrounding Properties



Surrounding Properties



Stonebrook Glen



Credit Union



Southern Ag.



15.14

PLAT WAIVER

September 7, 2011

2960 Charles Page Boulevard – Restore Hope

The platting requirement is being triggered by a building permit request.

Staff provides the following information from TAC at their August 18, 2011 meeting:

ZONING:

- TMAPC Staff: A request to enlarge and straighten an existing building after it was damaged triggered a plat requirement.

STREETS:

- An additional 5 feet of right-of-way may be required along Charles Page Boulevard.

SEWER:

- No comment.

WATER:

- An 8 inch water main line exists along the south side of Charles Page Boulevard. A 12 inch water line exists along Riverside Station Road.

STORMWATER:

- No comment.

FIRE:

No comment.

UTILITIES:

- No comment.

Staff can recommend **APPROVAL** at this time of the plat waiver. The circumstances of the lack of requirements for TAC and the existing building situation could allow this at this time. Future changes in use or capacity might warrant a plat in the future.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | Yes | NO |
|--|-----|----|
| 1. Has Property previously been platted? | | X |
| 2. Are there restrictive covenants contained in a previously filed plat? | | X |

16.1

3. Is property adequately described by surrounding platted X
properties or street right-of-way?

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		
a) If yes, was plat recorded for the original P.U.D.		X
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X



July 28, 2011

Tulsa Metropolitan Area Planning Commission
c/o INCOG
2 West 2nd Street, Suite 800
Tulsa, OK 74103

To Whom It May Concern:

Restore Hope Ministries is a social service agency affiliated with the United Methodist Church that has been helping families in need in the Tulsa area since 1978. We are one of the largest member agencies of the food bank in the metropolitan area and the primary provider of emergency rental assistance in the City of Tulsa as well as Tulsa County. In fact, we are the only agency that receives homeless prevention funding from the City of Tulsa's Emergency Solutions Grant. In the past year we helped over **8,000** families with food and nearly **500** families prevent homelessness, as well as other assistance to those in need.

On February 6th, 2011, Restore Hope Ministries became a victim of the blizzard of 2011 when our warehouse roof collapsed under the weight of over 10 feet of snow. **As a result, we have had to close down our warehouse completely until it can be rebuilt.** As you can imagine, it has taken some time to formulate reconstruction plans and agree upon a project budget. Therefore, our service to the community has already been diminished for nearly six months to this point.

It is for that reason that we are requesting a plat waiver for our building permit as we seek to rebuild our damaged warehouse. We have been in our current location since 1995 and, though we are making changes to the building to prevent another collapse (the roof actually collapsed one other time due to a similar problem), those changes are relatively minor and, according to our building professionals, will not have any impact on city infrastructure or rights of way.

In addition, the longer our warehouse is out of commission, the longer our service to families in need will be diminished. Because we are one of the larger agencies distributing food to those in need, our diminished capacity puts more stress on other food banks, religious institutions, and social service organizations, not to mention the families in need. Our services have been cut back because of stresses on our facility due to our warehouse loss. **As soon as we can rebuild, however, we will be able to increase capacity, increase service, and increase the number of Tulsa families we can help with the food they desperately need.** In addition, every dollar we spend outside of our programming is a dollar not spent on direct assistance to those in need.

For this reason, we are asking humbly for a way to minimize cost and time and hope you are able to help us. We believe our plans have a very minimal impact on anything beyond our property (if at all) and we hope to get construction underway as soon as possible so we can once again fully assist those in need in our community. Thank you for your understanding, concern, and for your difficult work.

Peace,



Rev. Jeff Jaynes
Executive Director

16.3



99203-92-03-24430-001 (7/2010)

Ken Yazel
Tulsa County Assessor

www.assessor.tulsacounty.org 918.596.5100

Date 7/25/2011

Account Number 99203-92-03-24430

Mailing Addr. RESTORE HOPE MINISTRIES INC

2960 CHARLES PAGE BLVD

TULSA, OK 74127-8318

Property Addr. 2900 W CHARLES PAGE BV S

Subdivision

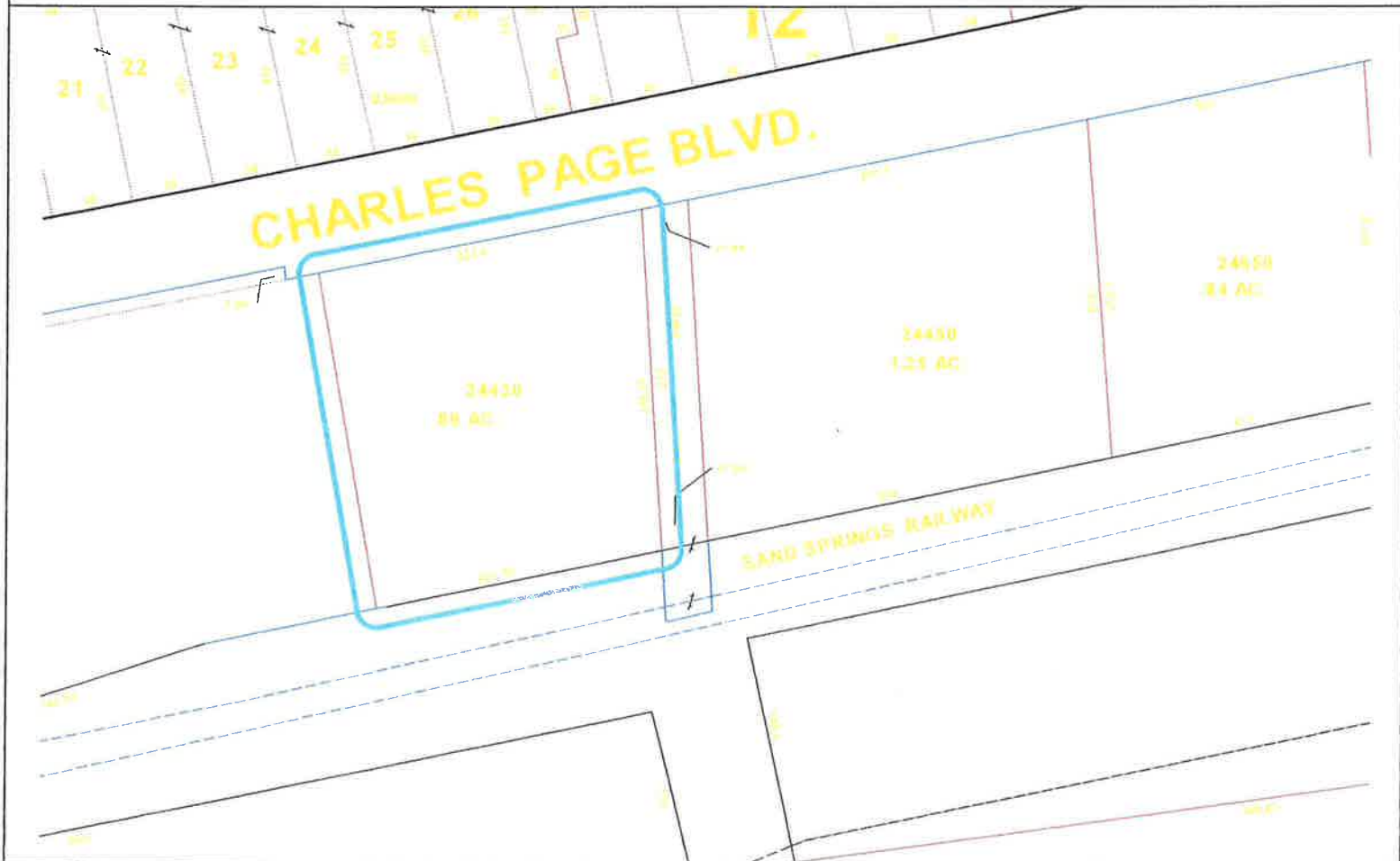
Legal Description

COMM INSEC WL SW & MEANDER COR GOV LT 5 TH N5
92.6 TO CL HWY 64 NE ALG CL 1285.46 TH S25.19
8 TO S R/W HWY POB TH NE ALG R/W 223.60 S216.
01 TO N R/W SSRR TH SW ALG R/W 223.80 N217.07
POB LESS SLY191.07 WLY 46 & NLY25 WLY21 SEC
3 19 12 .882AC

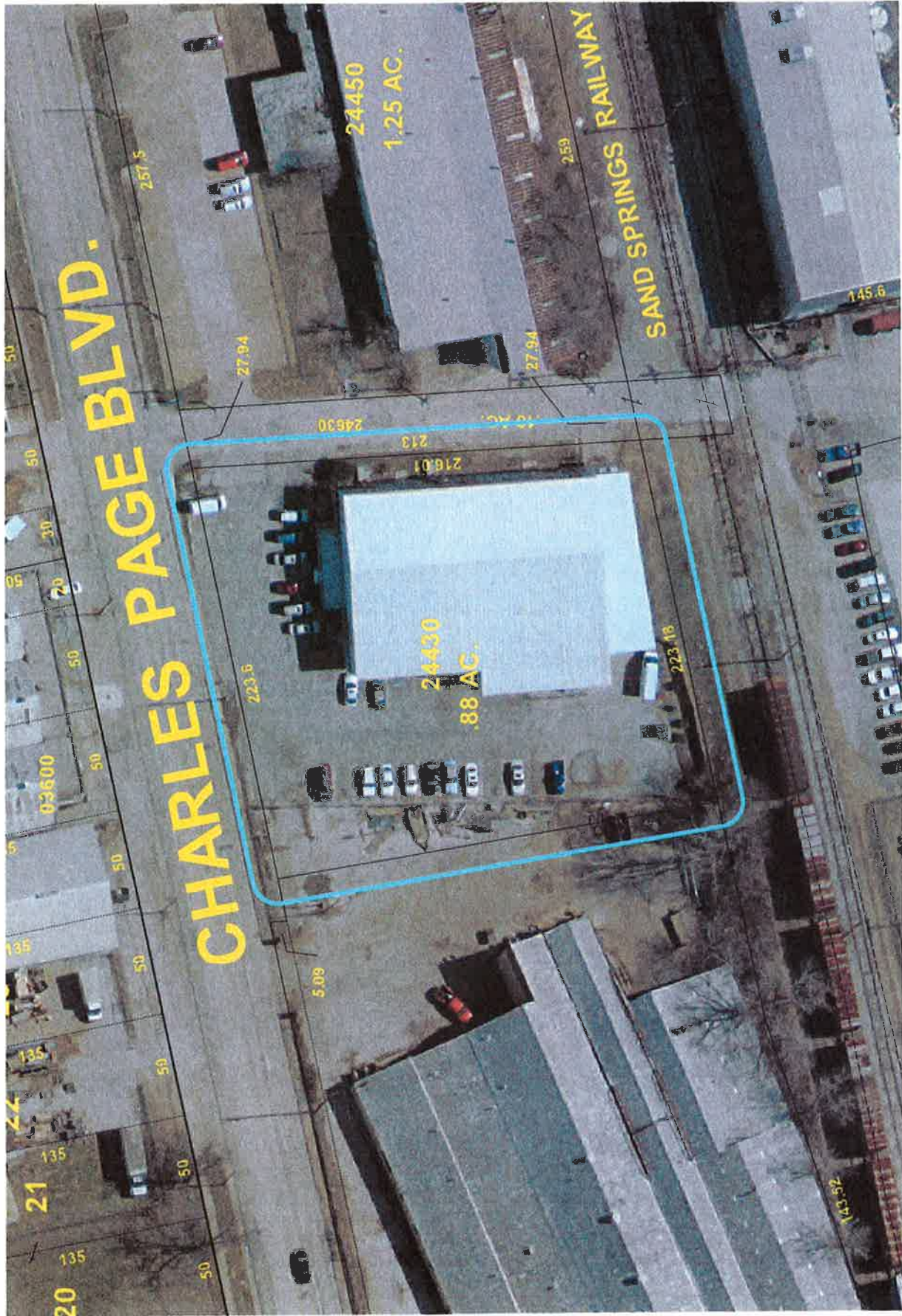
Acct Type : Exempt
Zone : IM
School Dist : T-1A
Neighborhood : 7240
LEA : 7240
Land Area : 38415.00 Sq. Ft.

BlTAs :
Bldg Area :
Quality :
Year Built : 0
Bath : 0
Stories : 0
HVAC :
Roof :
Condition :
Ext Wall :

Deed Date :
Deed Price : \$
Multi Parcel Sale : NO
Allocated Val :
Verification :
Land Value : \$
Total Taxable : \$
Total Market : \$
Adjustment :
Adjustment :
Adjustment :
Adjustment :



16.4



1 inch = 68'

16.5



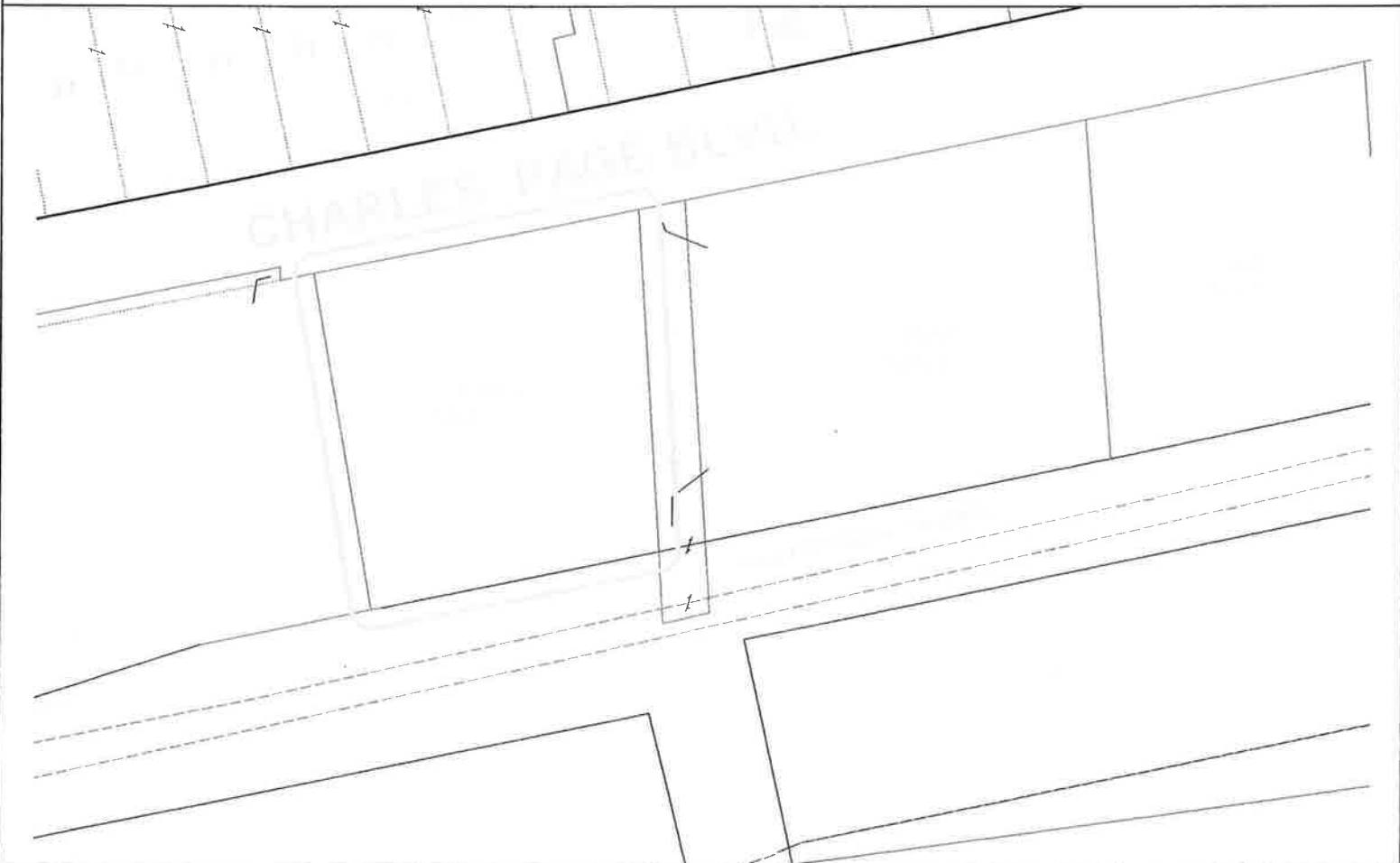
99203-92-03-24430-001 (7/2010)

Ken Yazel Tulsa County Assessor www.assessor.tulsacounty.org 918.596.5100		Date 7/25/2011
Account Number 99203-92-03-24430		
Mailing Addr.		RESTORE HOPE MINISTRIES INC 2960 CHARLES PAGE BLVD TULSA, OK 74127-8318
Property Addr.		2900 W CHARLES PAGE BV S
Subdivision		
Legal Description COMM INSEC WL SW & MEANDER COR GOV LT 5 TH N5 92.6 TO CL HWY 64 NE ALG CL 1285.46 TH S25.19 8 TO S R/W HWY POB TH NE ALG R/W 223.60 S216. 01 TO N R/W SSRR TH SW ALG R/W 223.80 N217.07 POB LESS SLY191.07 WLY 46 & NLY25 WLY21 SEC 3 19 12 .882AC		

Acct Type : Exempt
Zone : IM
School Dist : T-1A
Neighborhd : 7240
LEA : 7240
Land Area : 38415.00 Sq. Ft.

BltAs :
Bldg Area :
Quality :
Year Built : 0
Bath : 0
Stories : 0
HVAC :
Roof :
Condition :
Ext Wall :

Deed Date :
Deed Price : \$
Multi Parcel Sale : NO
Allocated Val :
Verification :
Land Value : \$
Total Taxable : \$
Total Market : \$
Adjustment :
Adjustment :
Adjustment :
Adjustment :

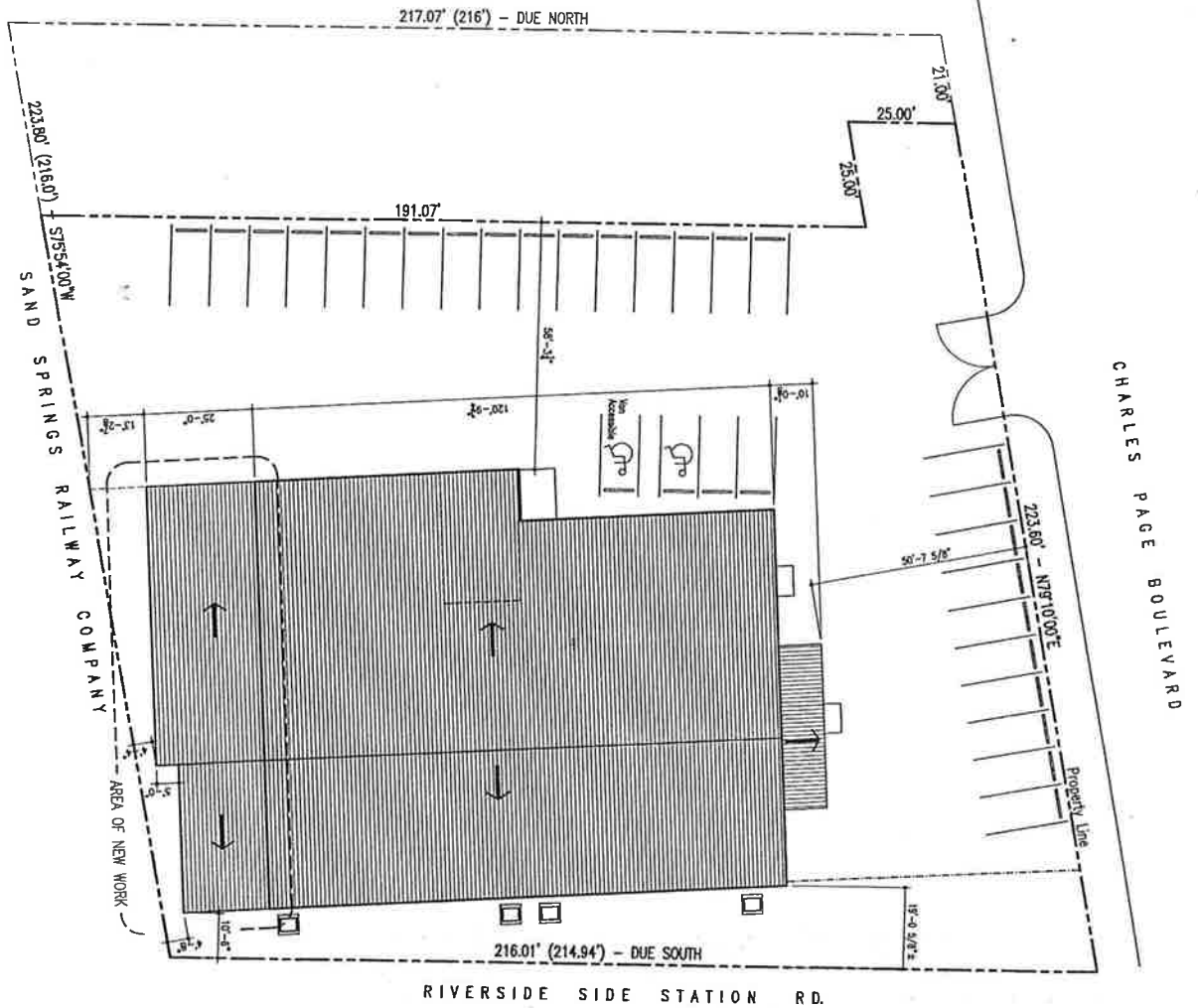


Y. Y. Y.

100

ED DESCRIPTION

1000



① SITE PLAN
SCALE: 1" = 20'-0"



REVISIONS	A REMODEL FOR UNITED METHODIST MINISTRIES 3000 W Charles Page Blvd. Sand Springs, OKLAHOMA	
SHEET TITLE	SITE PLAN	

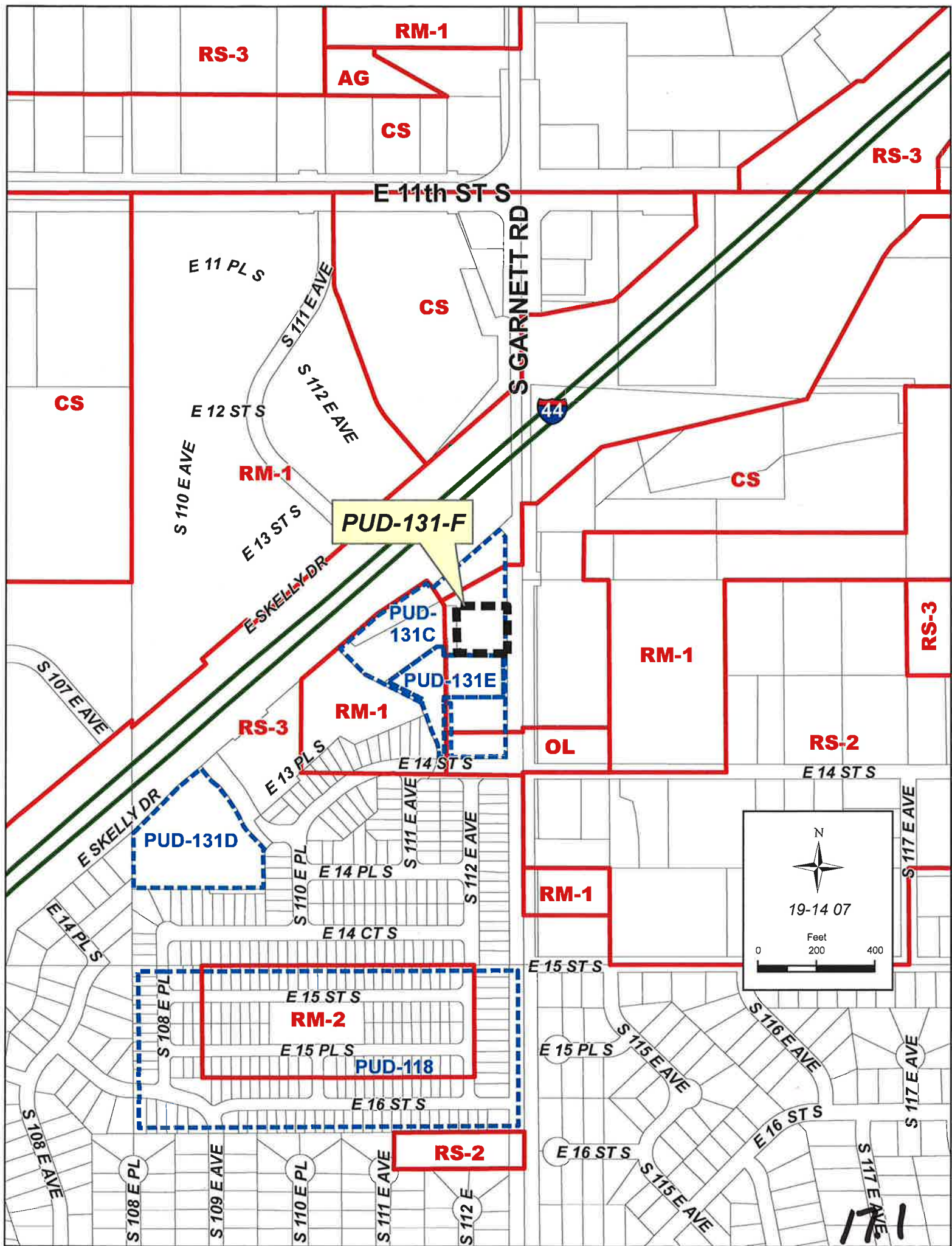


CA 02216 Exp. 6/30/2011



**WOZENCRAFT
AND ASSOCIATES, P.A.
ARCHITECT AND ENGINEER**
1619 S BOSTON AV., TULSA, OK, 74119. [010]
e-mail: www.assoc@tulsaocxmail.com

16.8





E 11th ST S

E 11 PL S

S 111 E AVE

S 112 E AVE

E 12 ST S

S 110 E AVE

E 13 ST S

E SKELLY DR

PUD-131-F

44

S GARNETT RD

E 14 ST S

S 117 E AVE



19-14 07

0 Feet 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

E 15 ST S

E 15 ST S

E 15 PL S

E 16 ST S

E 16 ST S

E 16 ST S

S 117 E

17.2

44

E SKELLY DR

PUD-131-F

S GARNETT RD

E 14 ST S



19-14 07

Feet
0 50 100

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

17.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-131-F

TRS 9407

Atlas 745

CZM 39

CD-5

TMAPC Hearing Date: September 7, 2011

Applicant: Kevin Bledsoe

Tract Size: 1± acres
45,041± square feet

ADDRESS/GENERAL LOCATION: Southwest corner of South Garnett Road and East Skelly Drive

EXISTING ZONING:	CS/PUD-131-C	EXISTING USE:	Convenience store
PROPOSED ZONING:	CS/PUD-131-F	PROPOSED USE:	Increase permitted height for business sign

ZONING ORDINANCE: Ordinance number 12668 dated December 22, 1972, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-21300 August 9, 2011: The Board of Adjustment approved a Variance of the maximum permitted height for a business sign in the CS district from 50 ft. to 70 ft.; a Variance of the setback requirement for a sign from an abutting freeway street frontage; and a Variance of the minimum setback required for a sign from an R district from 200 ft., per plan on page 4.6 of agenda packet, on property located at 1302 South Garnett Road.

PUD-131-E May 1999: All concurred in approval of a proposed Major Amendment to Planned Unit Development to increase the maximum building floor area from 3,666 SF to 3,940 SF.

BOA- 15248 September, 1989: The Board of Adjustment upheld the decision of the Code Inspector that the existing sign would be considered a flashing sign. As an alternative, the Board approved a variance to allow a flashing, changeable lettering sign on property located on the southwest corner of Skelly By-Pass and South Garnett Road within the PUD-131.

PUD-131-D October 1986: All concurred in approval of a request for a Major Amendment on a 3.2± acre tract located in the southwest corner of the PUD to increase the allowable square footage for the existing nursing home and accessory maintenance building and to amend the development standards.

17.4

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1± acre in size and is located at the southwest corner of South Garnett Road and East Skelly Drive. The property appears to be developed as a convenience store- and is zoned CS/PUD-131-C.

SURROUNDING AREA: The subject tract is abutted on the north East Skelly Drive and I-44, zoned RS-3; on the east by Garnett Road and then Elm Hurst being used commercially and zoned CS; on the south by Interstate Park with commercial uses and related parking, zoned CS/PUD-131-E; and on the west by Interstate Park with mixed office, commercial and multifamily uses, zoned CS/RM-1/OL/PUD 131-C.

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan designates East Skelly Drive (I-44) as an expressway, South Garnett Road as a bus rapid transit roadway. The Comprehensive Plan does not designate East 14th Street.

TULSA CITY-COUNTY MAJOR STREET AND HIGHWAY PLAN:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary arterial	100'	4

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan classifies this property as an "Area of Growth" with a land use classification of "Employment Center" with a "Mixed Use Corridor" along the Skelly Drive Frontage.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists, that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

STAFF RECOMMENDATION:

The purpose of major amendment PUD-131-F is to increase the height of a sign, decrease the sign setback requirement from an abutting freeway right-of-way (ROW), and to decrease the setback requirement for a sign from a residential district. If approved the sign would be located adjacent to East Skelly Drive/Interstate 44, southwest of the intersection of the west bound exit ramp to Garnett Road from I-44. The location is within a freeway sign corridor.

Staff determined the request was a major amendment since the original request was to increase the permitted height of the sign from 50' to 100', making it what staff believes to be the tallest free-standing sign in the City of Tulsa. Prompting staff's determination was the aforementioned and the potential impact to the residential neighborhoods to the north of I-44 and the residential structures located to the west of the site.

Prior to consideration of the minor amendment by the TMAPC the applicant was required to seek relief from the restrictions stated above in the form of three (3) variances from the City Board of Adjustment (BOA). Specifically, the requests heard by the Board were a variance of the maximum permitted height for a business sign in the CS district (Section 1221.D.1) from 50 ft. to 100 ft.; a variance of the setback requirement for a sign from an abutting freeway street frontage (Section 1221.D.1 & 1221.C.1.c); and a variance of the minimum setback required for a sign from an R district from 200 ft. (Section 1221.C.1.b).

The applicant described to the Board the height difference between I-44 and the sign location as well as, limited visibility of the sign from the freeway as necessitating the relief.

On August 9, 2011 in case number BOA-21300 the Board voted 3-1-0 to grant the variances, limiting the height of the sign to 70'. Other conditions included the sign be backlit only and there be no flashing lights. The variances were approved per conceptual site plans 4.5 and 4.6, attached herein as Exhibits 4.5 and 4.6. Case report supporting documentation and photographs are also attached.

Staff supports the decision of the BOA and given the location of the proposed sign finds the Board's ruling to be in harmony with the spirit and intent of the Code. Staff finds PUD-131-F 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-131-F subject to the following conditions:

17.4

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

All conditions and development standards of PUD-131 and subsequent amendments shall remain effective unless modified herein.

2. Development Standards:

SIGNS:

Signs shall comply with the restrictions of section 1103.B.2 of the Tulsa Zoning Code and in addition shall comply with the following restrictions:

1. The free standing sign located along the Skelly Dr./I-44 frontage shall not exceed a height of 70' measured from grade at the base of the sign to the top of the cabinet;
2. Configuration of the ground sign along the Skelly Dr./I-44 frontage shall be in substantial conformance with conceptual site plan identified as Exhibits 4.5 and 4.6 as attached herein per case BOA-21300 (8/9/11);
3. Signs shall be backlit/internally lit only;
4. No flashing signs are permitted.
5. No sign permits shall be issued for erection of a sign on a lot within the development until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.

3. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

TAC Comments:

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: No comments.

Wastewater: No comments.

Transportation: No comments.

INCOG Transportation:

- **MSHP:** No comments.
- **LRTP:** No comments.
- **TMP:** No comments.
- **Transit:** No comments.

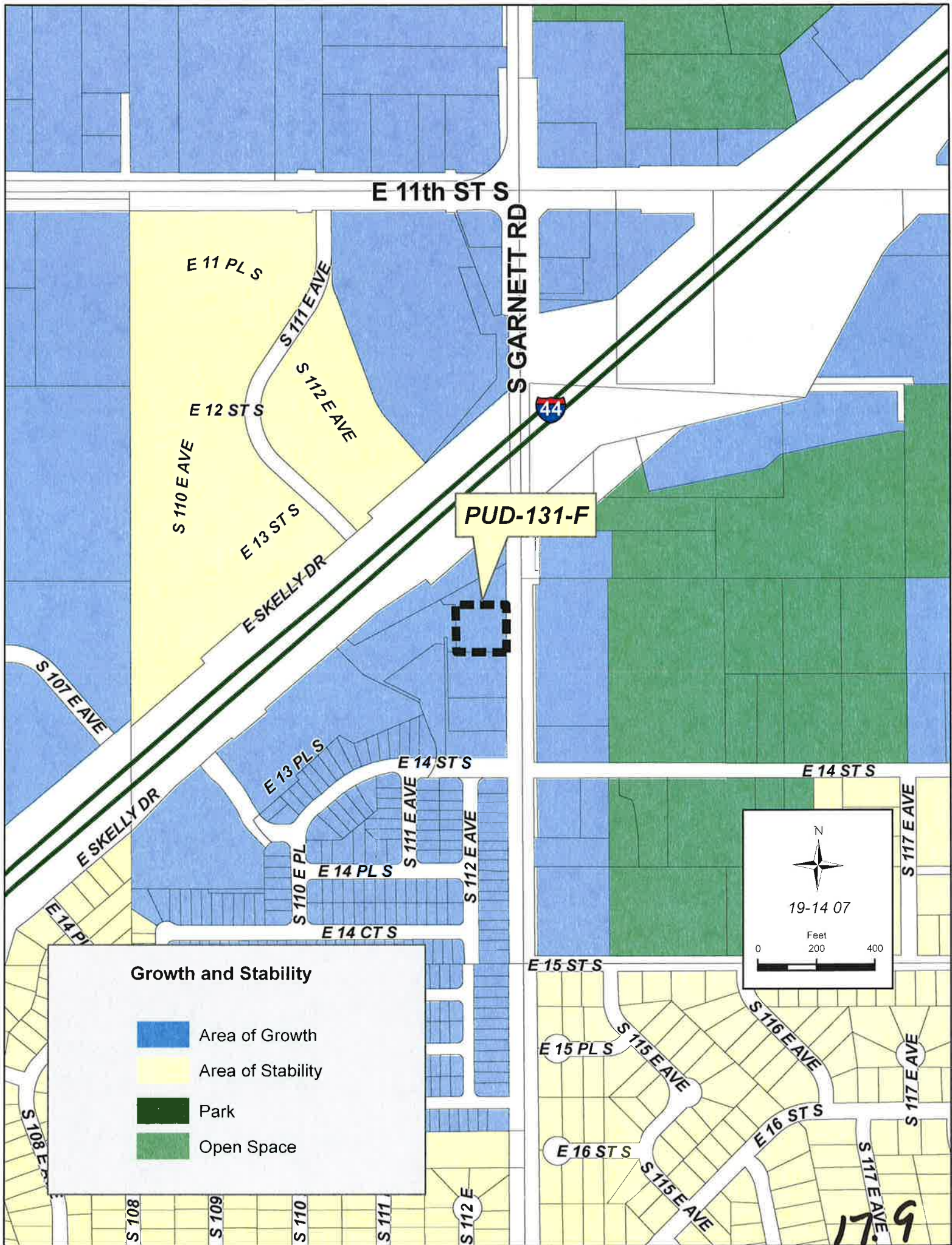
Traffic: No comments.

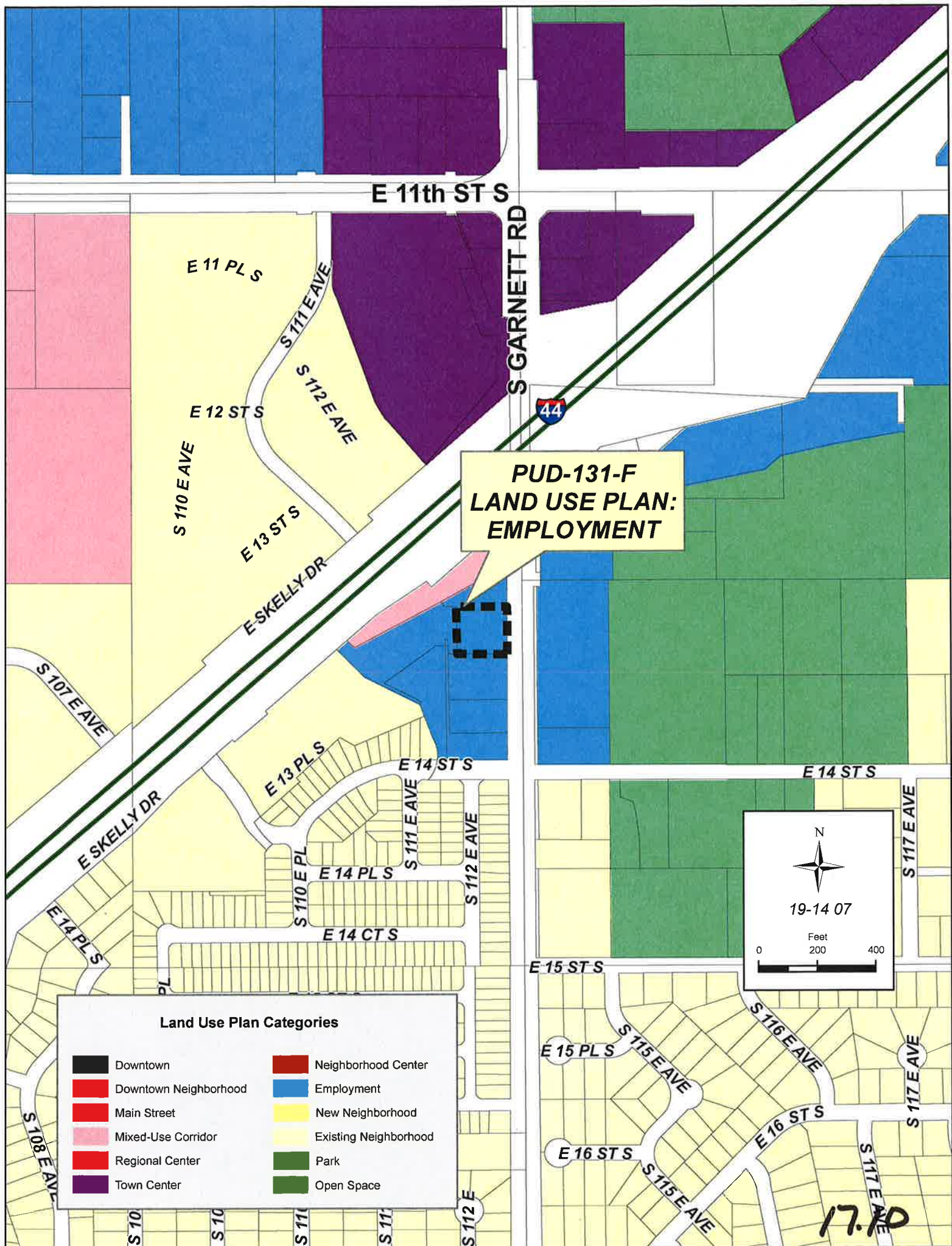
GIS: No comments.

Street Addressing: No comments.

Inspection Services: No comments.

09/07/11





Custom



Logo

Pricer

Logo & Pricer Cabinet

Notes

Sign installer is responsible for the footing and spanner design. Installer needs to verify that the minimum pole size meets or exceeds the engineering requirements.

Sq. Ft.

Store#

74

$$1/16'' = 1'-0''$$

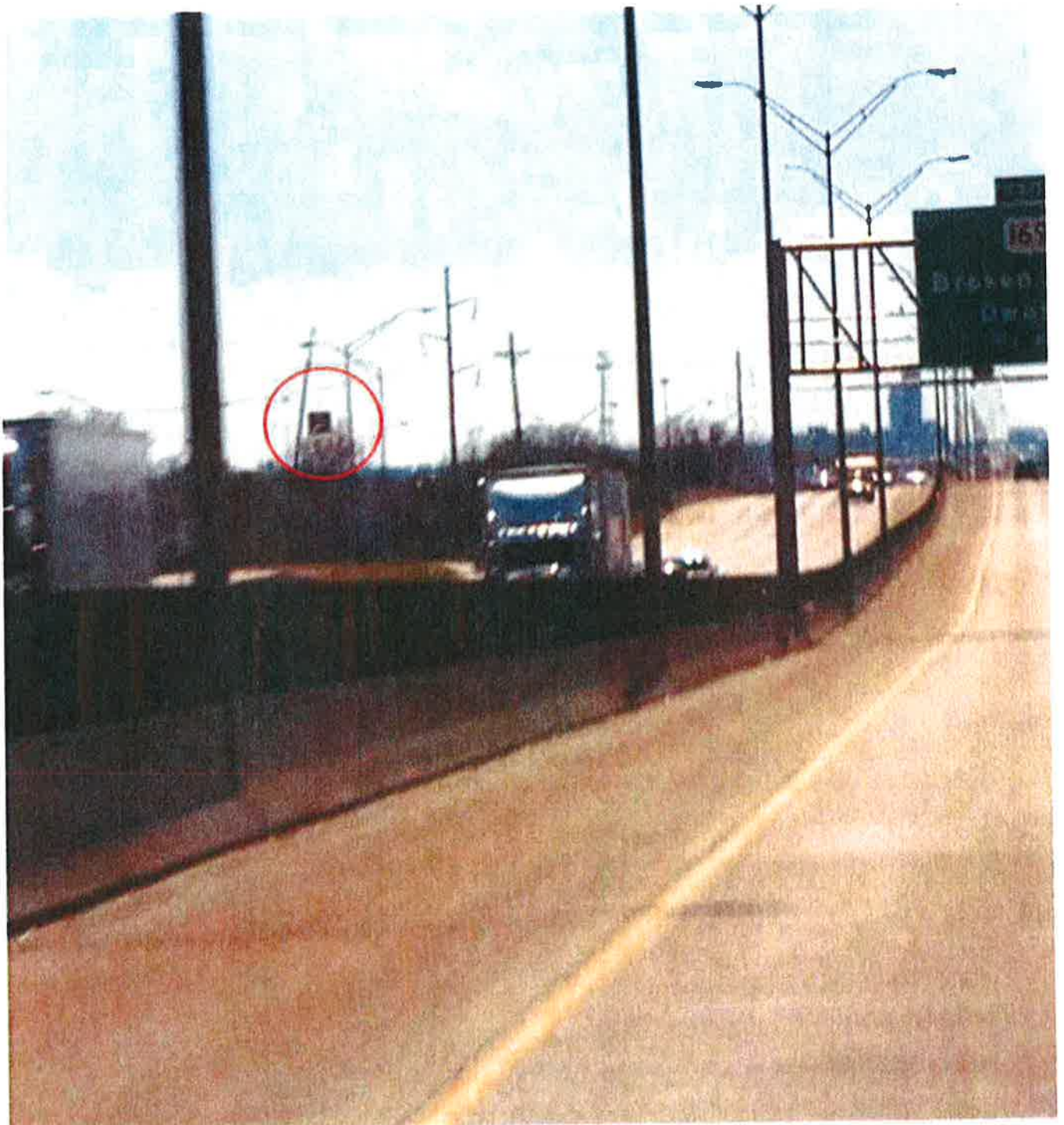
Approved Date

Serial. Number:



Exhibit 4.5 17.11





60' West bound right at 11th street exit.

Westbound I-44 @ 11th Street Exit.
Sign is at 60' in height.



60' West bound the sign cannot be seen at this height due to the median screening.

WEST Bound I-44 w/ sign @
60' in height.

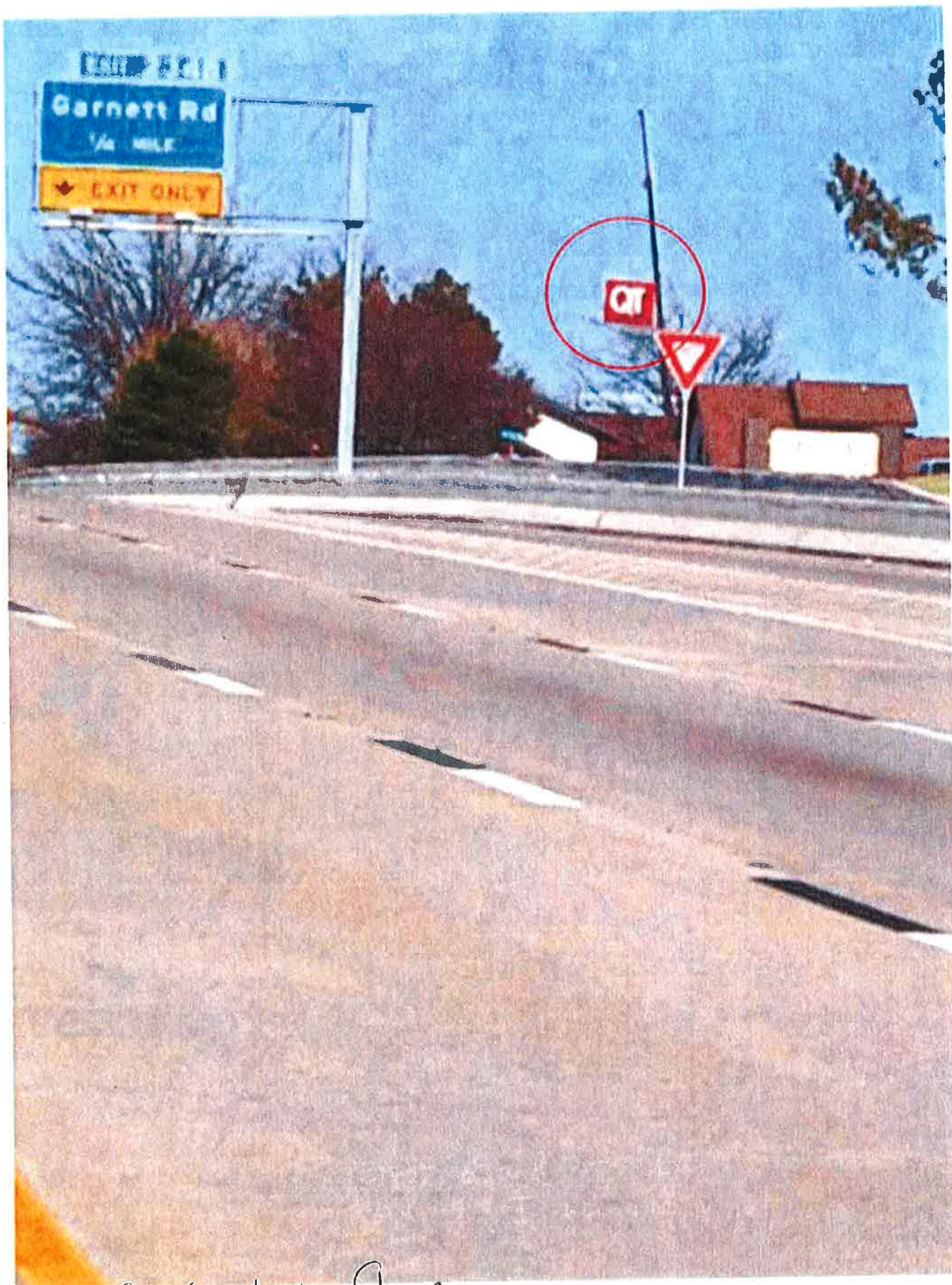
17.14



60' East bound. The sign cannot be seen. See next photo below Though the sign is visible here at 60' with foliage it will not be.

EAST Bound I-44
sign is at 60' in height

17.15



@ 60' w/ No foliage

17.14



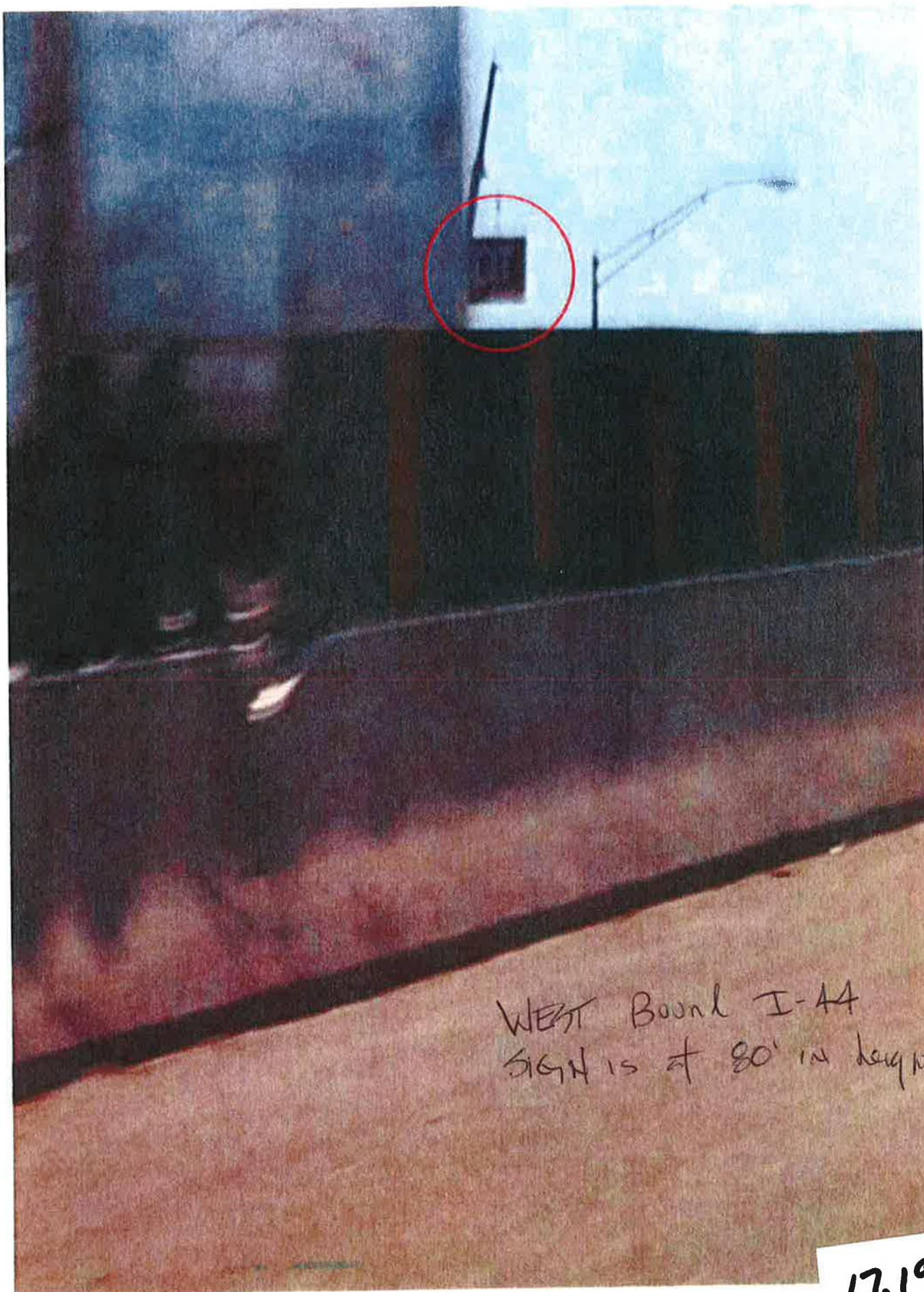
At 60' and right on the exit the sign is still not visible.



80' West bound is visible and above foliage and street/bridge elevations. The photo below is on the bridge at the same location as the 60' height but it can be seen above the median screening.

WEST Bound I-44.
Sign is at 80' in height.

17.18

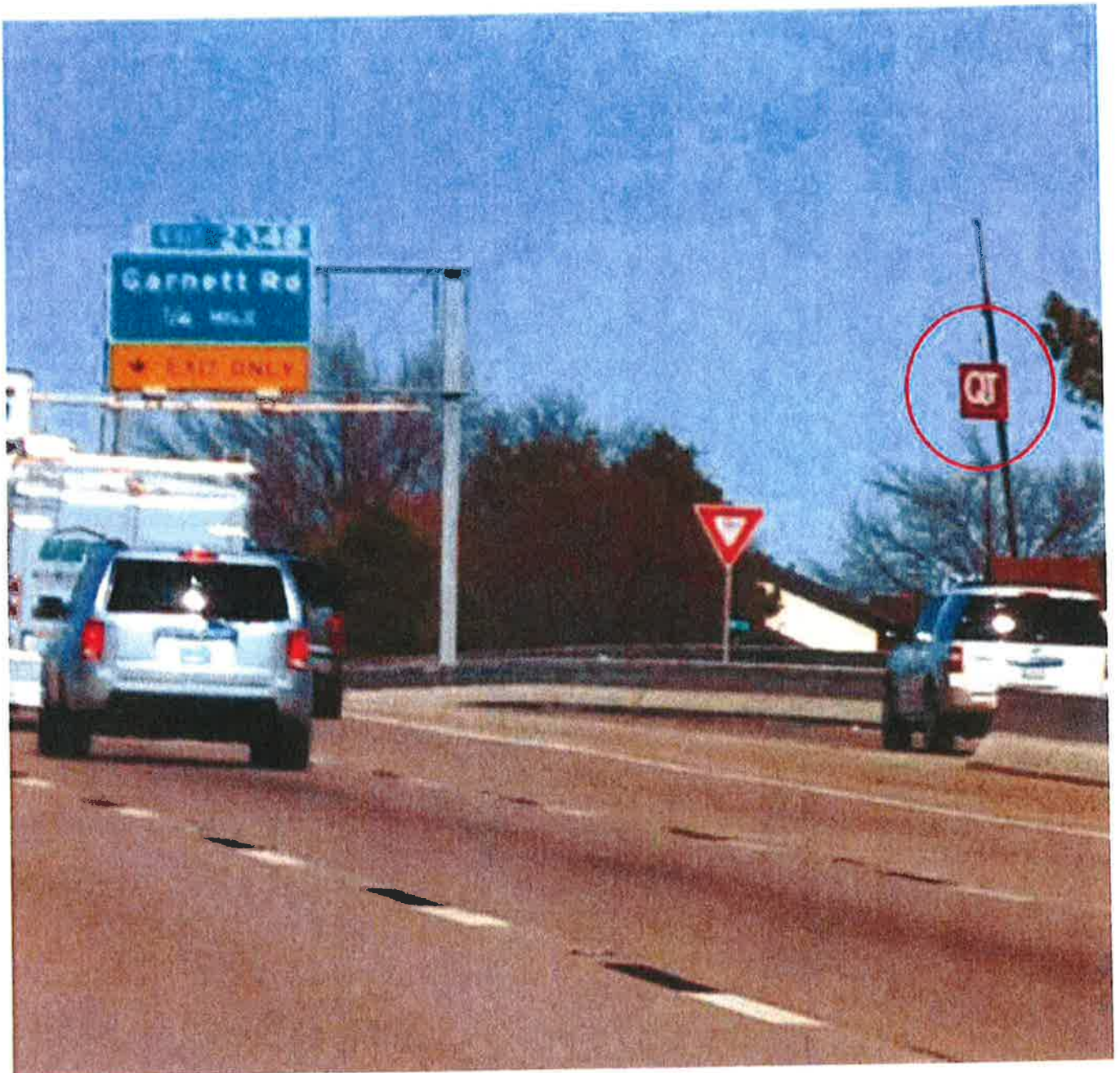


WEST Bound I-44
SIGN is at 80' in height.

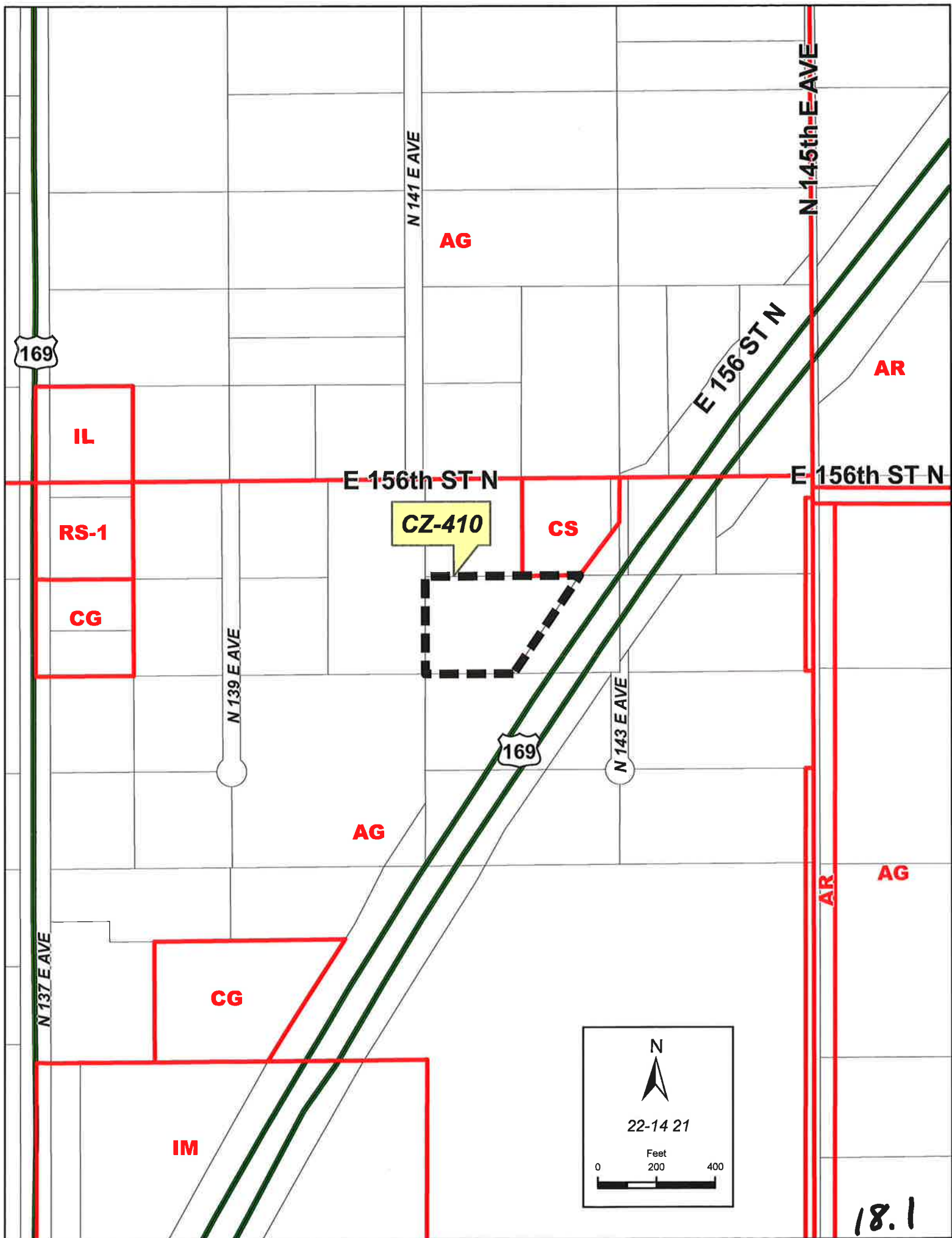
17.19

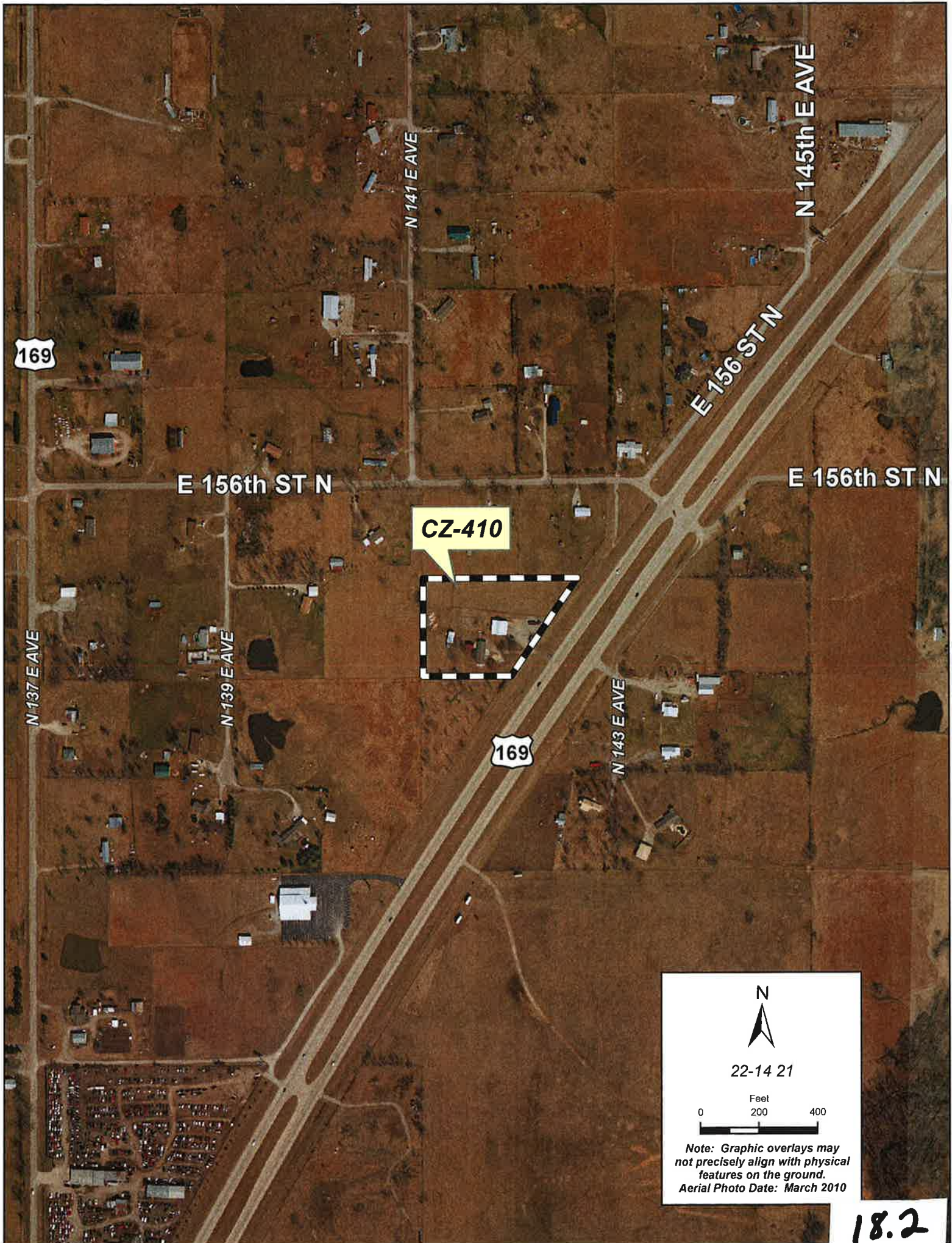


80' East bound is still not above the foilage and visibilty is limited,



80' East bound gets just above foliage for a brief moment at 60 MPH.





22-14 21

Feet
0 200 400

Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2010

18.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: CZ-410

TRS 2421

Atlas 0

CZM 75

County

TMAPC Hearing Date: September 7, 2011

Applicant: Smalygo Properties, Inc.

Tract Size: 2.5± acres
108,900± square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of East 156th Street North
and Highway 169 (15508 No. Hwy. 169)

EXISTING ZONING: AG

EXISTING USE: Agriculture/residential

PROPOSED ZONING: CG

PROPOSED USE: To be determined

ZONING RESOLUTION: Resolution number 98204 dated September 15, 1980, established zoning for the subject property.

RELEVANT ZONING HISTORY:

No relevant zoning history

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.5± acres in size and is located south of the southwest corner of East 156th Street North and Highway 169. The property appears to be agriculture/storage/residential/previous commercial and is zoned AG. The site abuts the Collinsville city limits to the north.

SURROUNDING AREA: The subject tract is abutted on the east by U.S. 169, zoned AG; on the north by large-lot agricultural/residential uses, zoned AG and by large-lot residential/agricultural, zoned CS; on the south by U.S. 169 and agricultural/vacant properties, zoned AG; and on the west by vacant/agricultural properties, zoned AG.

UTILITIES: The subject tract rural water and aerobic septic system.

TRANSPORTATION VISION:

The Comprehensive Plan designates U.S. 169 as a highway, with divided lanes. The access to the property is from U.S. 169.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
The access is from U.S. 169.	Highway	varies	4 lanes, divided

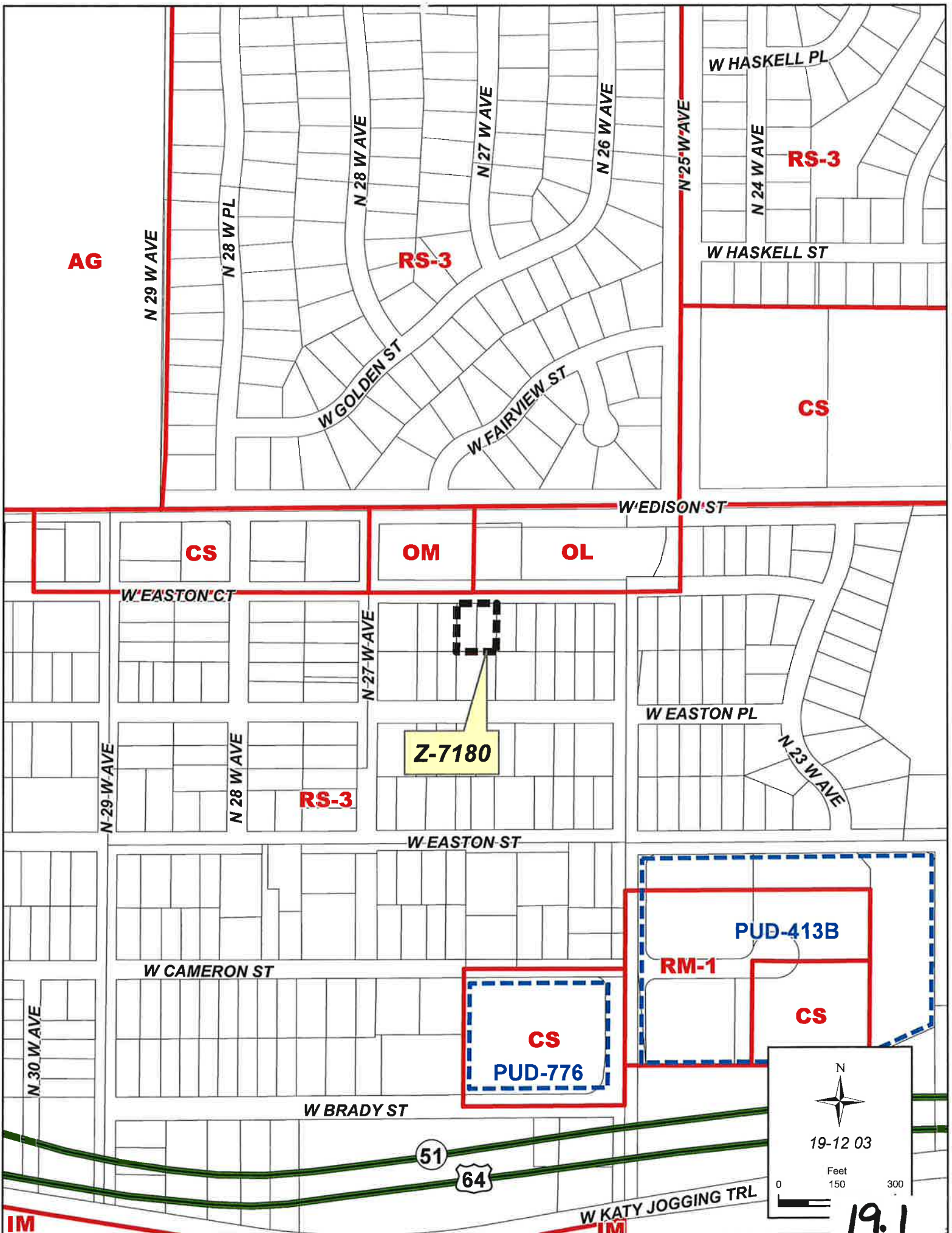
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This property is beyond any of the District or County plans, so no adopted plans appear to apply to it. The property is surrounded on three sides by AG zoning and on the north by CS zoning.

STAFF RECOMMENDATION:

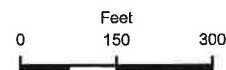
This property does not lie adjacent to any CG zoning, but is adjacent to CS zoning on the north. If the TMAPC so desires, with the CG having been advertised, CS could also be considered, with the applicant required to go to the BOA for a special exception. Staff cannot recommend CG zoning at this time, so recommends **DENIAL** of CG zoning on the site and **APPROVAL** of CS zoning in the alternative.

09/07/11





19-12 03



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date:

19.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7180

TRS 9203

Atlas 103

CZM 36

CD-1

TMAPC Hearing Date: September 7, 2011

Applicant: Jerome & Leslie Wade

Tract Size: 12,500± square feet

ADDRESS/GENERAL LOCATION: East of southeast corner of West Easton Court and North 27th West Avenue

EXISTING ZONING: RS-3

EXISTING USE: Vacant

PROPOSED ZONING: PK

PROPOSED USE: Parking

ZONING ORDINANCE: Ordinance number 11814 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7170 : All concurred in approval of a request for rezoning a .79± acre tract of land from OM to CS on property located on the southeast corner of West Edison Avenue and North 27th West Avenue and abutting north across West Easton Court from subject property.

Z-6940 May 2004: All concurred in approval of a request for rezoning a .78± acre tract of land from RS-3 to OM for and office building, on property located on the southeast corner of West Edison Avenue and North 27th West Avenue; also known as the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 12,500± square feet in size and is located east of the southeast corner of West Easton Court and North 27th West Avenue. The property appears to be vacant and is zoned RS-3.

SURROUNDING AREA: The subject tract is abutted on the east by a single-family residential use, zoned RS-3; on the north by offices and commercial uses, zoned OM and OL; on the south by single-family residential uses, zoned RS-3; and on the west by single-family residential uses, zoned RS-3.

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan does not designate this roadway. It currently functions as a residential street. It is an asphalt two-lane roadway without curbs and gutters. The site has been cleared and a driveway remains.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Easton Court	N/A	N/A	2

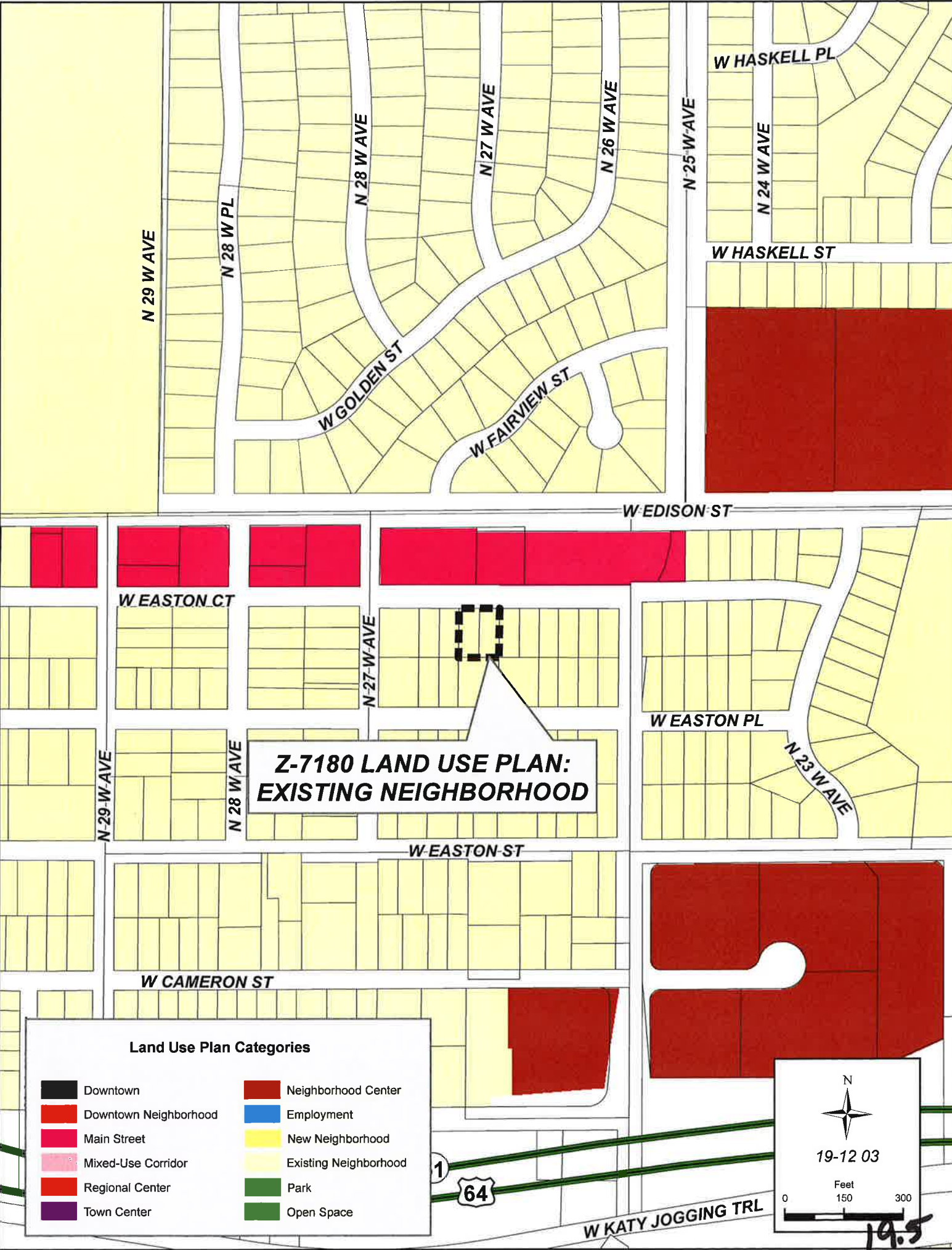
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

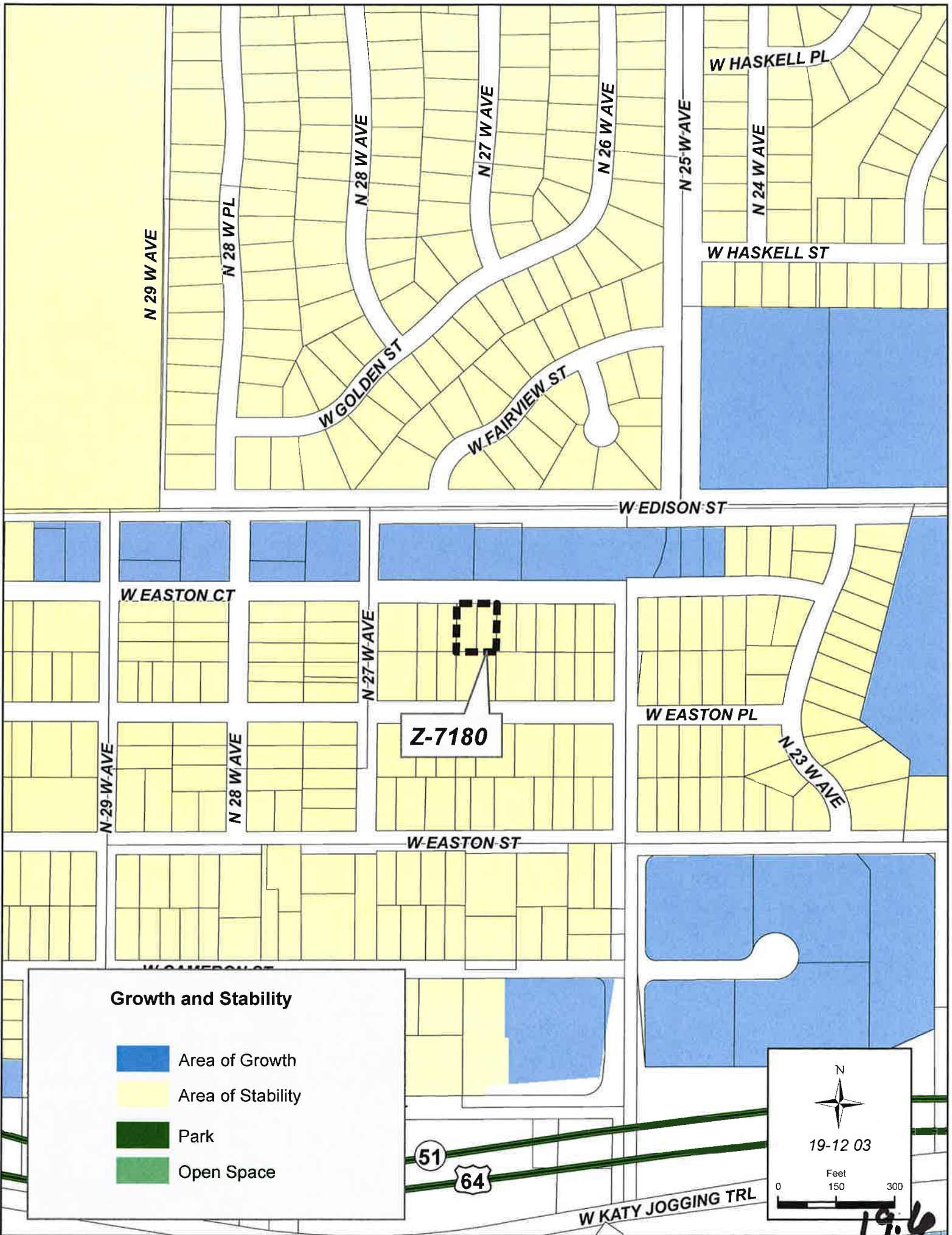
The Comprehensive Plan designates this as an Area of Stability and an Existing Neighborhood. The residential area has clearly been in place for decades, and while undergoing some transition on the Edison Street frontage part, seems to be stable in the interior, where this property is located. The request for PK zoning is not in accord with the Comprehensive Plan, which envisions only single-family uses within existing single-family residential areas such as this.

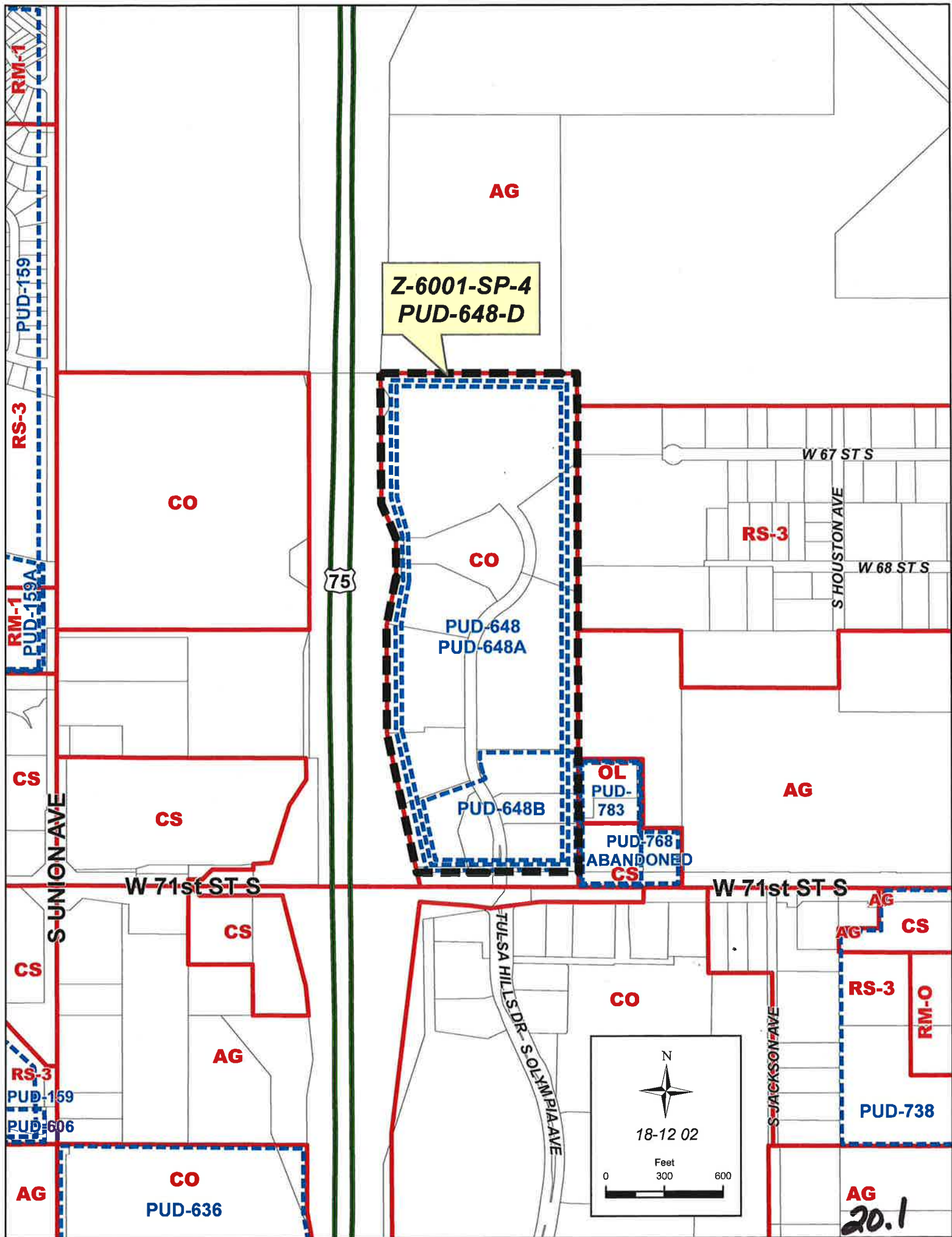
STAFF RECOMMENDATION:

Staff points out that the request is blatantly for spot zoning; something the Comprehensive Plan opposes. Even with the required screening on three sides of the property, the parking lot in the middle of the residential block would be an intrusion. Therefore, staff recommends **DENIAL** of PK zoning for Z-7180.

09/07/11







**Z-6001-SP-4
PUD-648-D**

75

W 67 ST S

S HOUSTON AVE

W 68 ST S

S UNION AVE

W 71st ST S

W 71st ST S



18-12 02

0 Feet 300 600

*Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2010*

TULSA HILLS DR
S OLYMPIA AVE

S JACKSON AVE

20.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-648-D/Z-6001-SP-4

TRS 8202

Atlas 0

CZM 51

CD-2

TMAPC Hearing Date: September 7, 2011

Applicant: Andrew A. Shank

Tract Size: 55± acres

ADDRESS/GENERAL LOCATION: Northeast corner of Highway 75 and West 71st Street

EXISTING ZONING: CO/PUD-648-B

EXISTING USE: Mixed

PROPOSED ZONING: CO/PUD-648-D

PROPOSED USE: Add Use Unit 21 Outdoor Advertising

ZONING ORDINANCE: Ordinance number 21563 dated June 28, 2007, established zoning for the subject property; and Ordinance number 22229 dated April 28, 2010, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-21297 August 23, 2011: The Board of Adjustment accepted a Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.F.2) and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way (Section 1221.G.10), on property located at north of the northeast of Highway 75 and West 71st Street.

BOA-21296 August 23, 2011: The Board of Adjustment accepted a Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway; and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way, on property located at north of the northeast of Highway 75 and West 71st Street.

BOA-21295 August 23, 2011: The Board of Adjustment approved a Variance of the spacing requirement between outdoor advertising signs from 1,200 ft. (Section 1221.F.2); and accepted a Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway; and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way, on property located at north of the northeast of Highway 75 and West 71st Street.

Z-6001-SP-3/PUD-648-B April 2010: All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 7.16± acre tract of land to amend permitted uses to add Use Unit 13, add two development areas and reallocate floor area, on property located on the northeast corner of West 71st Street South and Highway 75 South.

Z-6001-SP-2/PUD-648-A June 2007: All concurred in approval of a proposed Major Amendment to a PUD on a 55± acre tract of land for a development with six development areas for office, restaurant, hotel and hospital uses on property located on the northeast corner of West 71st Street South and Highway 75 South.

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71st Street and U. S. High 75 South.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 55± acres in size and is located on the northeast corner of Highway 75 and West 71st Street. The property appears to be partially developed and is zoned CO/PUD-648-B.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned CS/OL/PUD-783 and will be developed as a QuikTrip Store and possible hotel in the future (the property is currently being platted); by unplatted land zoned AG and RS-3, and by Cates Addition, zoned RS-3; on the north by unplatted land, zoned AG; on the south by West 71st Street and then Tulsa Hills, zoned CO; and on the west by US Highway 75, zoned AG.



A large version of this graphic is attached.

20.9

UTILITIES: The subject tract has municipal water and sewer available.

TULSA COMPREHENSIVE PLAN TRANSPORTATION VISION:

The Tulsa Comprehensive Plan designates West 71st Street as a commuter corridor. Commuter corridors are described by the Plan as streets which are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

TULSA CITY-COUNTY MAJOR STREET AND HIGHWAY PLAN

The Tulsa City-County Major Street and Highway Plan identify West 71st Street as a primary arterial and South Olympia Avenue as a commercial collector.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 71 st Street	Primary Arterial	150'	8
South Olympia Avenue	Commercial Collector	60'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject area as an Area of Growth and a Town Center.

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot

single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

The applicant is adding the outdoor advertising use to an established PUD that was approved in 2001. The Tulsa Comprehensive Plan does not address the outdoor advertising use. Therefore staff contends the addition of the outdoor advertising use to the PUD **may be found** in accord with the Plan

STAFF RECOMMENDATION:

The purpose of this major amendment is to add Outdoor Advertising as a permitted use within Development Areas B and D of PUD-648-B, also known as Olympia Medical park (see Exhibit A). Located adjacent to the east side of Highway 75 on the north side of West 71st Street, the three proposed sign locations are within a freeway sign corridor. The 1,200 foot spacing verification of these signs was verified by the City of Tulsa Board of Adjustment (BOA) in case numbers BOA-21295, 21296, and 21297 on August 23, 2011. The three spacing verifications were confirmed for non-digital signs as well as digital signs. The applicant has not made it clear which signs and/or sign faces would potentially be digitized.

The over-all size of the signs will be based on the lot frontage each sign location has along US Highway 75 and the number of other ground signs on the lot. No outdoor advertising sign may exceed 672 square feet of display surface area.

Established in 2001, PUD-648/Olympia Medical Park is a 55 acre (+/-) tract located at the northeast corner of US Highway 75 and West 71st Street South. The property is quite rugged with a significant west to east slope. The property is partially developed with a hotel and medical uses. The PUD also allows a variety of other commercial and office uses.

Staff finds the additional use to be in harmony with the spirit and intent of the Code. Staff finds PUD-648-D 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-648-D subject to the following conditions:

1. The applicant's Concept Development Plan and Text be made a condition of approval, unless modified herein.
2. All development standards and requirements of PUD-648 and as amended shall remain effective with the addition of the following:

PERMITTED USES:

Add Outdoor Advertising as permitted within Use Unit 21 to the permitted uses of Development Area B (Lot 2 of PUD-648-B) and Development Area D (Lot 1 and Lot 2-C of PUD-648-B) per the attached Exhibit A.

Subject to the terms and conditions of Chapter 11 and section 1221 of the Tulsa Zoning Code as applicable to Outdoor Advertising signs.

3. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

TAC COMMENTS:

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: Signs, especially those with footings, cannot be placed in easements nor can they be placed in Overland Drainage ways without entering a license agreement with the City of Tulsa.

Wastewater: No comments.

Transportation: No comments

INCOG Transportation:

- **MSHP:** 71st Street between Union Avenue and Elwood Avenue is a designated Primary Arterial.
- **LRTP:** US-75, between 61st St. S. and 71st St. S., planned 6 lanes. 71st St. S., between Peoria Ave. and US-75, planned 6 lanes.
- **TMP:** No comment
- **Transit:** Currently, Tulsa Transit operates existing routes on 71st St. S. all the way to Union Ave. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should continue to be included in future development.

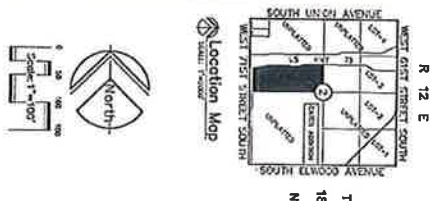
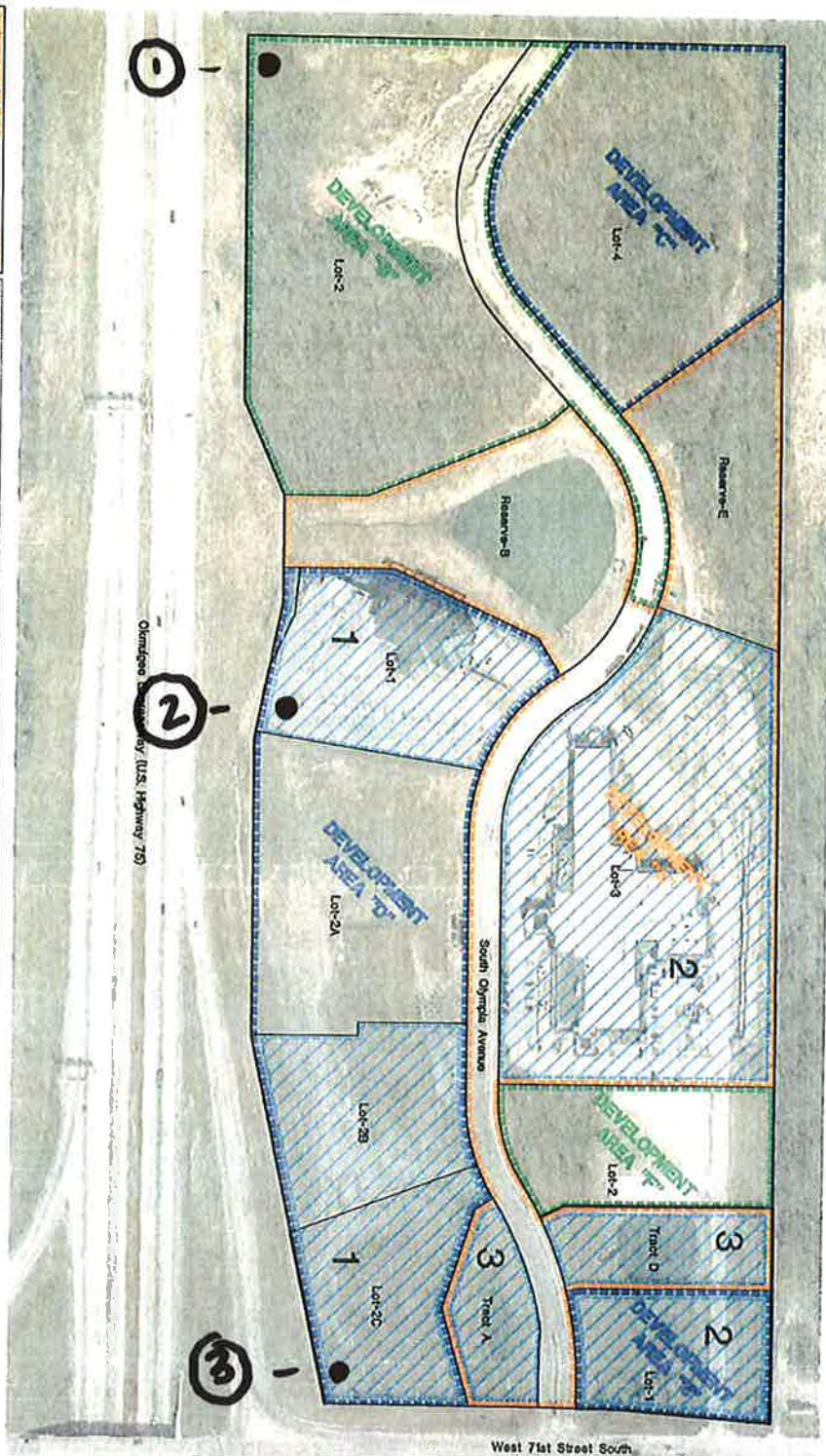
Traffic: No comments.

Airport Authority: If signs exceed 787' (above sea level) contact Oklahoma Aeronautics Commission. Also contact Ken White of the Airport Authority (838-5107) to see if an FAA study will be required and for further information regarding the Aeronautics Commission requirements.

GIS: No comments

Street Addressing: House Number(s) listed on property: 6502, 6890, 7090 S. OLYMPIA
AV. W. Addressing Atlas Page #(s): 00889, 01012

Inspection Services: No comments.



**Olympia Medical Park
Tulsa, Oklahoma**

Proposed Development Area Map
PUD No. 648-B 08234

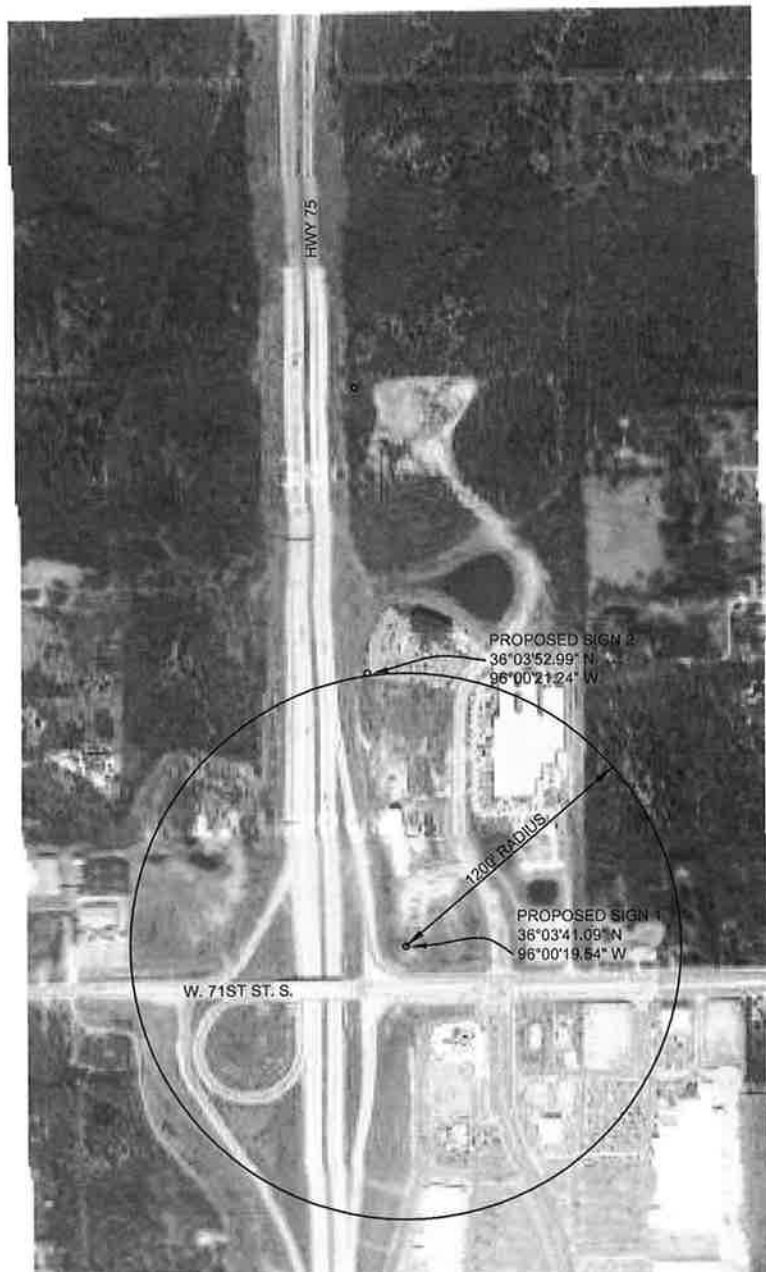
EXHIBIT A

20.9

DATE: 6/16/11
SCALE: N/A

EXHIBIT

Nickle & Associates, Inc.
108 S. 109th E. PLACE, Tulsa, Oklahoma, 74128
(918) 664-5411. C.A. #1749 Expires 6/2013.



I hereby certify that the proposed sign is (1) more than 1200 feet, as measured from center of sign to center of sign, from any existing traditional outdoor advertising sign on the same side of the highway and (2) more than 1200 feet, as measured from center of sign to center of sign, from any existing digital outdoor advertising sign facing the same traveled way.

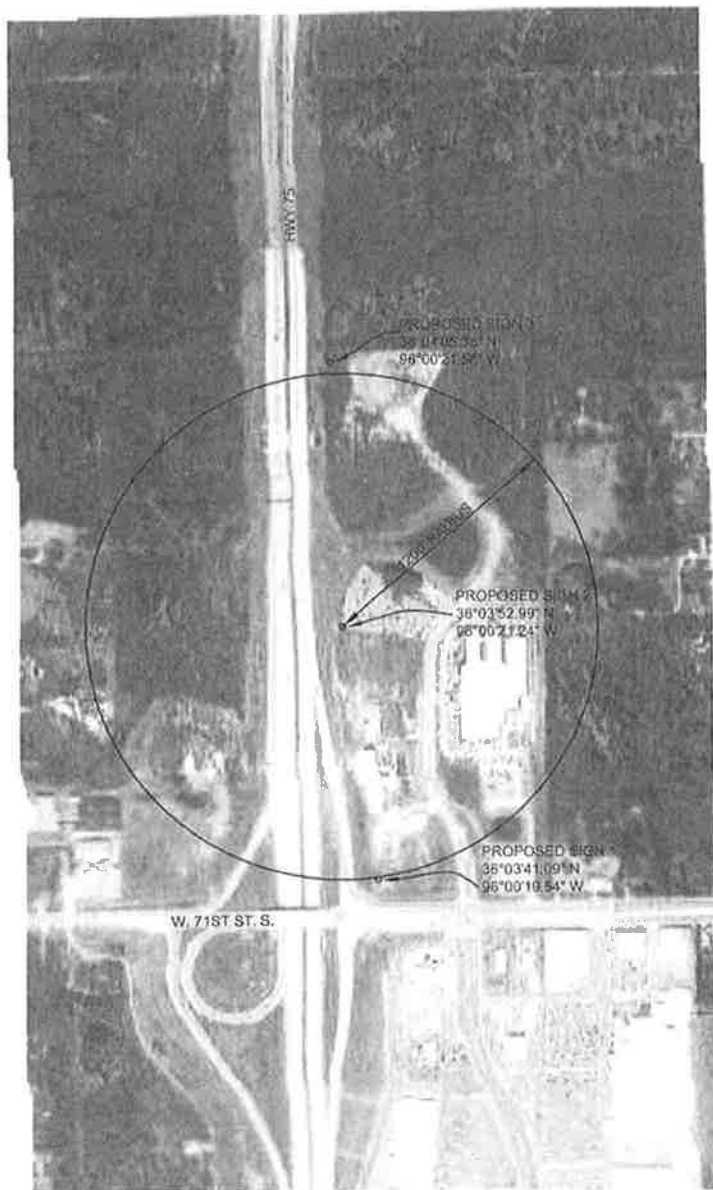
Gregory Nickle, PLS #1396 Oklahoma



DATE: 6/16/11
SCALE: N/A

EXHIBIT

Nickle & Associates, Inc.
108 S. 109th E. PLACE, Tulsa, Oklahoma, 74128
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Gregory Nickle, PLS #1396 Oklahoma

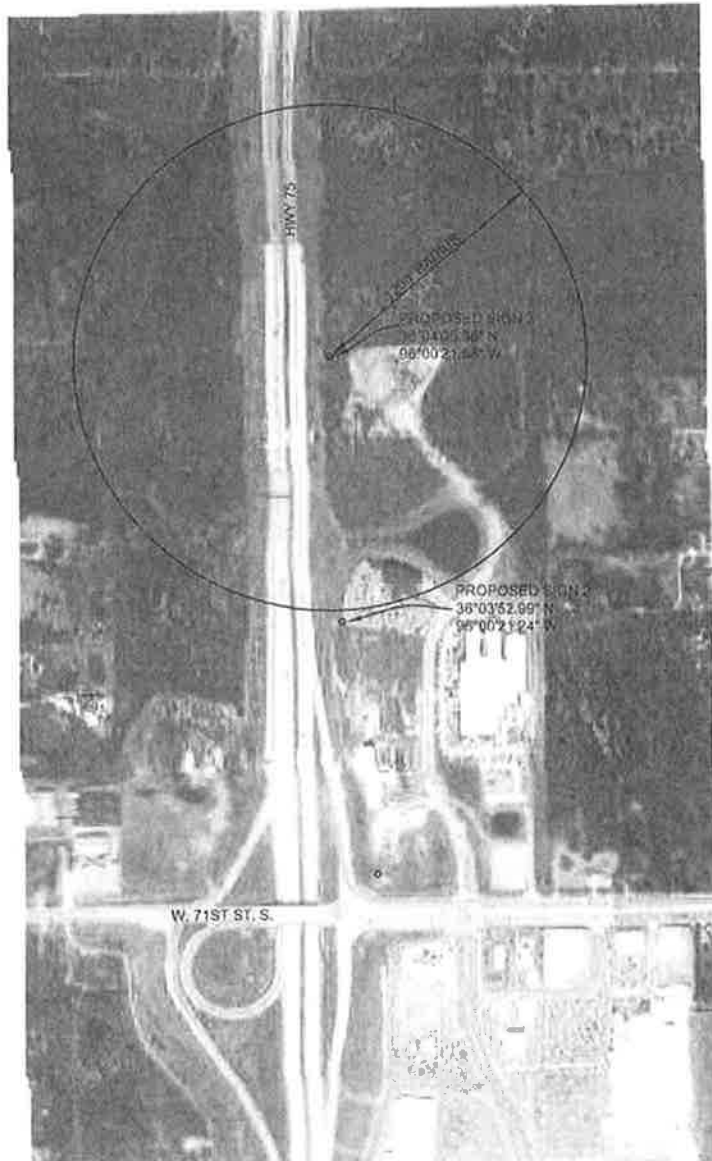


20.11

DATE: 6/16/11
SCALE: N/A

EXHIBIT

Nickle & Associates, Inc.
108 S. 109th E. PLACE, Tulsa, Oklahoma, 74128
(918) 664-5411. C.A. #1749 Expires 6/2013.

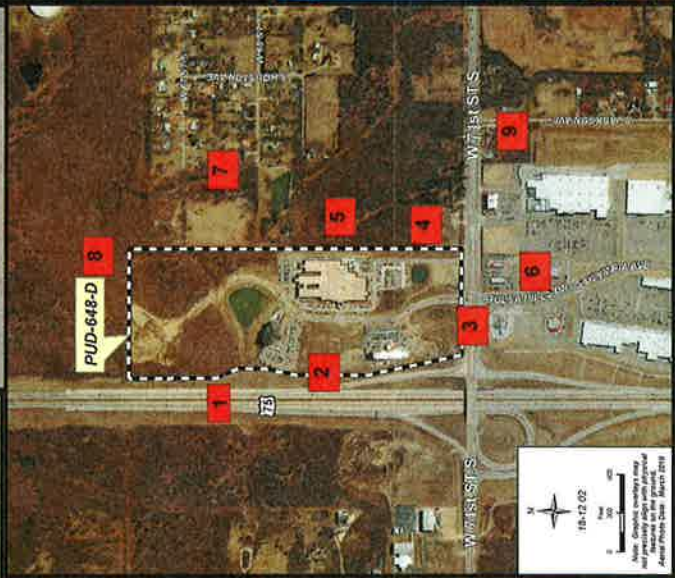


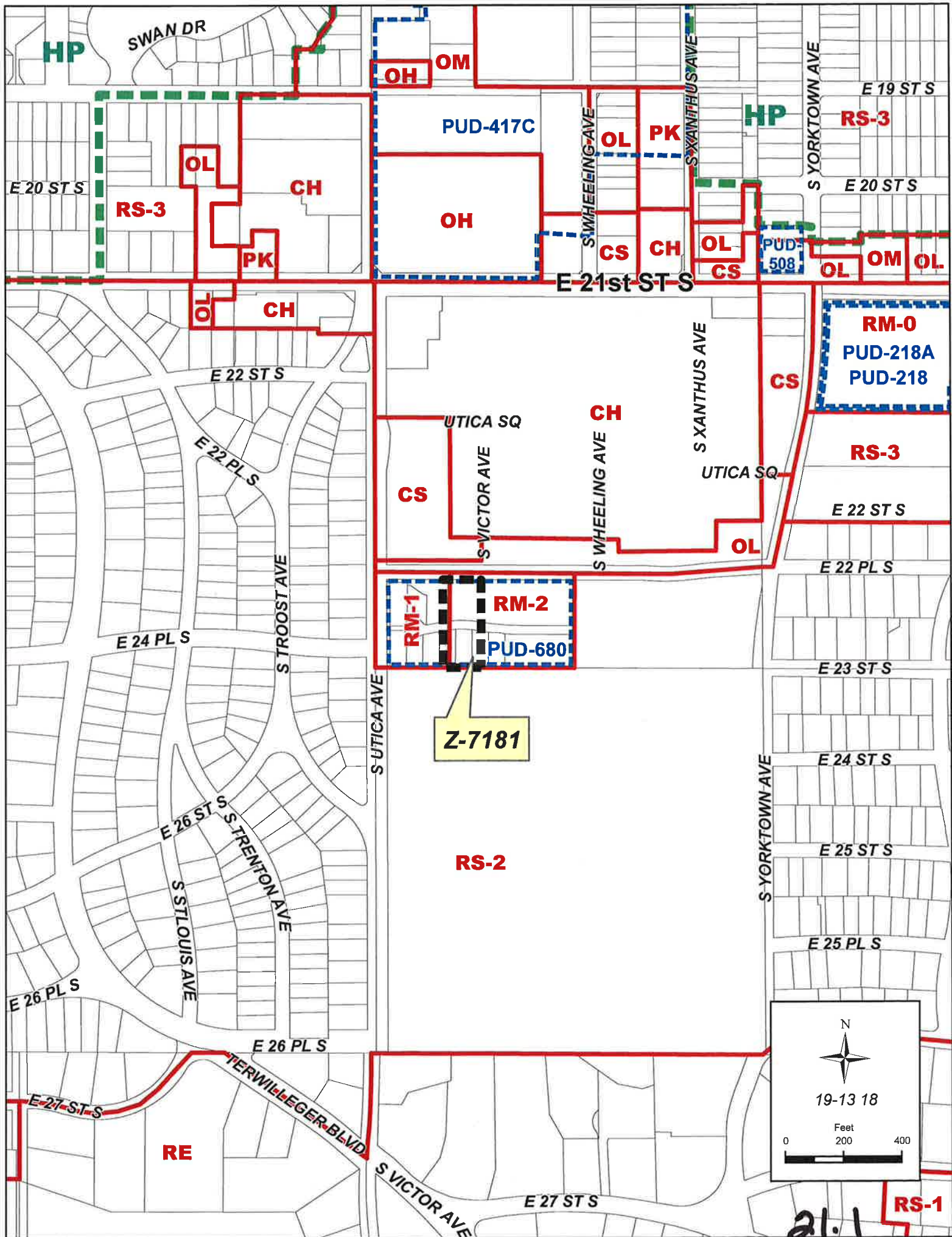
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Gregory Nickle, PLS #1396 Oklahoma



20.12







19-13 18

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo D.

21.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7181

TRS 9318

Atlas 59

CZM 37

CD-9

TMAPC Hearing Date: September 7, 2011

Applicant: Roy D. Johnsen

Tract Size: 39,000± square feet

ADDRESS/GENERAL LOCATION: East of southeast corner of East 22nd Place and South Utica Avenue

EXISTING ZONING: RM-2

EXISTING USE: Office

PROPOSED ZONING: OMH

PROPOSED USE: Office

ZONING ORDINANCE: Ordinance number 20609 dated June 19, 2003, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-19839 June 2004: The Board of Adjustment approved a Variance to increase permitted floor area within a PUD from 90,327 square feet to 103,327 square feet, located: 1724 East 22nd Place.

BOA-19371 June 2002: The Board of Adjustment approved a special exception to permit the change in use from a medical office and retail use to a restaurant use without providing additional and required parking for the restaurant. The decision of the Board was appealed to District Court but the appeal was subsequently dismissed. The subject property for this request is located north of the subject tract within the Utica Square Shopping Center.

BOA-18251 November 1998: The Board of Adjustment approved a variance of the allowable height from 35' to 62' for new school buildings to be constructed on the Cascia Hall School campus, and abutting the subject property to the south. The new construction was located on Lewis Avenue and nearer East 23rd and East 24th Streets.

Z-6506 December 1995: All concurred in approval of the rezoning of several residential lots located between East 26th Street and East 31st Street, South Utica Avenue to South Lewis Avenue, from RS-1 and RS-2 to RE zoning.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 39,000± square feet in size and is located east of southeast corner of East 22nd Place and South Utica Avenue. The property appears to be -- and is zoned.

SURROUNDING AREA: The subject tract is abutted on the east by offices and residential uses, zoned RM-1/PUD-680; on the north by Utica Square, zoned CH; on the south by a private school campus, zoned RS-2; and on the west by offices and residential uses, zoned RM-1/PUD-680..

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan does not designate either street, relying instead on Peoria and Lewis Avenues to bear the traffic on north/south routes and East 21st Street for east/west routes.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Utica Avenue	N/A	N/A	From 4 to 2
East 22 nd Place	N/A	N/A	2

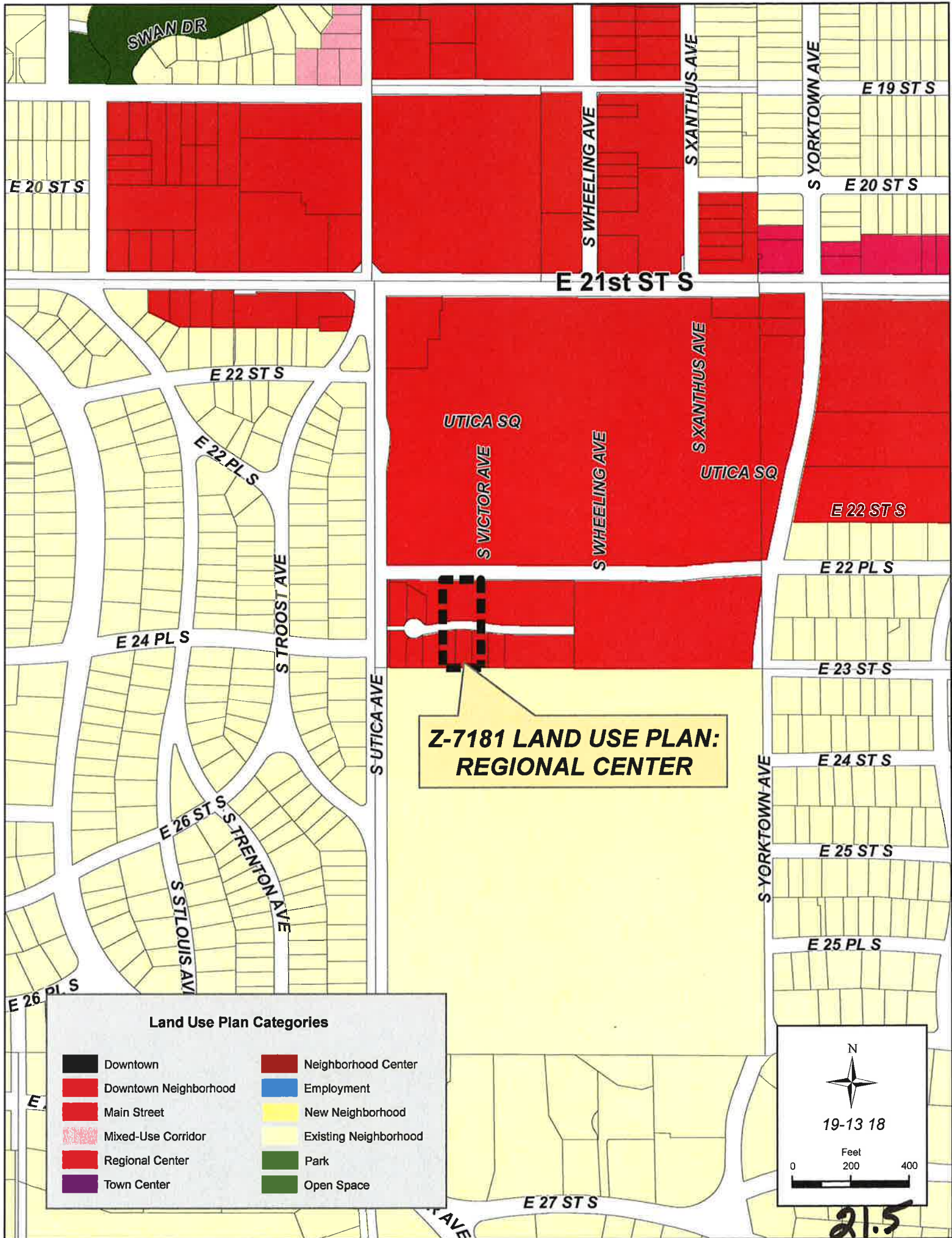
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

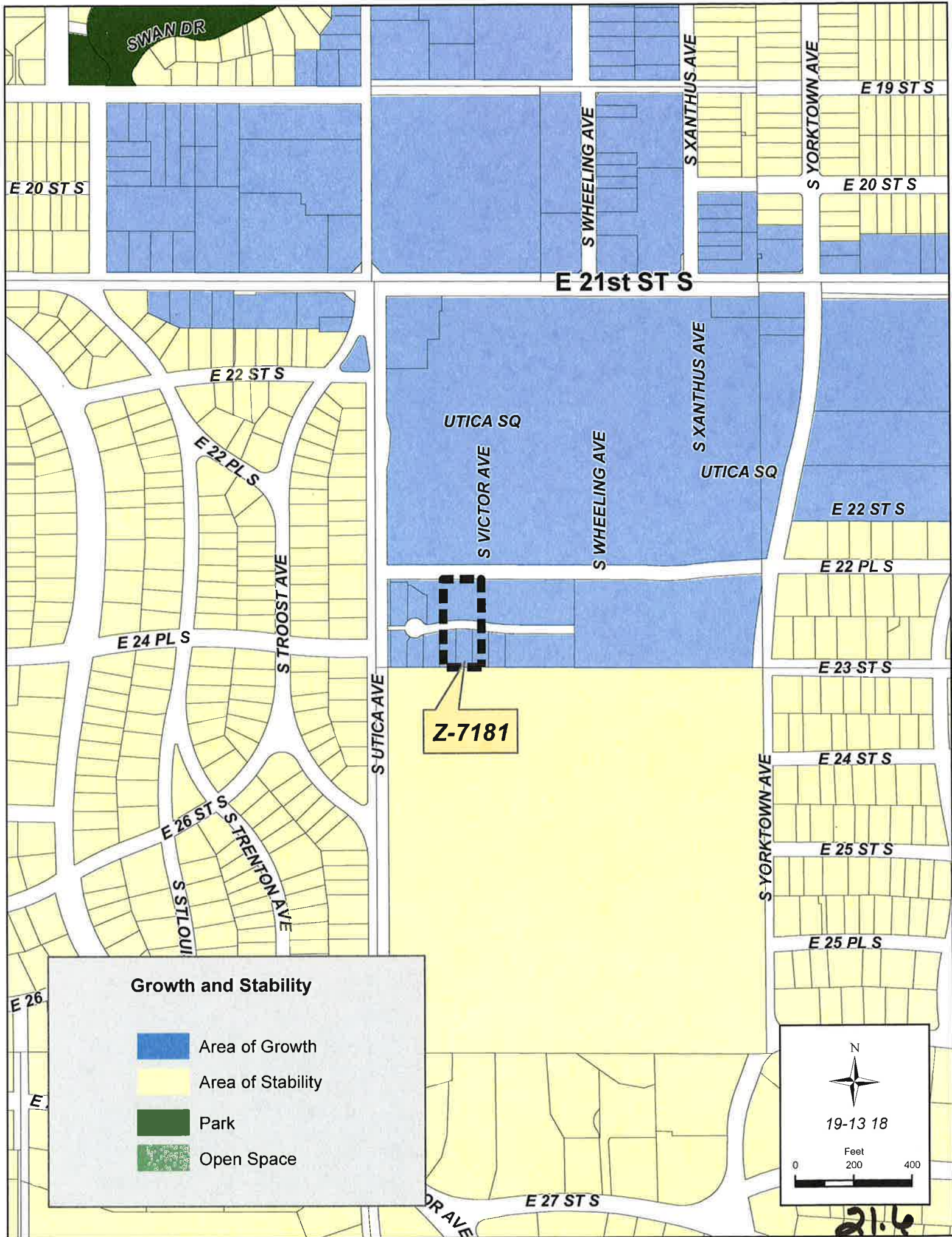
The Comprehensive Plan designates this area as a Regional Center and an Area of Growth. The requested rezoning to OMH on a small portion of the PUD **is in accord** with the Comprehensive Plan.

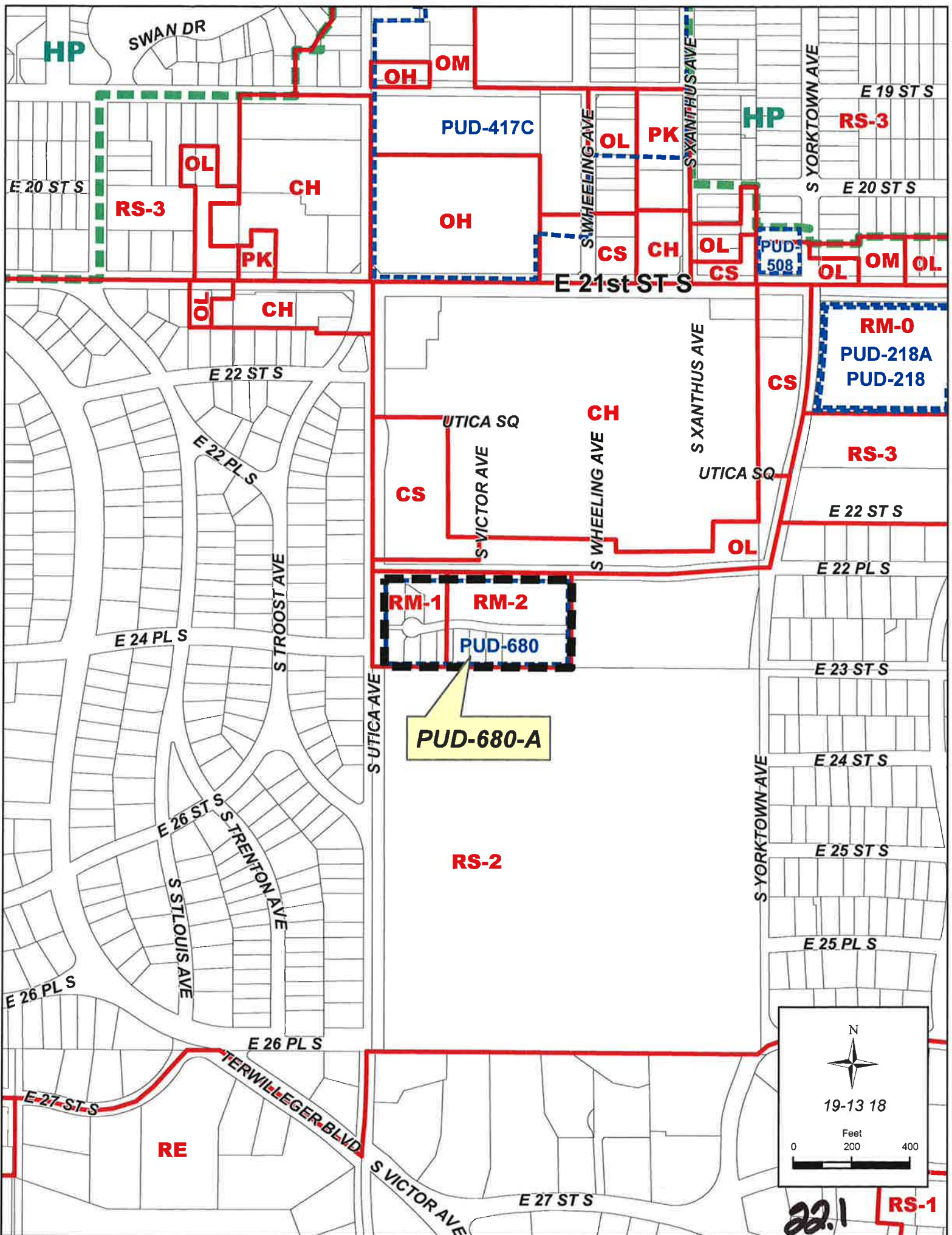
STAFF RECOMMENDATION:

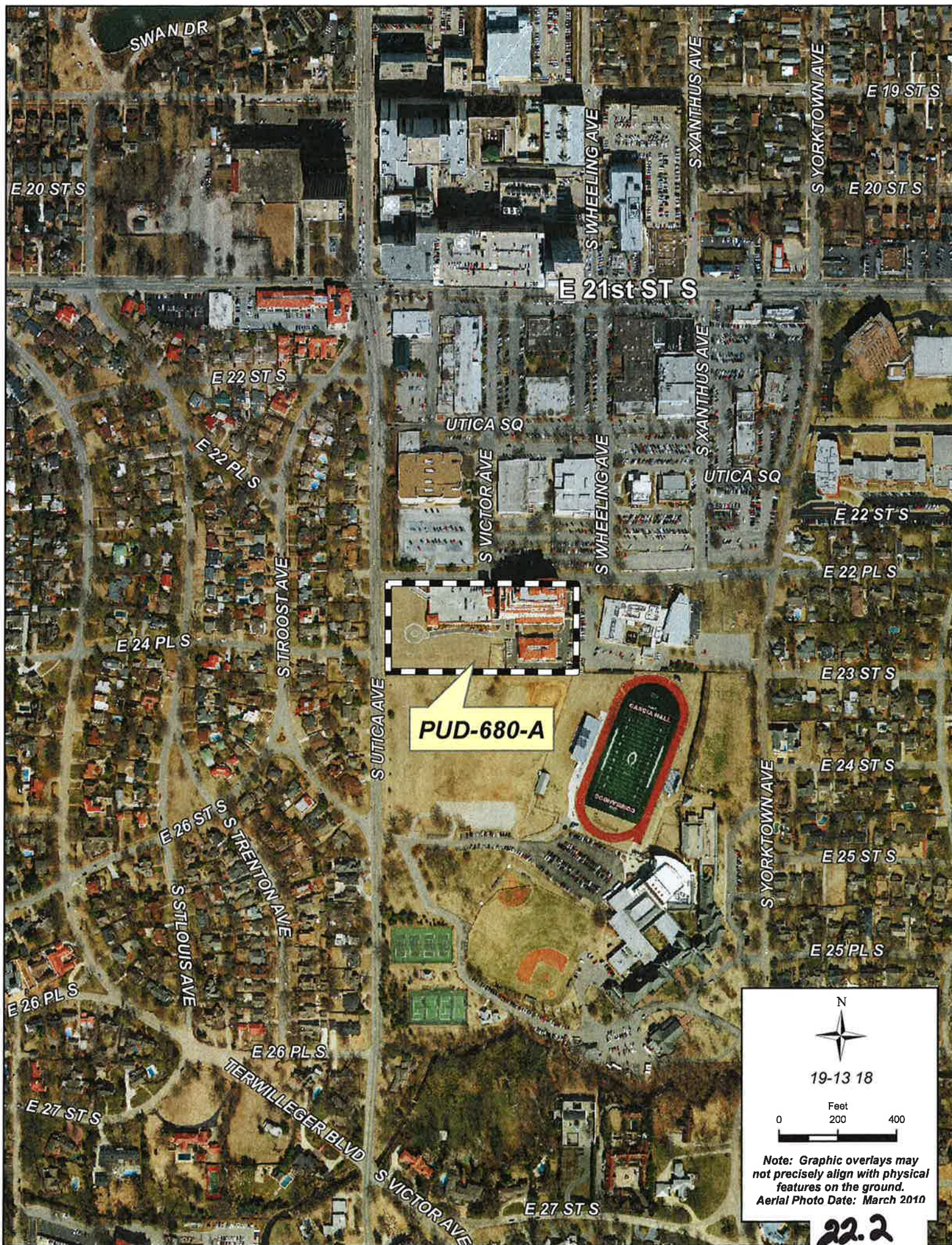
Based on the Comprehensive Plan and surrounding land uses and trends, staff can support the requested rezoning and recommends **APPROVAL** of OMH zoning for Z-7181.

09/07/11









N

19-13 18

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-680-A

TRS 9318

Atlas 59

CZM 37

CD-9

TMAPC Hearing Date: September 7, 2011

Applicant: Roy D. Johnsen

Tract Size: 4.35± acres

ADDRESS/GENERAL LOCATION: Southeast corner of East 22nd Place and South Utica Avenue

EXISTING ZONING: RM-1/RM-2/PUD-680 **EXISTING USE:** Office/condominium dwelling

PROPOSED ZONING: OMH/ PUD-680-A **PROPOSED USE:** Office/ condominium dwelling

ZONING ORDINANCE: Ordinance number 20609 dated June 19, 2003 established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-19839 June 2004: The Board of Adjustment approved a Variance to increase permitted floor area within a PUD from 90,327 square feet to 103,327 square feet, located: 1724 East 22nd Place.

BOA-19371 June 2002: The Board of Adjustment approved a special exception to permit the change in use from a medical office and retail use to a restaurant use without providing additional and required parking for the restaurant. The decision of the Board was appealed to District Court but the appeal was subsequently dismissed. The subject property for this request is located north of the subject tract within the Utica Square Shopping Center.

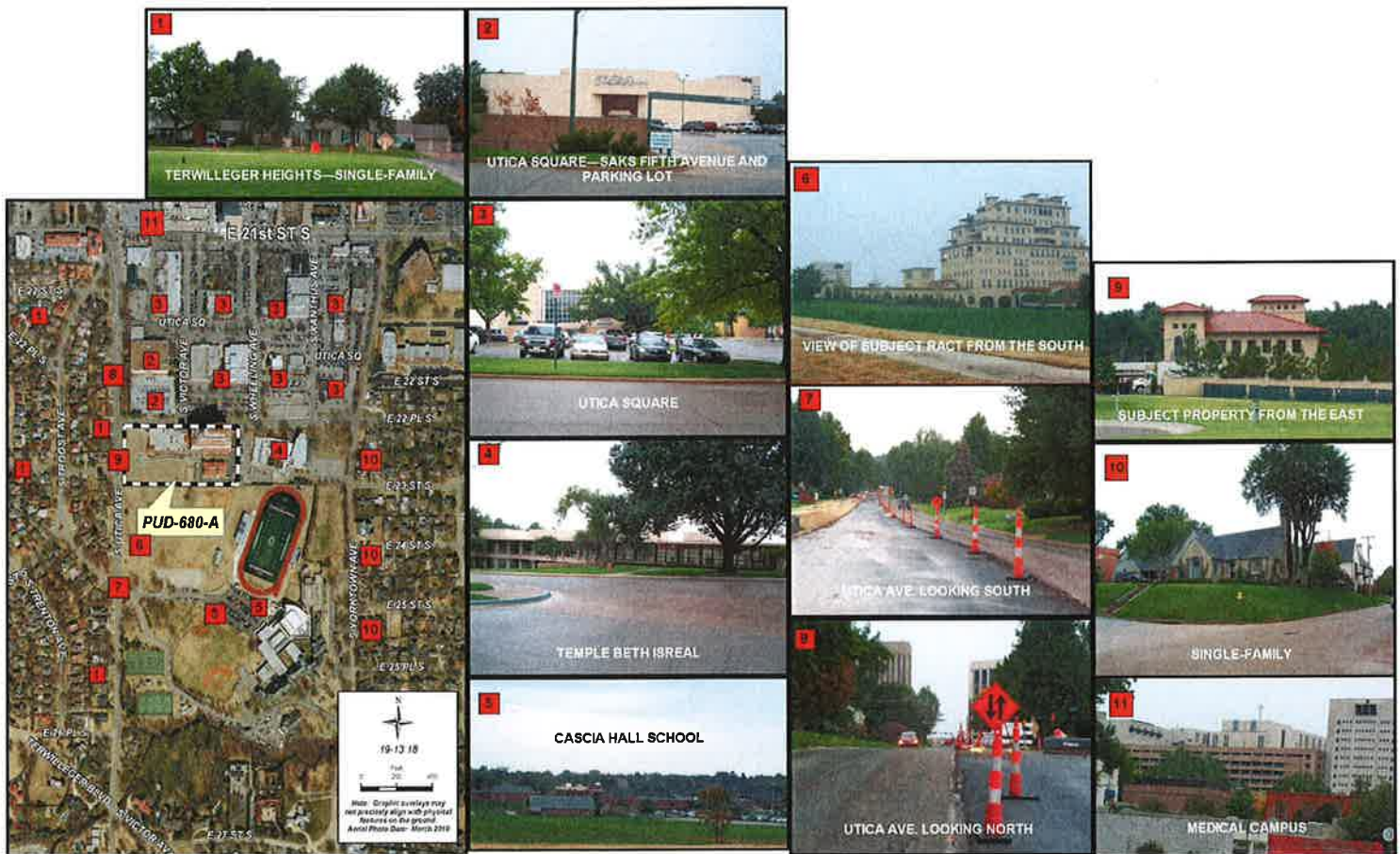
BOA-18251 November 1998: The Board of Adjustment approved a variance of the allowable height from 35' to 62' for new school buildings to be constructed on the Cascia Hall School campus, and abutting the subject property to the south. The new construction was located on Lewis Avenue and nearer East 23rd and East 24th Streets.

Z-6506 December 1995: All concurred in approval of the rezoning of several residential lots located between East 26th Street and East 31st Street, South Utica Avenue to South Lewis Avenue, from RS-1 and RS-2 to RE zoning.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 4.35± acres in size and is located at the southeast corner of East 22nd Place and South Utica Avenue. The property appears to be -- and is zoned RM-1/RM-2/PUD-680.

SURROUNDING AREA: The subject tract is abutted on the east by unplatted property which is the location of Temple Beth Israel, zoned RS-2; on the north by 22nd place and then Utica Square, zoned OL/CS/CH; on the south by unplatted property/Cascia Hall School, zoned RS-2; and on the west by Utica Avenue and then Terwillegger Heights single-family neighborhood, zoned RS-2.



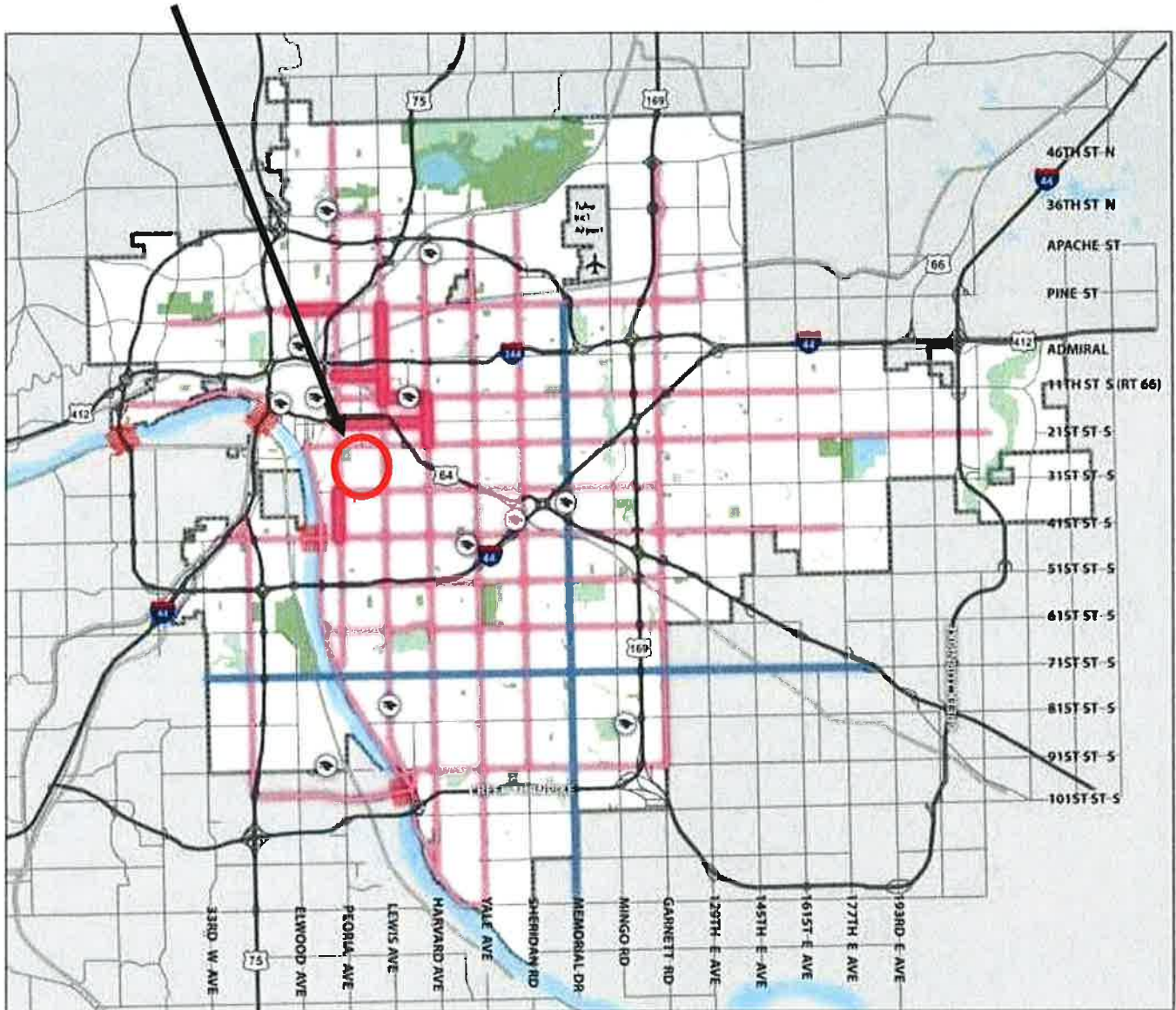
A large version of this graphic is attached.

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Tulsa Comprehensive Plan does not designate either Utica Avenue or 22nd Place.

SUBJECT AREA



ROADWAY

-  Main Street
-  Commuter Corridor
-  Multi-Modal Corridor
-  Possible Multi-Modal Bridge
-  Existing/Planned Freeway
-  Parks
-  Open Space

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject tract as an “Area of Growth” with a land use classification of “Regional Center”.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

A **center** is the focal point of one or more neighborhoods. Centers provide convenient access to shops, restaurants and community-oriented services, such as day cares, libraries and meeting halls. There are shorter auto trips and more walking and bicycling in a center since residential and commercial areas are near each other. Centers often are the site for transit stations and bus route intersections. Those centers with pedestrian and bicycle-friendly streets entice residents to walk to major transit facilities. Attractive and safe pedestrian connections from the surrounding neighborhood to the center encourage people to walk or bike to destinations such as transit stations, bus stops or businesses.

The size of a center and its role in the city vary correspondingly with the scale and accessibility of the surrounding neighborhoods. Ideally, centers should support both daytime and evening activities to create an attractive and safe neighborhood destination.

The Centers building block includes three types of plan categories, Neighborhood Centers, Town Centers, and Regional Centers.

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Staff contends the proposed PUD major amendment **is in accord** with the Plan.

STAFF RECOMMENDATION FOR ZONING:

Based on the Comprehensive Plan and surrounding land uses and trends, staff can support the requested rezoning and recommends **APPROVAL** of OMH zoning for Z-7181.

PUD STAFF RECOMMENDATION:

PUD-680 is a 4.3 acre (+/-) tract located at the south east corner of 22nd Place and South Utica Avenue. The property is approximately one-half developed, slopes gradually from west to east. The natural slope of the property would be used to give the building along Utica Avenue a lower profile appearance and be architecturally designed with pitched roofs and exterior finishes to blend with the surrounding residential and commercial developments.

PUD-680/Utica Place currently includes a 10-story office and residential condominium tower, a two-story office building, and associated parking garage. The remaining portion of the PUD was targeted for detached single-family dwellings/court yard villas which have not been developed. The property owner cites market conditions as precluding the development of the single-family dwelling units in Development Area A of the PUD (see attached Exhibit A-1).

Major Amendment PUD-680-A proposes to amend the development standards for Development Area A, of PUD-680 to allow two, mid-rise office buildings with a maximum building height of 4-stories and just under 51,000 square feet of permitted floor area. The amendment also seeks to increase the permitted number of condominium dwelling units in Development Area B from 10 units to 12 units. In order to achieve the increase in permitted office floor area, rezone application Z-7181 has been filed concurrently seeking to rezone 39,000 square feet (sf) of the property from RM-2 to OMH. Staff is in support of the rezone request which is necessary for approval of the PUD major amendment. Should the rezoning and the major amendment be approved there would be a total of 154,278 sf of office space and 12 dwelling units permitted in the PUD.

The surrounding neighborhood is quite diverse with a wide assortment of commercial/retail, office and residential uses as outlined in the "Centers" classification on page LU 31 of the Tulsa Comprehensive Plan. This includes the adjacent Utica Square development generally regarded as one of Tulsa's premier destination attractions. With Utica Square to the north, the St. John Medical Center at 21st and Utica, the Cascia Hall campus to the south, Temple Israel immediately adjacent to the east and single family neighborhoods located on the west side of Utica Avenue the area is truly one of Tulsa's best corridors offering a truly dense and unique urban fabric.

Provided the aforementioned, in conjunction with the area's designation as a Regional Center by the Tulsa Comprehensive Plan, staff supports this proposal. Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-680-A to be: (1) consistent with the Tulsa 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-680-A subject to the following conditions:

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

All conditions and development standards of PUD-680 as adopted shall remain effective unless modified herein.

2. Development Standards:

DEVELOPMENT AREA A

Permitted Uses:	As permitted within Use Unit 11 – Offices, Studios and Support Services.
Maximum Office Floor Area:	50,951 sf
Maximum Building Height:	4 stories
Minimum Building Setbacks:	
From the centerline of 22 nd Place:	35 ft.
From the centerline of Utica Ave.:	50 ft.
From the south boundary of the PUD:	0 ft.
From Reserve A:	0 ft.
From interior lot boundaries:	0 ft.
Off-street Parking:	Per the applicable use unit within the Tulsa Zoning Code.
Landscaping:	A minimum of 15% of Development Area A shall be left as landscape open space. Street side landscaping and surface parking areas shall be per Chapter 10 of the zoning code.

DEVELOPMENT AREAS B AND C

Within Development Area B, condominium dwelling units within the office tower shall be limited to 12 units. With the exception of this modification, all existing development standards and conditions of PUD-680 shall remain effective.

SIDEWALKS:

Sidewalks exist along 22nd Place. With respect to sidewalks along Utica Avenue, refer to attached District Court Case #CJ 2005-5878. Due to the rehabilitation of Utica Avenue beginning at 21st Street, in 2005 the applicant paid a fee-in-lieu sidewalks for the project limits along Utica Avenue. The City of Tulsa is therefore responsible for the construction of sidewalks along Utica Avenue within the project limits.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences will be installed by a specific date in accordance with

the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. Where applicable, all private roadways shall have a minimum right-of-way of 30' and 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 meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
10. Where applicable, the City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
11. No building permit shall be issued until the requirements of Section 1107-F 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 that relate to PUD conditions.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
13. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
14. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
15. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC COMMENTS:

General: No comments.

Water: A 6-inch water main line exists along the eastside of Utica Ave. A 8-inch water main line exists along or within the Reserve A area. The 8-inch water main continues from the reserve area to the north along the property's eastern boundary line.

Fire: No objection to change of uses. However be aware of the following International Fire Code requirements:

Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Fire aerial apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

Other Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet.

The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire apparatus roads shall be designed with a minimum of 28 feet inside radius and a minimum of 48 feet' outside radius.

An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. A fire hydrant shall be located within 100' of the fire department connection.

Stormwater: No comments.

Wastewater: No comments.

Transportation: No comments.

INCOG Transportation:

MSHP: S. Utica Avenue is designated residential collector.

LRTP: S. Utica Ave, between 21st St. S. and 31st St. S., existing 4 lanes. Per Subdivision regulations, maintain sidewalks where existing.

TMP: No comments.

Transit: Currently, Tulsa Transit operates existing routes at this location. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.

Traffic: No comments.

GIS: No comments.

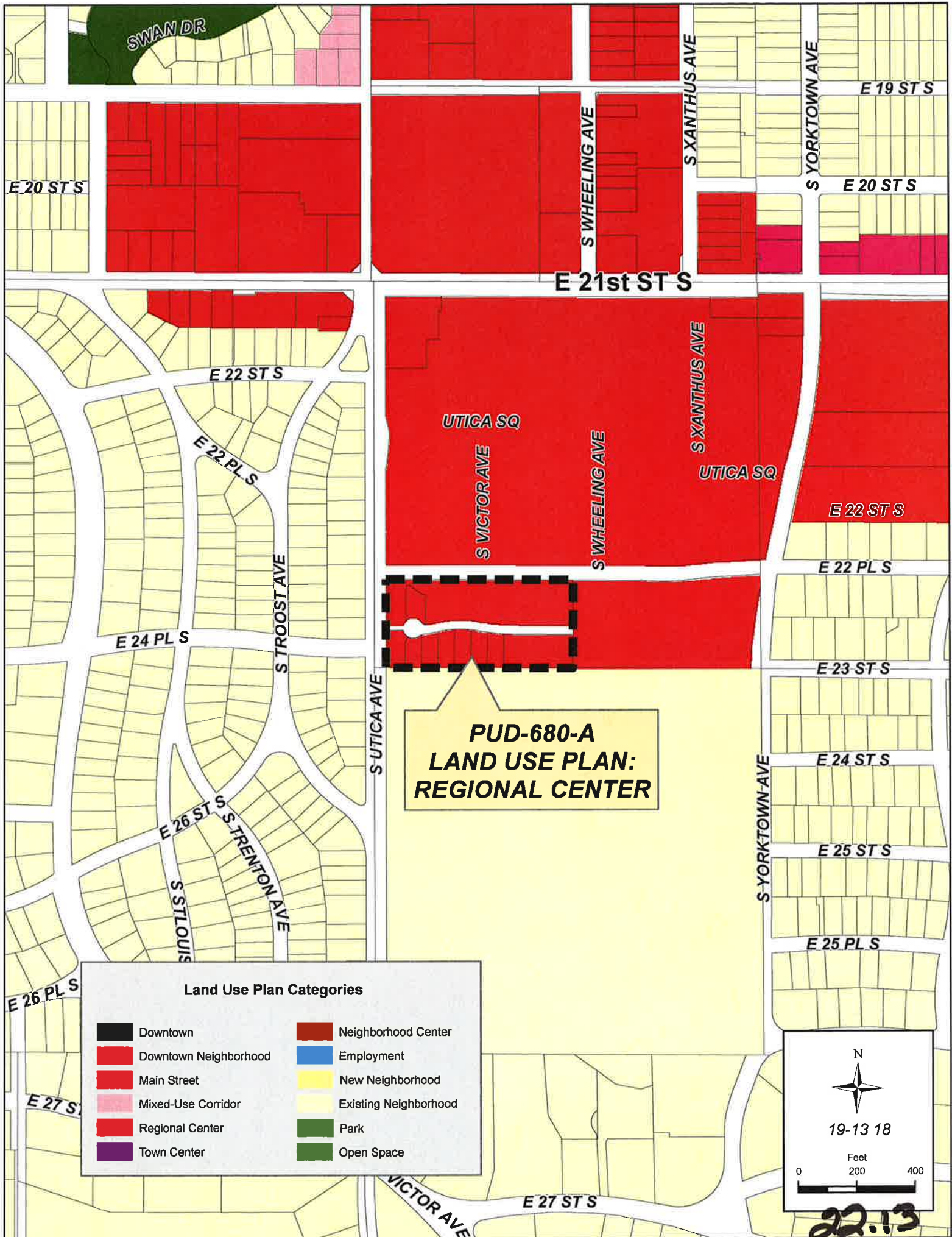
Street Addressing: House Number(s) listed on property:

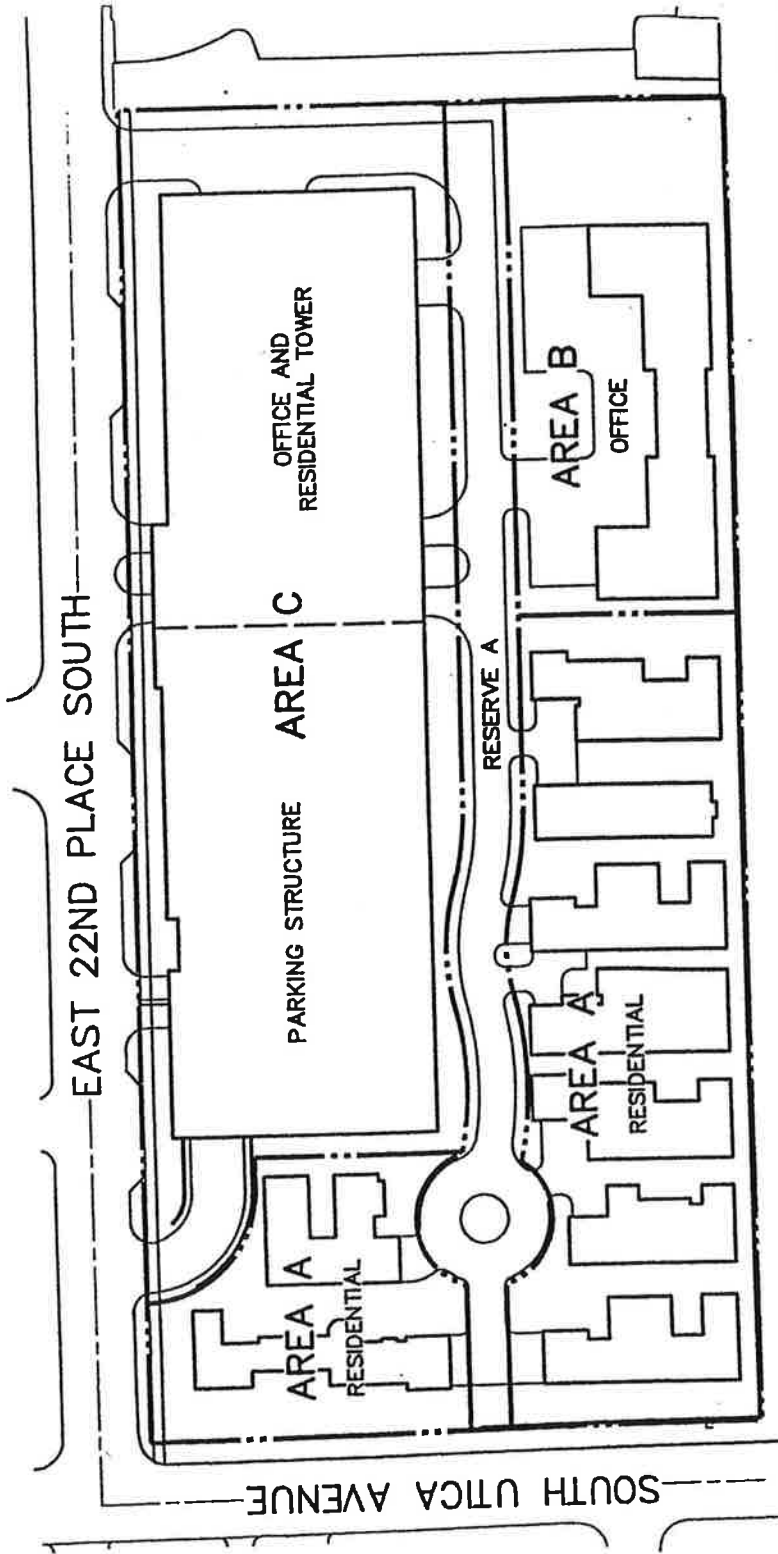
- 2200,2201,2205,2209,2213,2217,2221,2224,2225,2229,2228 S UTICA PL E
- Addressing Atlas Page #(s): 00059

Inspection Services: No comments.

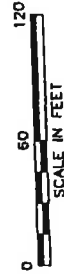
09/07/11

22.12





DEVELOPMENT AREA EXHIBIT
FOR
'UTICA PLACE'
Planned Unit Development 680-3



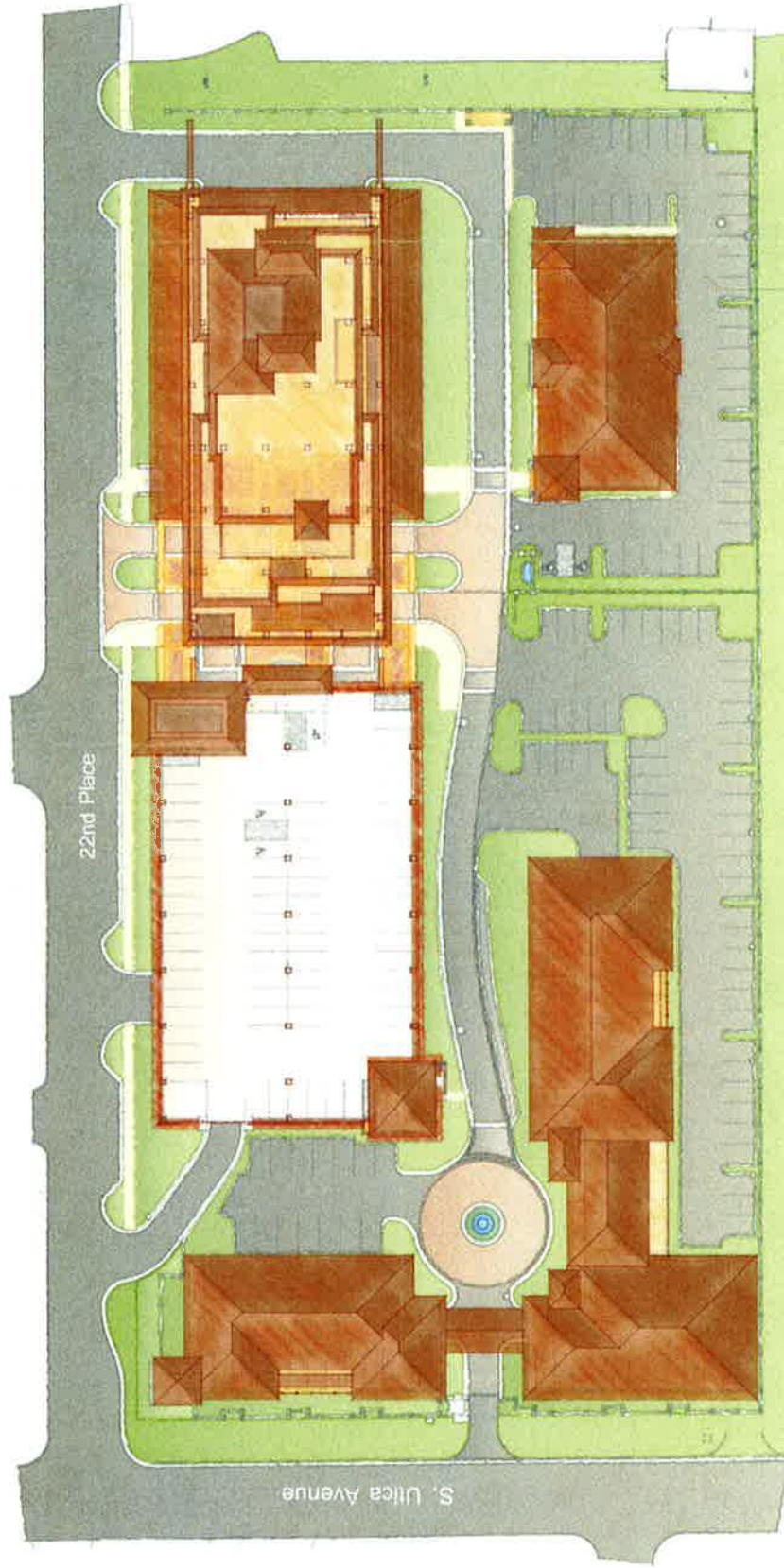
LEGEND:

--- DEVELOPMENT BOUNDARY



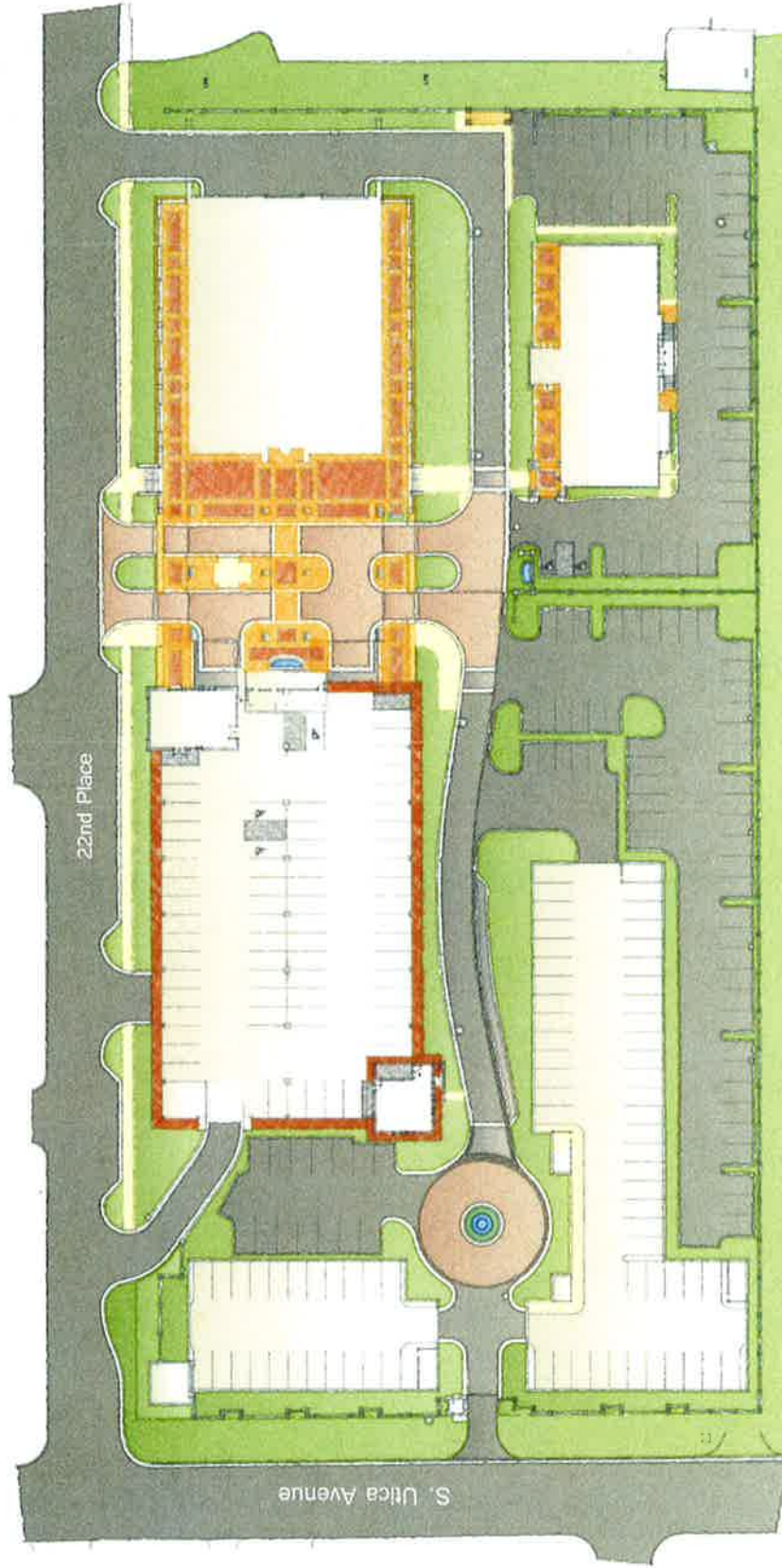
SACK AND ASSOCIATES, INC.
111 South Union Avenue, Suite 1100
Chicago, Illinois 60607
Phone: (312) 467-1100
Fax: (312) 467-1101
E-mail: info@sackandassoc.com
Website: www.sackandassoc.com
Professional Engineer License No. 000000000
Professional Engineer License No. 000000000

EXHIBIT A: CONCEPTUAL SITE PLAN



A

EXHIBIT B: PARKING PLAN PROPOSED COMPLETION PHASE



B

EXHIBIT C-1: VIEW FROM WEST-ELEVATION (Existing Office Tower from proposed new buildings)

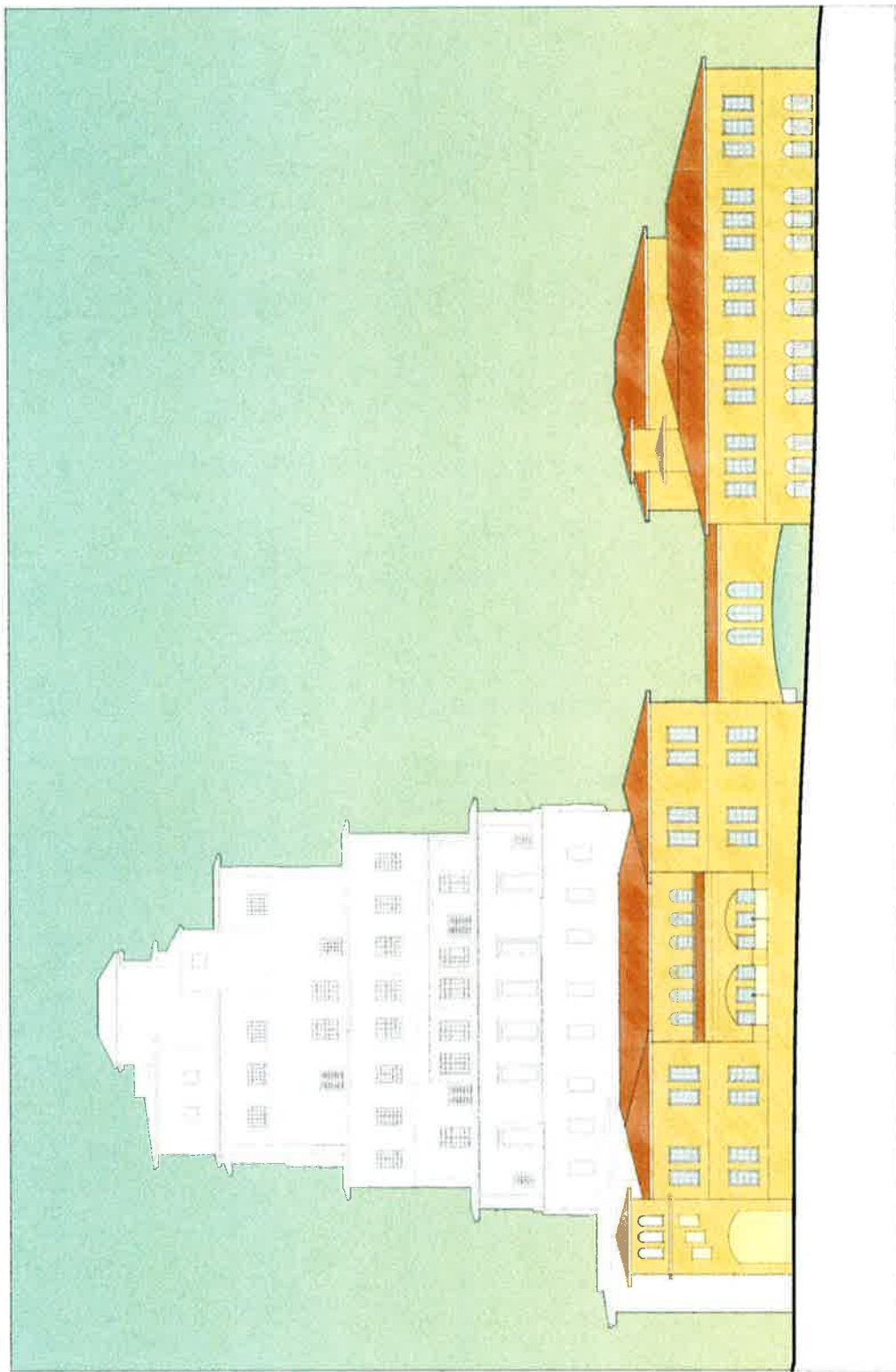
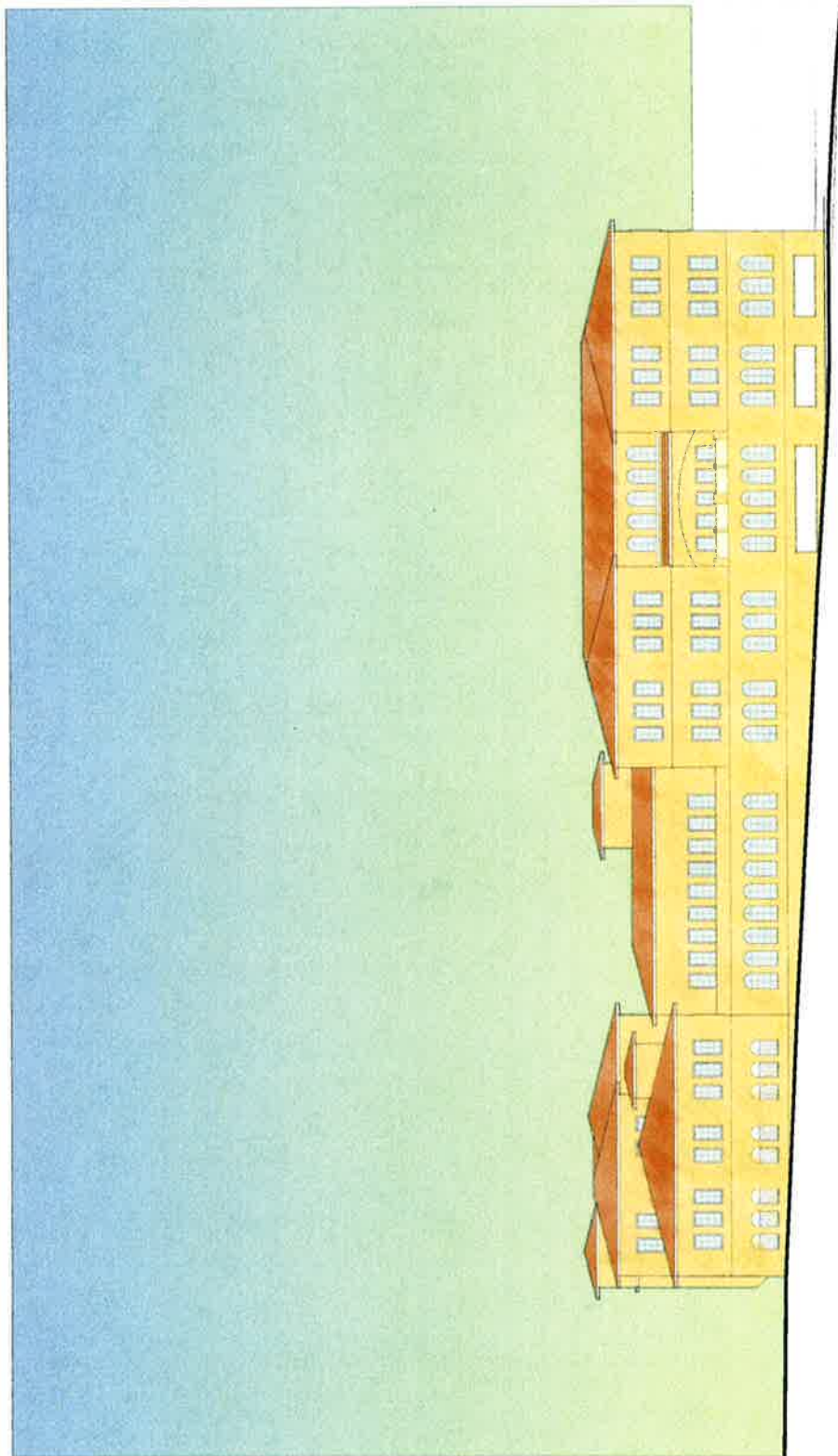


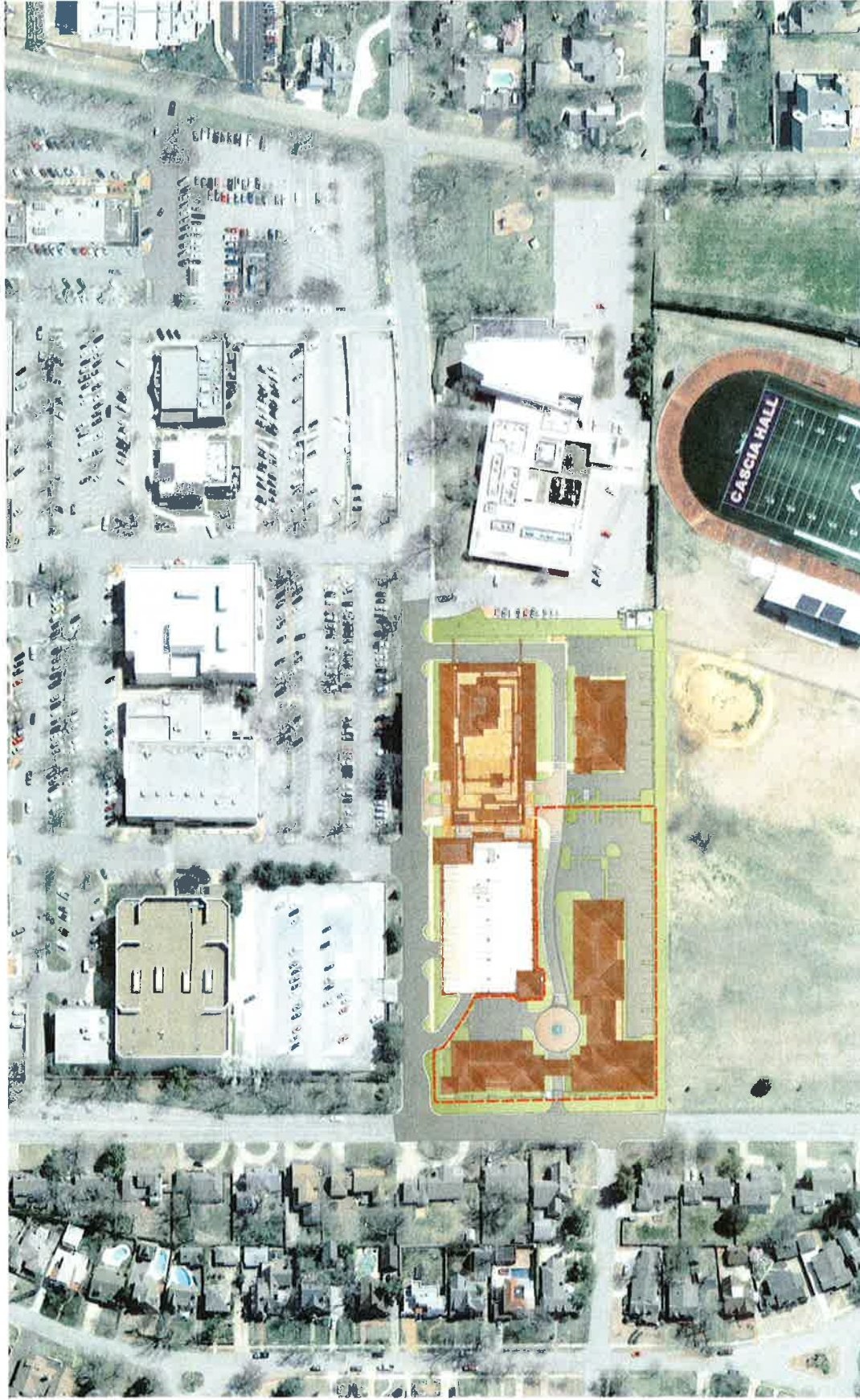
EXHIBIT C-II: VIEW FROM SOUTH-ELEVATION



C-II

22.19

EXHIBIT D: AERIAL WITH SITE PLAN



D



TERWILLIGER HEIGHTS—SINGLE-FAMILY



UTICA SQUARE—SAKS FIFTH AVENUE AND PARKING LOT



UTICA SQUARE



TEMPLE BETH ISRAEL



CASCIA HALL SCHOOL



VIEW OF SUBJECT PACT FROM THE SOUTH



UTICA AVE. LOOKING SOUTH



UTICA AVE. LOOKING NORTH



SUBJECT PROPERTY FROM THE EAST



SINGLE-FAMILY



MEDICAL CAMPUS

**DISTRICT COURT
FILED**

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

JUN 15 2009

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

In the Matter of the Appeal of UTICA)
PLACE, L.L.C., from a decision of the)
TULSA METROPOLITAN AREA)
PLANNING COMMISSION, conditioning)
approval of a Preliminary Plat upon)
compliance with Subdivision Regulations,)
requiring a Sidewalk along Utica Avenue.)

Case No. CJ 2005-5878
District Judge Linda G. Morrissey

AGREED FINAL JOURNAL ENTRY OF JUDGMENT

This matter came before this Court as the appeal of Utica Place, L.L.C. for a *de novo* review of a decision of the Tulsa Metropolitan Area Planning Commission (Planning Commission). The Plaintiff in trial *de novo*, Utica Place, L.L.C. (Utica Place), is represented by Mr. James L. Kincaid and Mr. Gerald L. Jackson. The Defendant in trial *de novo*, the Commission, is represented by, Patrick T. Boulden, Sr. Assistant City Attorney for the City of Tulsa and counsel to the Planning Commission. Upon consideration of the agreement between the parties for entry of this final journal entry of judgment, this Court finds as follows:

1. This Court has jurisdiction over the parties and this appeal in trial *de novo*, pursuant to Oklahoma statute, 19 O.S.2001, §863.23.

2. This appeal is taken by Utica Place, an Oklahoma limited liability company, through its attorney, Roy D. Johnsen, pursuant to the filing of a Notice of Appeal with the Secretary of the Planning Commission, on Monday, May 16, 2005.

3. The property which is the subject to this action is located at or near the southeast corner of East 22nd Place and South Utica Avenue, in the City of Tulsa, and is more particularly described as:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER OF
THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION EIGHTEEN (18),

22.22

TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT THAT IS THE SOUTHWEST CORNER OF SAID NW/4 NE/4; THENCE NORTH 90°00'00" EAST ALONG THE SOUTHERLY LINE OF THE NW/4 NE/4 FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0°43'30" WEST PARALLEL TO THE WESTERLY LINE OF THE NW/4 NE/4, FOR A DISTANCE OF 300.02 FEET TO A POINT; THENCE NORTH 90°00'00" EAST PARALLEL WITH SAID SOUTHERLY LINE, FOR A DISTANCE OF 633.80 FEET TO A POINT; THENCE SOUTH 0°00'00" WEST AND PERPENDICULAR TO THE SOUTHERLY LINE FOR A DISTANCE OF 300.00 FEET TO A POINT ON THE SOUTHERLY LINE; THENCE SOUTH 90°00'00" WEST ALONG THE SOUTHERLY LINE FOR A DISTANCE OF 630.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 189,569 SQUARE FEET, OR 4.352 ACRES;

WHICH AS NOW BEEN PLATTED INTO ELEVEN (11) LOTS AND ONE (1) BLOCK, AND RESERVE AREAS, AS THE "ONE UTICA PLACE" SUBDIVISION, A PLANNED UNIT DEVELOPMENT, PUD-680, AND A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, RECORDED AS TULSA COUNTY CLERK DOCUMENT NUMBER 2005137240 AND PLAT NUMBER 5922,

(the "Property" or "One Utica Place").

4. Utica Place has appealed an action taken by the Planning Commission on Wednesday, May 4, 2005, when the Commission voted 6-0-0 (with five (5) members absent):

"to **APPROVE** the preliminary plat for One Utica Place and the waiver of Subdivision Regulations of the 17.5' utility easement and a waiver of the 25' radius requirement at the intersection of South Utica Avenue and East 22nd Place South (the northwest corner of the subject tract), subject to the special conditions and standard conditions, subject to the required sidewalks being in place per staff recommendation."

5. More specifically, Utica Place appealed the action of the Commission taken on May 4, 2005 pertaining to the approval of the "One Utica Place" subdivision, in which, the Commission, as a condition of approval, required that Utica Place construct, at it's cost and in

accordance with City of Tulsa regulations and requirements, a sidewalk within the South Utica Avenue right-of-way adjoining the west boundary of One Utica Place.

6. In acknowledgment of this matter pending before the Court, the parties agreed that the final plat be approved with the following notation on page one of the plat: "PROPOSED SIDEWALK (SIDEWALK SUBJECT TO AN APPEAL, TULSA COUNTY DISTRICT COURT CASE NO. CJ-2005-5878)". (See Final Plat of One Utica Place, recorded as Tulsa County Clerk Document Number 2005137240, Plat Number 5922.)

7. The parties stipulate that South Utica Avenue, where it borders the subject Property, will undergo rehabilitation in the next few of years and, in conjunction with this project, the City of Tulsa also plans to construct a six inch (6") waterline along the eastern side of Utica Avenue, running parallel to Utica from East 21st Street to Terwilleger Boulevard. As such, the construction of this waterline could substantially damage or require the replacement of the sidewalk required by the Planning Commission, if constructed prior to the waterline's placement.

8. The parties further stipulate that the Plaintiffs payment of a fee-in-lieu of construction of the sidewalk, in the amount of thirteen thousand five hundred dollars (\$13,500.00) to the City of Tulsa, consistent with a process now codified in Title 35 Tulsa Revised Ordinances, Section 213, is an acceptable alternative to the Planning Commission's requirement that Utica Place construct the sidewalk the Commission has previously required.

9. The parties further agree that payment of the fee-in-lieu of construction of the sidewalk, in the amount of thirteen thousand five hundred dollars (\$13,500.00) to the City of Tulsa shall be paid within thirty (30) days of the filing of this Final Journal Entry of Judgment

22.24

and deposited by the City in the City's "Parkway Arterial Street Sidewalk Fund," in accord with Title 35 Tulsa Revised Ordinances, Section 213.

10. At such time as the City rehabilitates South Utica Avenue between East 21st Street and Terwilleger Boulevard and installs a six inch (6") waterline on the east side of Utica Avenue, it is the City's plan to construct a sidewalk on the east side of Utica Avenue, within the Utica Avenue right-of-way, adjoining and parallel to One Utica Place, so that a continuous sidewalk exists from the south side of 21st Street to the north side of Terwilleger Boulevard.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

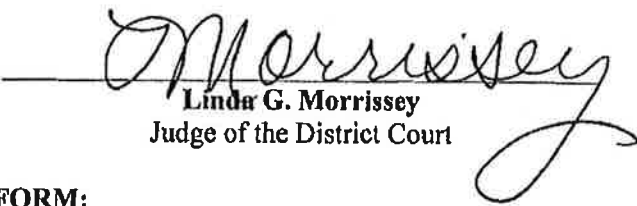
1. Utica Place, L.L.C. and any subsequent owner of the Property shall not be required to construct a sidewalk within the South Utica Avenue right-of-way, as required by the Tulsa Metropolitan Area Planning Commission on May 4, 2005, or as a condition of any future development of PUD-680, as existing on May 4, 2005, or as may be subsequently amended, including but not limited to replatting, lot-splitting or site plan approval.

2. Pursuant to an agreement between Utica Place, L.L.C and the Tulsa Metropolitan Area Planning Commission, the Plaintiff shall pay a fee-in-lieu of construction of the sidewalk, in the amount of thirteen thousand five hundred dollars (\$13,500.00), to the City of Tulsa, within thirty (30) days of the filing of this Final Journal Entry of Judgment and this payment shall be deposited by the City into the City's "Parkway Arterial Street Sidewalk Fund," consistent with a process codified in Title 35 Tulsa Revised Ordinances, Section 213.

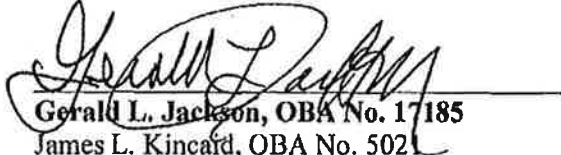
3. This Final Journal Entry of Judgment shall be recorded in the Tulsa County Clerk's Office.

SUCH IS THE FINAL ORDER OF THIS COURT.

Dated this 15 day of June 2009.



Linda G. Morrissey
Judge of the District Court

APPROVED AS TO SUBSTANCE AND FORM:


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James L. Kincaid, OBA No. 5021
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Tulsa, Oklahoma 74103-3313
Telephone: (918) 592-9839
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Email: gerald.jackson@crowedunlevy.com

Roy D. Johnsen, OBA No. 4663
Epperson & Johnsen
201 West 5th Street, Suite 501
Tulsa, Oklahoma 74103-4277
Telephone: (918) 585-5641
Facsimile: (918) 585-2758
Email: rdj.ejlaw@sbcglobal.net

FOR THE LANDOWNER/APPELLANT/PLAINTIFF


Patrick T. Boulden, OBA No. 10210
Sr. Assistant City Attorney
Tulsa City Attorney's Office
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Tulsa, Oklahoma 74103-3203
Telephone: (918) 596-7717
Facsimile: (918) 596-9700
E-mail: pboulden@ci.tulsa.ok.us

**FOR THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC)
APPELLEE/DEFENDANT**

I, Sally Howe Smith, Court Clerk, for Tulsa County, Oklahoma,
herby certify that the foregoing is a true, correct and full
copy of the instrument herewith set out as appears on record
in the Court Clerk's Office of Tulsa County, Oklahoma, this

JUN 15 2009

By 
Deputy

22.26

918.596.7667

UTICA PLACE
22nd Place and Utica

PUD No. 680-A

An amendment of PUD No. 680 to permit an increase
of office development and a decrease of dwelling units

July 29, 2011

22.27

I. Narrative

Utica Place comprises 4.352 acres (net) located at the Southeast corner of East 22nd Place South and South Utica Avenue. The surrounding neighborhood is diverse and includes retail, office and residential uses at various intensities, which include the Utica Square Shopping Center to the immediate North, the St. John Medical Center at the Northeast corner of 21st Street and Utica Avenue, the Cascia Hall campus to the immediate South, Temple Israel to the immediate East and single family neighborhoods extending west from Utica Avenue. The convenience of Utica Square and St John facilities, the beauty of the Cascia Hall campus, the high quality of development in the area, and the impressive skyline, make Utica Place an exceptional site for the highest quality mixed use development.

Utica Place is an infill redevelopment designed to provide a mixed use development initially planned for single family detached and townhome dwellings, condominium dwellings and office space. Utica Place was submitted as Planned Unit Development No. 680 which was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on May 7, 2003 and approved by the City Council on June 12, 2003.

As approved (including Minor Amendments PUD 680-1 thru PUD 680-4), Utica Place includes a 10 story office and residential condominium tower, a two story office building, and a related parking garage. Those buildings are completed. In addition, PUD 680 permits an area of detached single family dwellings which has not developed. As of June 21, 2006 1(the approval date of Minor Amendment PUD 680-4) the permitted uses and intensity of use are as follows:

Office/Residential Condominium Tower

	<u>Dwelling Units</u>	<u>Floor Area</u>
Office Floor Area		90,327 sq.ft.
Penthouse Residential	10 dus	
South Office Building (2 story)		13,000 sq.ft.
Courtyard Villas (Single Family Detached)	9 dus	
Total	19 dus	103,327 sq.ft.

Market conditions preclude the development of the initially planned courtyard villas, which were to be located in Development Area A. This major amendment proposes the development of Development Area A as two mid-rise office buildings and an increase of the tower condominium dwelling units from 10 to 12. The proposed permitted uses and intensity of use are as follows:

	<u>Dwelling Units</u>	<u>Floor Area</u>
Office/Residential Condominium Tower		
Office Floor Area		90,327 sq.ft.
Penthouse Residential	12 dus	
South Office Building (2 story)		13,000 sq.ft.
Southwest Office Building (4 story-includes parking garage)		36,781 sq.ft.
Northwest Office Building 4 (3 story-includes parking garage)		14,170 sq.ft.
Total	12 dus	154,278 sq.ft.

The implementing development standards are herein after set forth in Section II. In order to achieve the necessary aggregate office floor area, concurrently herewith an application has been filed to rezone 42,500 sq.ft (Gross) of the existing RM-2 to OMH Office Medium-High Intensity.

II. Development Standards - Development Area A - Offices

Permitted uses:	Offices, as permitted within Use Unit 11.
Maximum Office Floor Area:	50,951 sq.ft.
Maximum Building Height:	4 stories
Minimum Building Setbacks:	
From centerline of 22 nd Place	35 ft.
From centerline of Utica	50 ft.
From south boundary of PUD	0 ft
From Reserve A	0 ft
From Interior lot boundaries	0 ft.
Off-street parking	Parking shall be provided as required by the applicable use unit.
Minimum Landscaped Open Space	15% of Development Area A

The Development Standards of PUD 680, except as above modified shall remain applicable.

III. Development Standards - Development Areas B and C

Within Development Area B, condominium dwelling units within the office tower shall be limited to 12 units. Except as above modified, the Development Standards of PUD 680 shall remain applicable to Development Areas B and C.

EXHIBIT 2
PUD 680-A

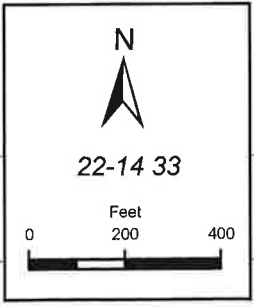
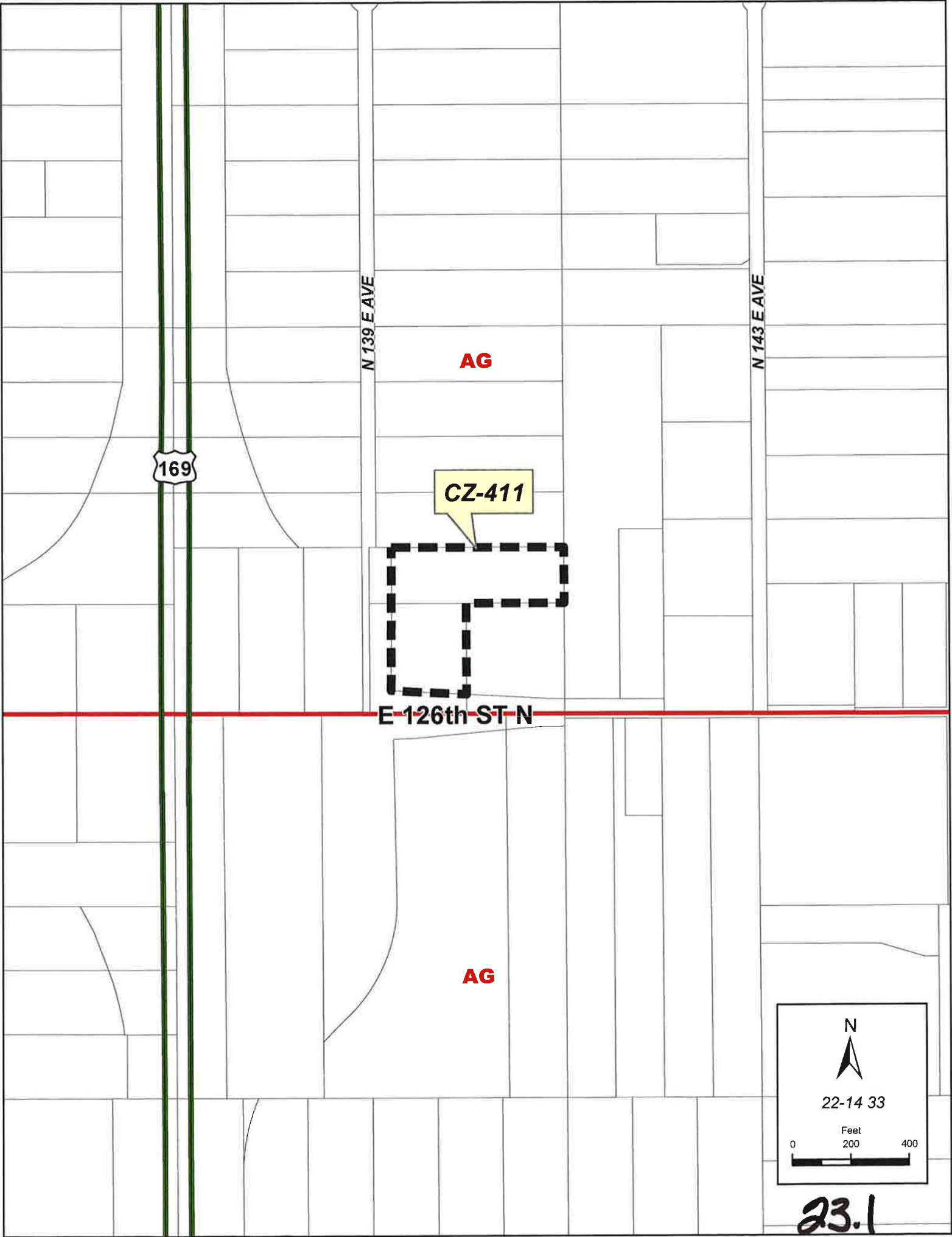
ZONING INTENSITY ANALYSIS

<u>Existing Zoning</u>	<u>Net Area</u>	<u>Gross Area</u>
RM-2 Residential Multifamily	132,571.05 sq.ft.	143,670.08 sq.ft.
RM-1 Residential Multifamily	<u>57,004.60 sq.ft.</u>	<u>74,755.93 sq.ft.</u>
Total	189,575.65 sq.ft.	218,426.01 sq.ft.

<u>Proposed Zoning</u>	<u>Net Area</u>	<u>Gross Area</u>
OMH Office Medium/High Intensity	39,000.00 sq.ft.	42,250.00 sq.ft.
RM-2 Residential Multifamily	93,571.05 sq.ft.	101,420.08 sq.ft.
RM-1 Residential Multifamily	<u>57,004.60 sq.ft.</u>	<u>74,755.93 sq.ft.</u>
Total	189,575.65 sq.ft.	218,426.01 sq.ft.

PUD 680-A Mixed Use Allocation of Intensity

<u>Zoned Area Gross</u>	<u>Allocated To Office Floor Area</u>	<u>Allocated To Dwelling Units</u>
OMH - 42,250 sq.ft x 2.0	84,500 sq.ft.	
RM-2 - 101,420 sq.ft.		
14,400 sq. ft. ÷ 1200 =		12 dwelling units
101,420 - 14,400 x .5 =	43,510 sq.ft.	
RM-1 - 74,755 sq. ft. x .4 =	<u>29,902 sq.ft</u>	<u>-0-</u>
Total	157,912 sq.ft.	12 dwelling units



23.1



169

N 139 E AVE

N 143 E AVE

CZ-411

E 126th ST N



22-14 33



Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2010

23.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: CZ-411

TRS 2433

Atlas 0

CZM 75

County

TMAPC Hearing Date: September 7, 2011

Applicant: Bill Luster

Tract Size: 4.33± acres

ADDRESS/GENERAL LOCATION: Northeast corner of East 126th Street and North 139th East Avenue

EXISTING ZONING: AG

EXISTING USE: Vacant

PROPOSED ZONING: CS

PROPOSED USE: Mini-storage

ZONING RESOLUTION: Resolution number 98204 dated September 15, 1980, established zoning for the subject property.

RELEVANT ZONING HISTORY:

No relevant zoning history.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 4.33± acres in size and is located at the northeast corner of East 126th Street North and North 139th East Avenue. The property appears to be vacant with a house on it, and is zoned AG.

SURROUNDING AREA: The subject tract is abutted on the east by large-lot single-family residential/agricultural/vacant land, zoned AG; on the north by large-lot residential land, zoned AG; on the south by vacant land, zoned AG; and on the west by the US 169 interchange, zoned AG.

UTILITIES: The subject tract rural water and aerobic septic system.

TRANSPORTATION VISION:

The Comprehensive Plan does not designate this property for a specific land use. The Major Street and Highway Plan designates East 126th Street North as a secondary arterial.

23.3

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 126 th Street North	Secondary arterial	100'	2
North 139 th East Avenue	N/A	N/A	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

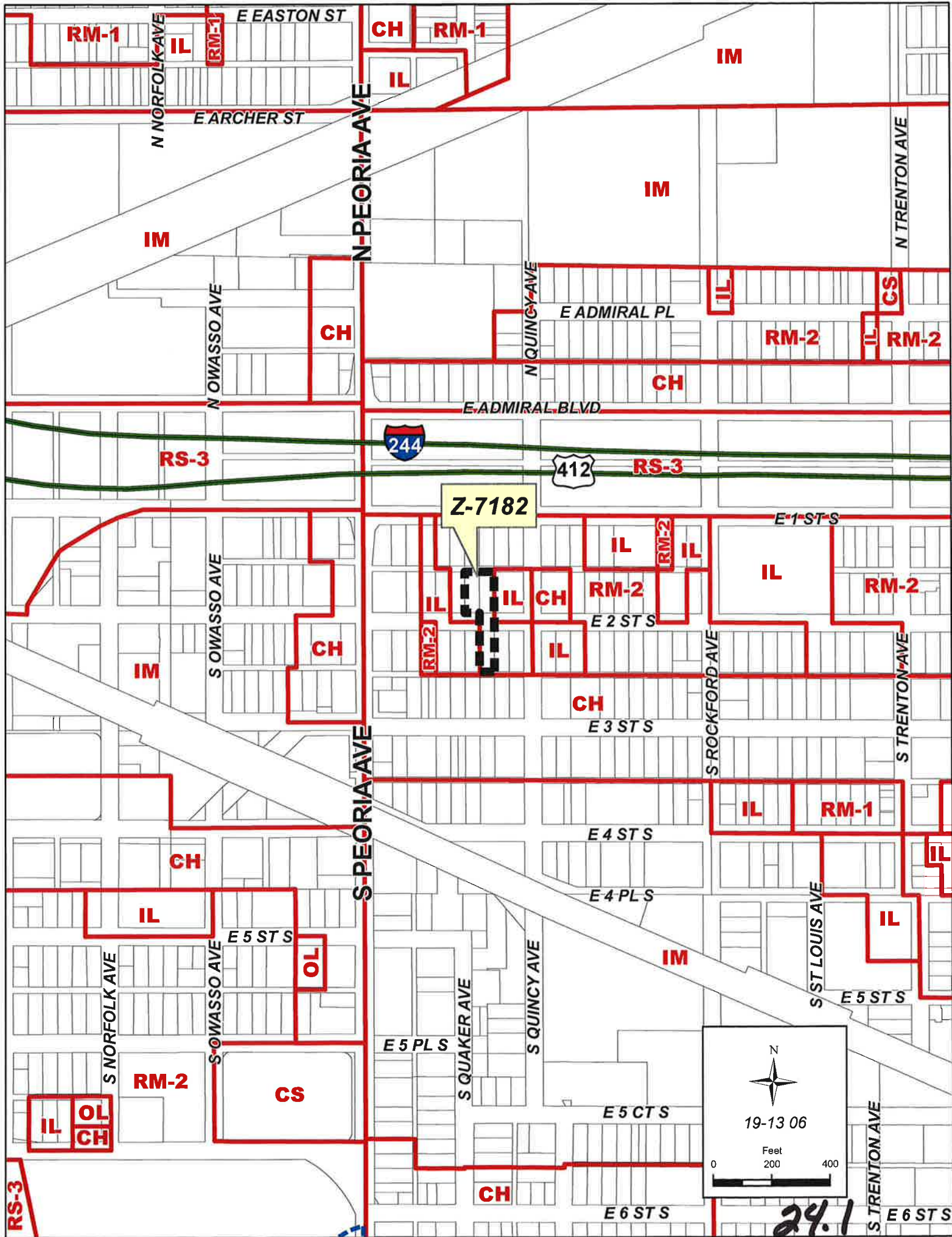
This site is not covered by the North Tulsa County Plan. It is in the unincorporated portion of the county and therefore not included in the City of Tulsa's comprehensive plan.

STAFF RECOMMENDATION:

Although the site is adjacent to a highway interchange, it is surrounded by residential/agricultural/vacant properties, all of which are zoned AG. Based upon the established land uses the introduction of commercial zoning would be incompatible with the surrounding uses and would likely set a precedent for future development in this area. With no plan in place to guide land use changes the requested zoning is not appropriate. The requested zoning should be considered only based upon an adopted plan. Therefore the staff recommends **DENIAL** of CZ-411.

09/07/11

23.4





Z-7182



19-13 06



Note: Graphic overlays may not precisely align with physical features on the ground
Aerial Photo Date: March

24.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7182

TRS 19-13-6

Atlas 9

CZM 37

CD-4

TMAPC Hearing Date: September 7, 2011

Applicant: Roy D. Johnsen

Tract Size: 14,000± square feet &
7,000± square feet

ADDRESS/GENERAL LOCATION: East of southeast corner of South Peoria Avenue and East 2nd Street **and** east of the northeast corner of South Peoria Avenue and East 2nd Street

EXISTING ZONING: RM-2

EXISTING USE: Storage & Vacant

PROPOSED ZONING: IL

PROPOSED USE: Industrial

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7144 December 2009 : All concurred in approval of a request for rezoning a .33± acre tract of land (14,374 square feet) from RM-2 to IL- on property located on lots 9 and 10, Block 15, Lynch and Forsythe's Addition (1408 and 1412 East 2nd Street).

Z-6820 June 2001: All concurred in approval of a request for rezoning a 7000± square foot tract of land from RM-2 to IL for heating and air company, on property located on the southwest corner of East 1st Street and South Rockford Avenue.

Z-6625 April 1998: All concurred in approval of a request for rezoning a .5± acre tract of land from RM-2 to IL for warehouse use on property located west of southwest corner of East 2nd Street and South Quincy Avenue.

Z-6290 August 1990: All concurred in approval of a request for rezoning a tract of land from RM-2 to IL on property located east of northeast corner of South Peoria Avenue and East 2nd Street.

Z-6117 September 1986: All concurred in approval of a request for rezoning a tract of land from RM-2 to IL on property located on the southeast corner of East 2nd Street and South Quincy Avenue.

24.3

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 21,000± square feet in size and is located east of the southeast corner of South Peoria Avenue and East 2nd Street **and** east of the northeast corner of South Peoria Avenue and East 2nd Street. The property appears to be vacant, with some industrial storage and zoned RM-2.

SURROUNDING AREA: The subject tract is abutted on the east by industrial uses, zoned IL; on the north by residential uses, zoned RM-2; on the south by commercial and mixed uses, zoned CH; and on the west by industrial and parking uses, zoned IL. Much of the surrounding area is very mixed in uses, ranging from residential to commercial and industrial, with associated parking and screening. The adjacent residential to the north was at one time part of a larger residential area that was bisected by the expressway's construction. At the time of the field checks, staff witnessed much industrial traffic in the area.

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan does not designate East 2nd Street.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 2 nd Street	N/A	N/A	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

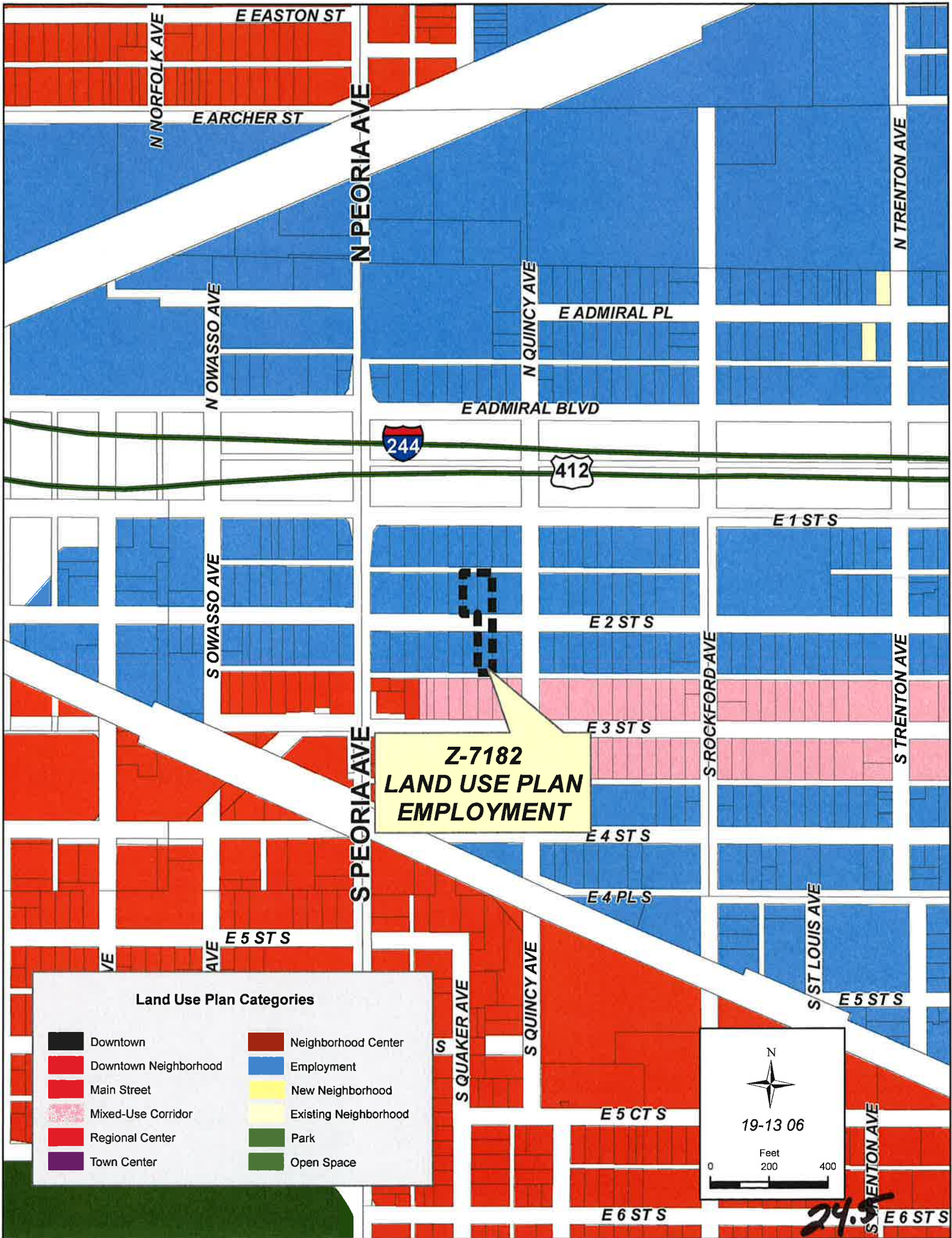
The Comprehensive Plan designates this as an Area of Employment and an Area of Growth. Areas of Employment are where it is expected that employment growth will continue and increase, and Growth Areas are areas in which community resources for future development are to be channeled. According to the Comprehensive Plan, the requested IL zoning **is in accord** with the Plan.

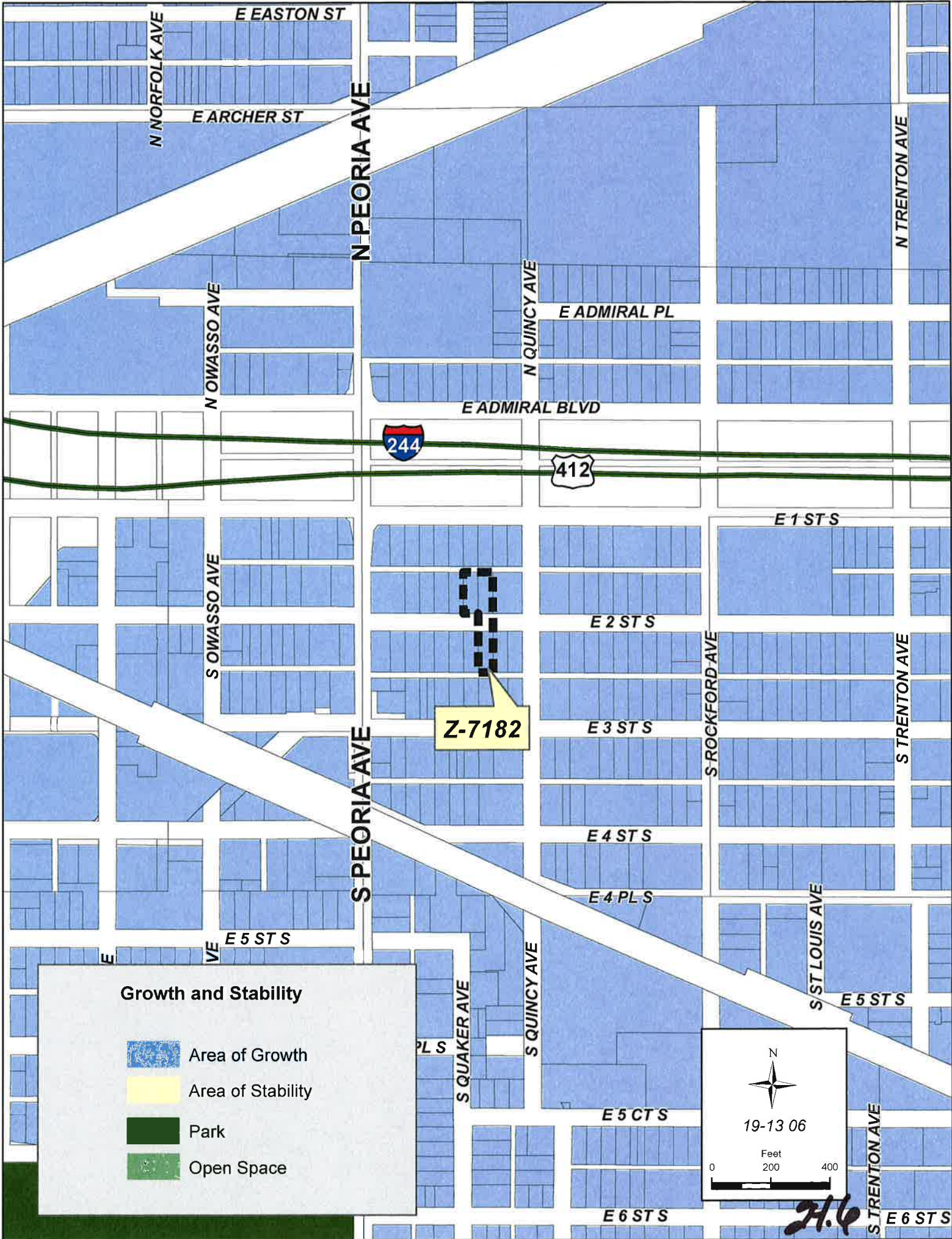
STAFF RECOMMENDATION:

Based on the Comprehensive Plan, surrounding uses and proximity to a major expressway, staff can support the requested rezoning and therefore recommends **APPROVAL** of IL zoning for Z-7182.

09/07/11

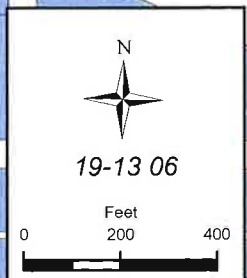
24.4



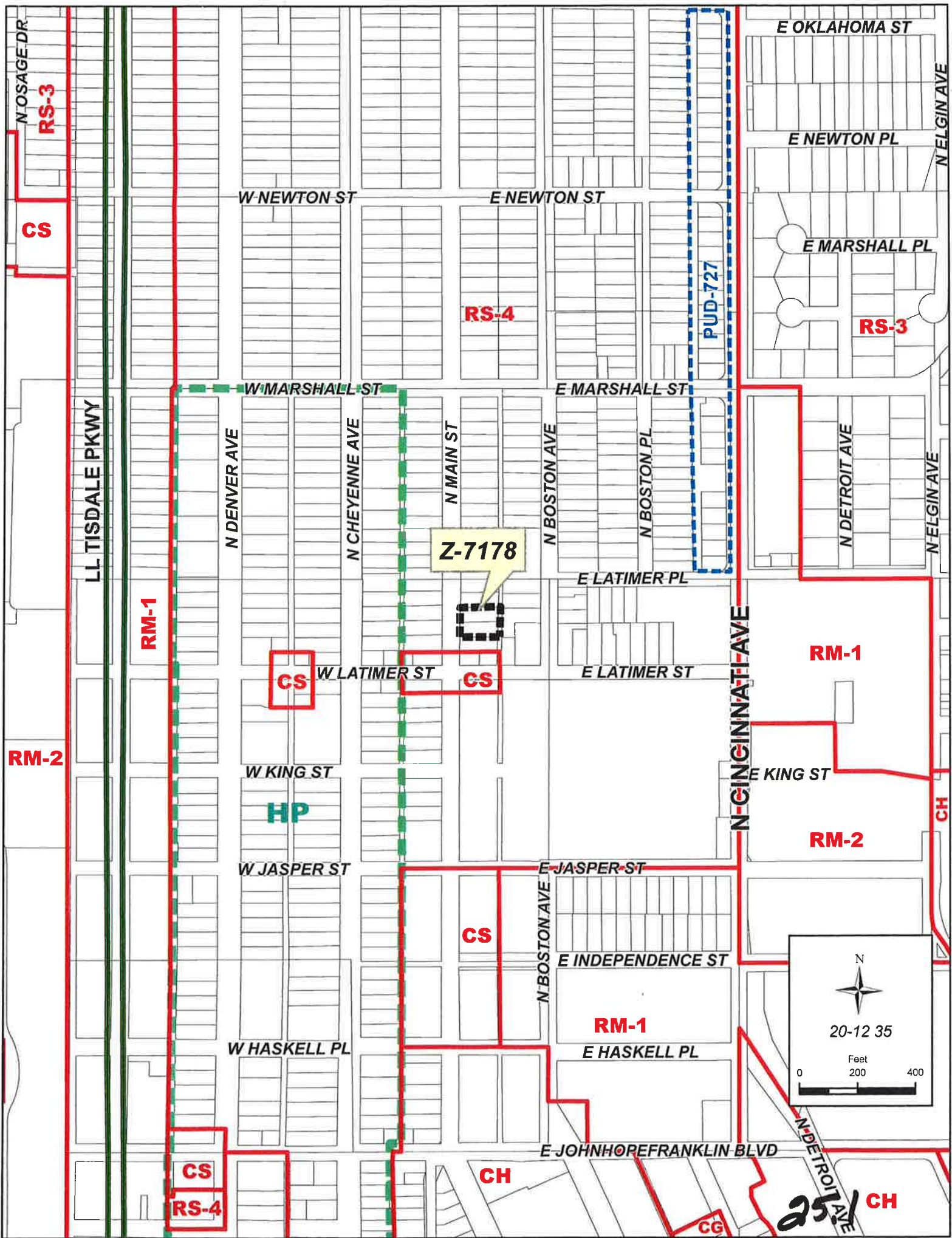


Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space



21.6

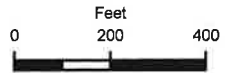




Z-7178



20-12 35



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

25.2



E LATIMER PL

N MAIN ST

N BOSTON AVE

Z-7178

W LATIMER ST

E LATIMER ST

W KING ST



20-12 35



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

25.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7178

TRS 0235

Atlas 75

CZM 28

CD-1

TMAPC Hearing Date: September 7, 2011

Applicant: Tulsa North Community Development Corporation **Tract Size:** 6,500± square feet

ADDRESS/GENERAL LOCATION: North of northeast of East Latimer Street and North Main Street

EXISTING ZONING: RS-4

EXISTING USE: Residential

PROPOSED ZONING: RM-3/CS

PROPOSED USE: Mixed use senior living/
commercial center

ZONING ORDINANCE: Ordinance number 17817, dated 11/23/92, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD- 727, March 2, 2006: All concurred in approval of a proposed Planned Unit Development on a 7.62± acre tract of land for on property located on the west side of Cincinnati Avenue for a gated single-family residential subdivision at existing RS-4 zoning standards.

Z-6373, October 23, 1992: All concurred in approval of a request for rezoning a 6,500 square foot tract of land from RM-2 to RS-4 on subject property as part of a larger blanket rezoning study.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 6,500± square feet in size and is located north of the northeast of East Latimer Street and North Main Street. The property is vacant and zoned RS-4.

SURROUNDING AREA: The subject tract is abutted on the east by vacant and cleared land, zoned RS-4; on the north by two structures, zoned RS-4; on the south by vacant and cleared land, zoned RS-4; and on the west by single-family residential structures, zoned RS-4.

UTILITIES: The subject tract has municipal water and sewer available.

25.4

TRANSPORTATION VISION:

The Comprehensive Plan does not designate North Main Street on the map. The area is not served by a nearby bus route. The site is not located on an arterial, and the streets in this area are somewhat narrow.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Main Street	N/A	N/A	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

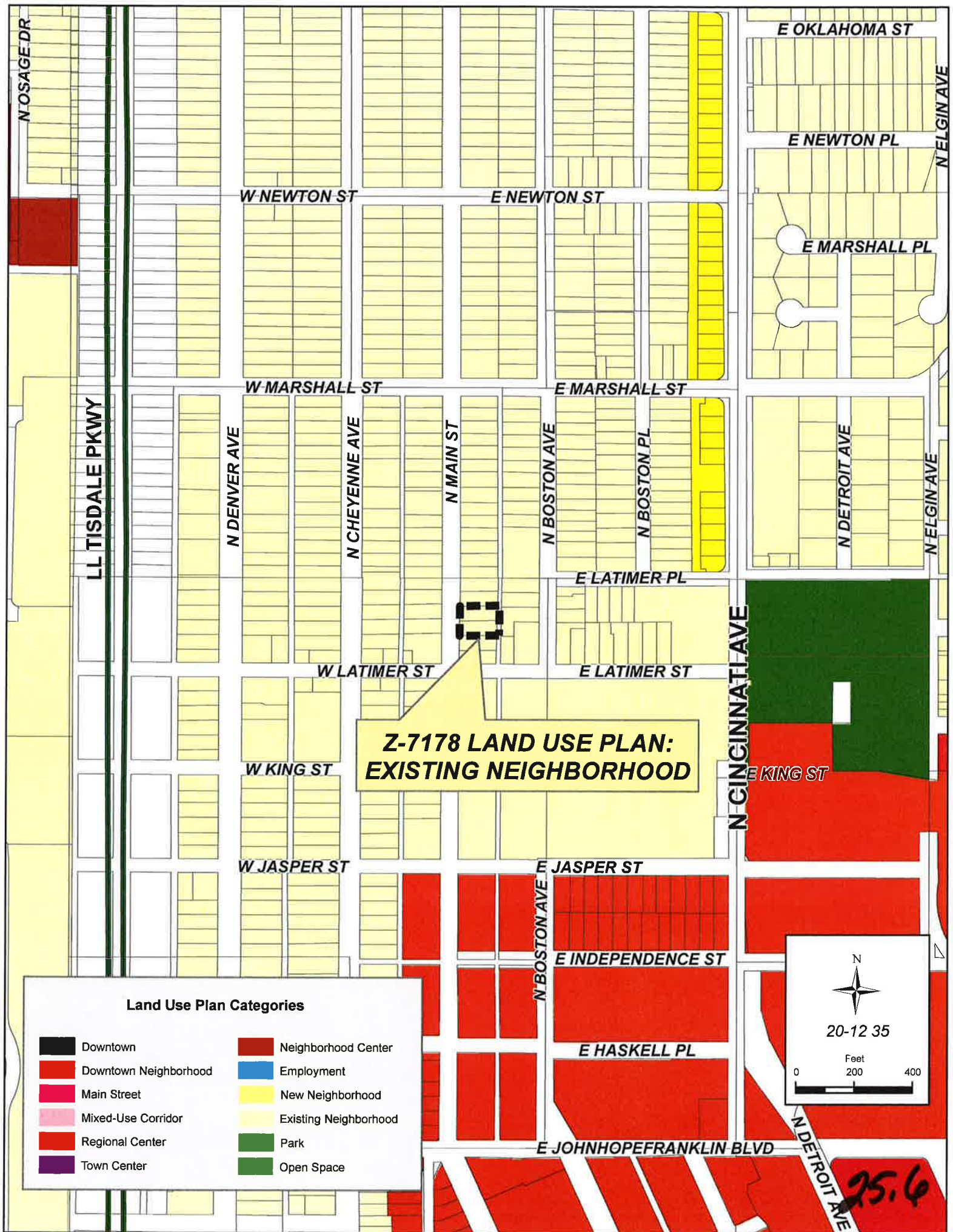
The Comprehensive Plan calls for this to remain an Existing Neighborhood and an Area of Stability. The requested RM-3 is the highest density multifamily residential use allowed by the zoning code. This is incompatible with the existing largely single-family residential neighborhood to the west and in Brady Heights. Moreover, the area was cleared of some problematic multifamily residential units and until recent years, has been a documented high-crime area. Development of a facility to RM-3 densities, as is requested, would be totally out of character with the surrounding single-family residential uses that are being repaired and maintained through efforts of the property owners. Therefore, this requested rezoning **is not** in accord with the Comprehensive Plan.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, transportation access to the highest intensity multifamily residential zoning available and adjacent existing uses, staff cannot support the requested rezoning, finding it much more intense than its surroundings. Therefore, staff recommends **DENIAL** of RM-3 for Z-7178.













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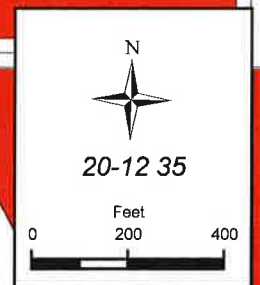
25.5



**Z-7178 LAND USE PLAN:
EXISTING NEIGHBORHOOD**

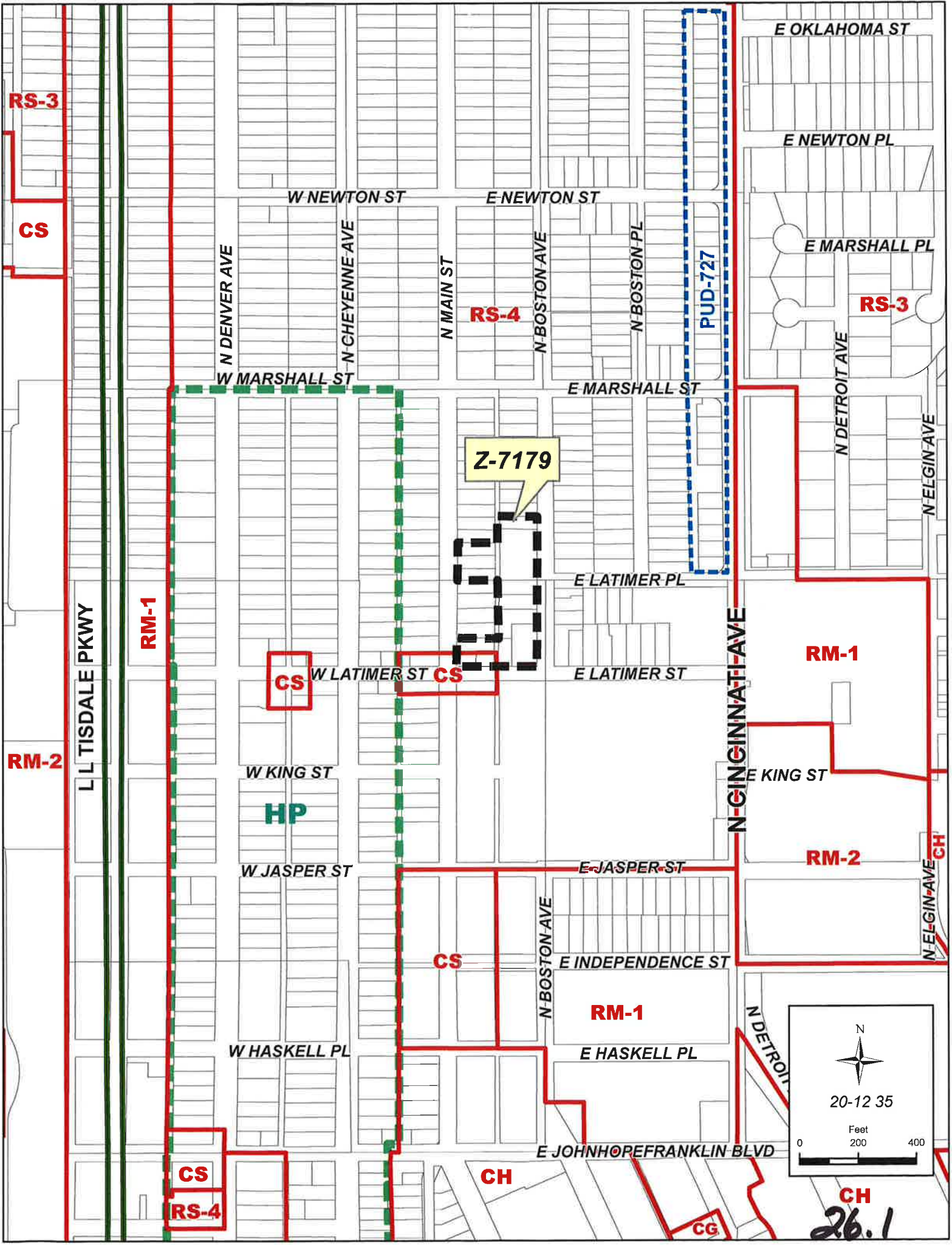
Land Use Plan Categories

- | | |
|--|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park |
|  Town Center |  Open Space |



25.6





E OKLAHOMA ST

E NEWTON PL

W NEWTON ST

E NEWTON ST

E MARSHALL PL

RS-3

N DETROIT AVE

N ELGIN AVE

E MARSHALL ST

Z-7179

E LATIMER PL

E LATIMER ST

W LATIMER ST

RM-1

E KING ST

RM-2

N ELGIN AVE

E JASPER ST

E INDEPENDENCE ST

RM-1

E HASKELL PL

W HASKELL PL

E JOHNHOPEFRANKLIN BLVD



20-12-35

Feet

0 200 400

CH

26.1

CG

CH

CS

RS-4

CS

HP

CS

CS

RS-3

CS

RM-2

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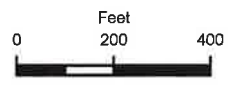
RM-1



Z-7179



20-12 35



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

26.2

TULSA METROPOLITAN AREA PLANNING COMMISSION

CASE REPORT

APPLICATION: Z-7179

TRS 0235

Atlas 75

CZM 28

CD-1

TMAPC Hearing Date: September 7, 2011

Applicant: Tulsa Development Authority

Tract Size: 2.32± acres

101,059± square feet

ADDRESS/GENERAL LOCATION: North and east of East Latimer Street and North Main Street

EXISTING ZONING: RS-4/ CS

EXISTING USE: Vacant

PROPOSED ZONING: RM-3/ CS

PROPOSED USE: Mixed use senior living commercial center

ZONING ORDINANCE: Ordinance number 17817 dated November 23, 1992, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-6373, October 23, 1992: All concurred in approval of a request for rezoning a 6,500 square foot tract of land from RM-2 to RS-4 on subject property as part of a larger blanket rezoning study.

PUD-727, March 2, 2006: All concurred in approval of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property located fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject properties.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.32± acres in size and is located north and east of East Latimer Street and North Main Street. The property appears to be vacant and is zoned RS-3/ CS.

SURROUNDING AREA: The subject tract is abutted on the east by single-family residential and vacant land, zoned RS-4; on the north by single-family residential land, zoned RS-4; on the south by Emerson Elementary School, zoned RS-4; and on the west by single-family residential land, zoned RS-4.

UTILITIES: The subject tract has municipal water and sewer available.

26.3

TRANSPORTATION VISION:

The Comprehensive Plan does not designate any of the surrounding streets. These streets are rather narrow and have no direct access at the present time to bus transit. Furthermore, at peak periods, traffic, both vehicular and pedestrian, associated with the elementary school to the south becomes heavy.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Main Street	N/A	N/A	2
East Latimer Street	N/A	N/A	2
North Boston Avenue	N/A	N/A	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

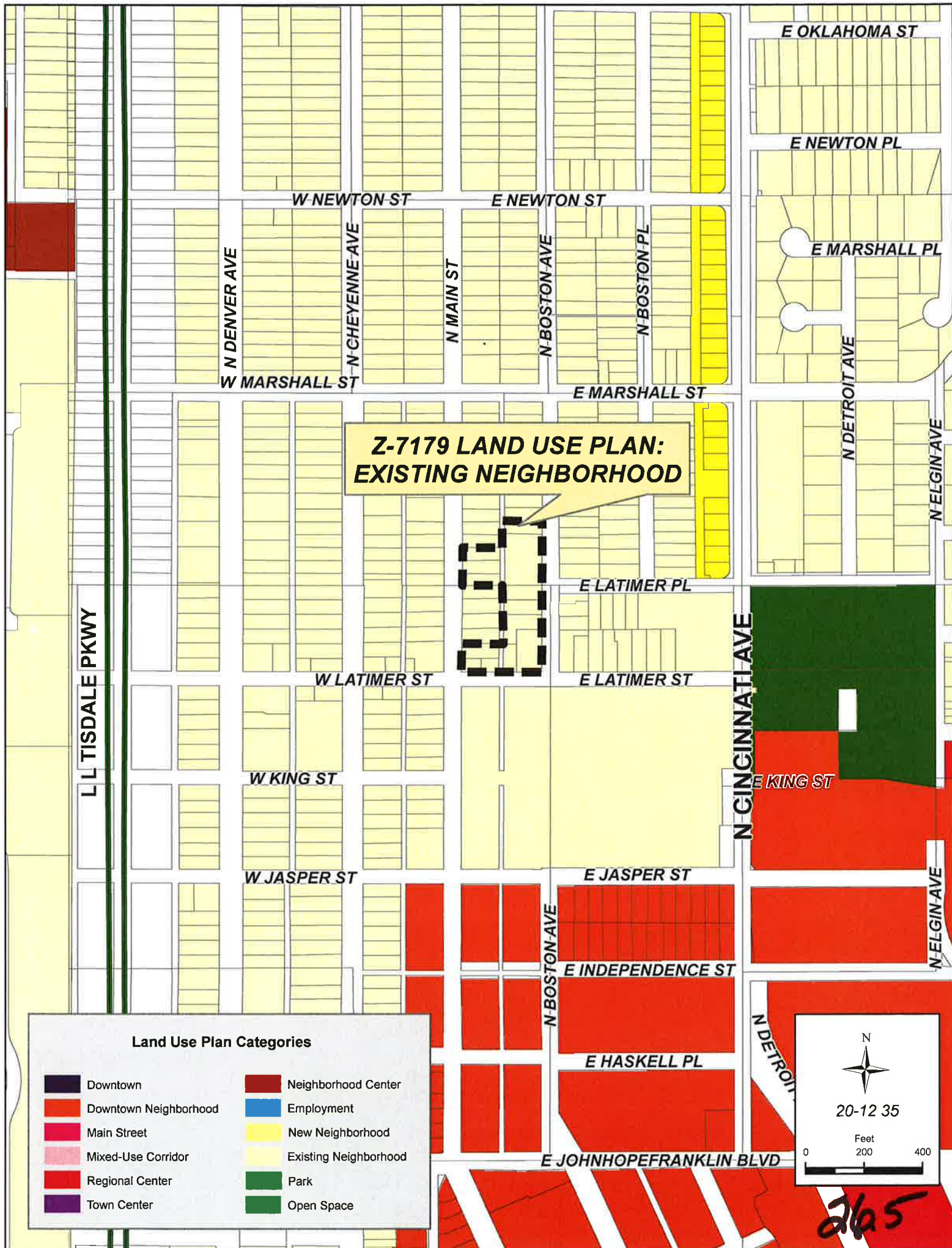
The Comprehensive Plan designates this property as an Area of Stability and an Existing Neighborhood. The subject site is surrounded by single-family residential uses and an elementary school. The requested zoning would be of higher intensity than the remainder of the neighborhood and would **not be in accord** with either the Plan or surrounding uses. The requested RM-3 is the highest multifamily residential zoning category allowed by the zoning code, and development to this density could have negative impacts on the neighborhoods around it, which have benefited greatly by the City's efforts to clean up the subject properties and rid the area of crime.

STAFF RECOMMENDATION:

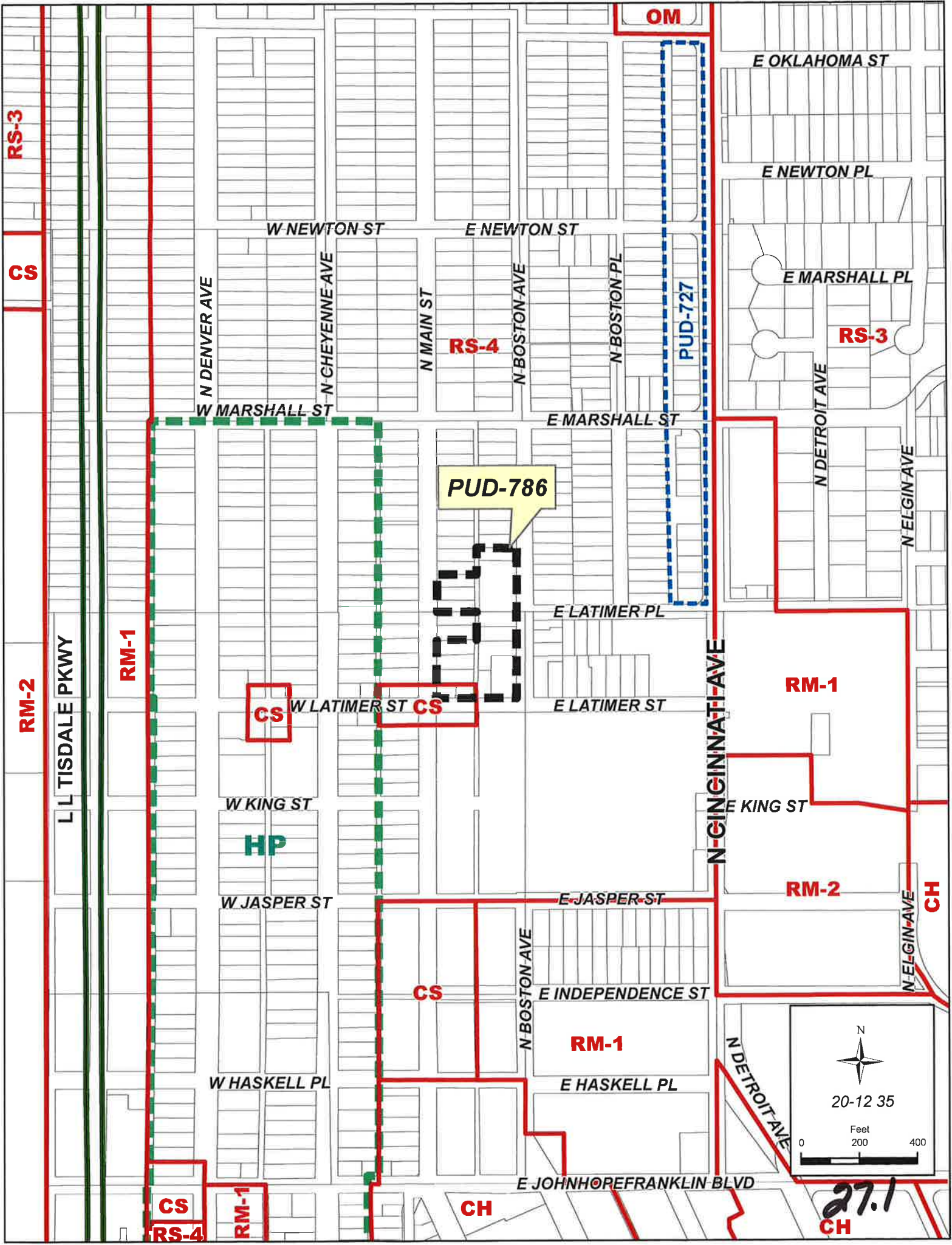
For the above reasons, staff cannot support the requested rezoning. Staff further understands that this neighborhood, as with the adjacent Brady Heights, is trying to revitalize, but we do not believe that the requested rezoning and use would further that cause. Therefore, staff recommends **DENIAL** of RM-3 for Z-7179.

09/07/11

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N

20-12 35

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-786

TRS 0235

Atlas 75

CZM 28

CD-1

TMAPC Hearing Date: September 7, 2011

Applicant: Tulsa Development Authority & Tulsa
Community Development Corp.

Tract Size: 2.63± acres
114,562± square feet

ADDRESS/GENERAL LOCATION: North and east of East Latimer Street and North Main
Street

EXISTING ZONING: RS-4/ CS

EXISTING USE: Vacant

PROPOSED ZONING: RM-3/ CS/ PUD

PROPOSED USE: Mixed use senior living
commercial center

ZONING ORDINANCE: Ordinance number -- dated --, established zoning for the subject
property.

RELEVANT ZONING HISTORY:

Z-6373, October 23, 1992: All concurred in approval of a request for rezoning a 6,500 square
foot tract of land from RM-2 to RS-4 on subject property as part of a larger blanket rezoning
study.

PUD-727, March 2, 2006: All concurred in approval of a request for rezoning a 7.6± acre tract
of land from RS-4 to RS-4/PUD-727 on property located fronting North Cincinnati Avenue
between East Oklahoma Street and East Latimer Place, east of the subject properties.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.63± acres in size and is located
north and east of East Latimer Street and North Main Street. The property is mostly vacant
with a few residential uses and is zoned RS-4/CS.

27.3

SURROUNDING AREA: The subject tract is abutted on the east by Boston Avenue and then Kirkpatrick Heights and the Pouder and Pomeroy Second Addition Amended, both zoned RS-4 with single-family residential uses; on the north by the Pouder and Pomeroy Addition and the Pouder and Pomeroy Second Addition Amended, both zoned RS-4 with single-family residential uses; on the south by Latimer Street and then Burgess Hill Addition, zoned CS/RS-4 and the location of Emerson Elementary School; and on the west by Main Street and then Burgess Hill Addition and the Pouder and Pomeroy Addition, zoned RS-4 with single-family residential uses.



A large version of this graphic is attached.

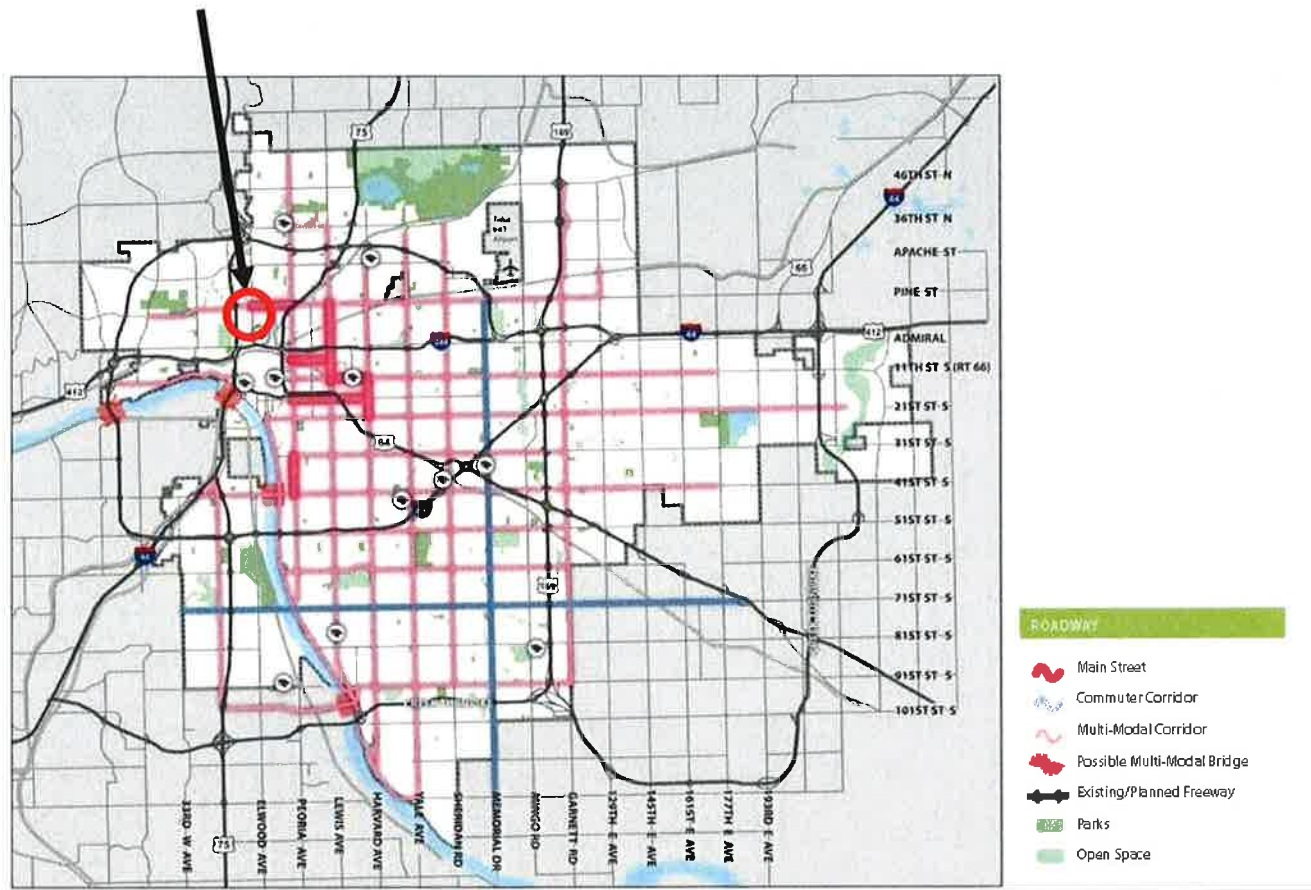
UTILITIES: The subject tract has municipal water and sewer available.

27.4

TRANSPORTATION VISION:

The Comprehensive Plan does not designate any of the surrounding streets. These streets are rather narrow and have no direct access at the present time to bus transit. Furthermore, at peak periods both vehicular and pedestrian traffic associated with the elementary school to the south becomes heavy.

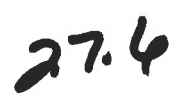
SUBJECT AREA



TULSA CITY-COUNTY MAJOR STREET AND HIGHWAY PLAN:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Main Street	Residential Collector	60'	2
East Latimer Street	Residential Collector	60'	2
North Boston Avenue	Residential Collector	60'	2

27.5



RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Comprehensive Plan designates this property as an Area of Stability and an Existing Neighborhood. The subject site is surrounded by single-family residential uses and an elementary school.

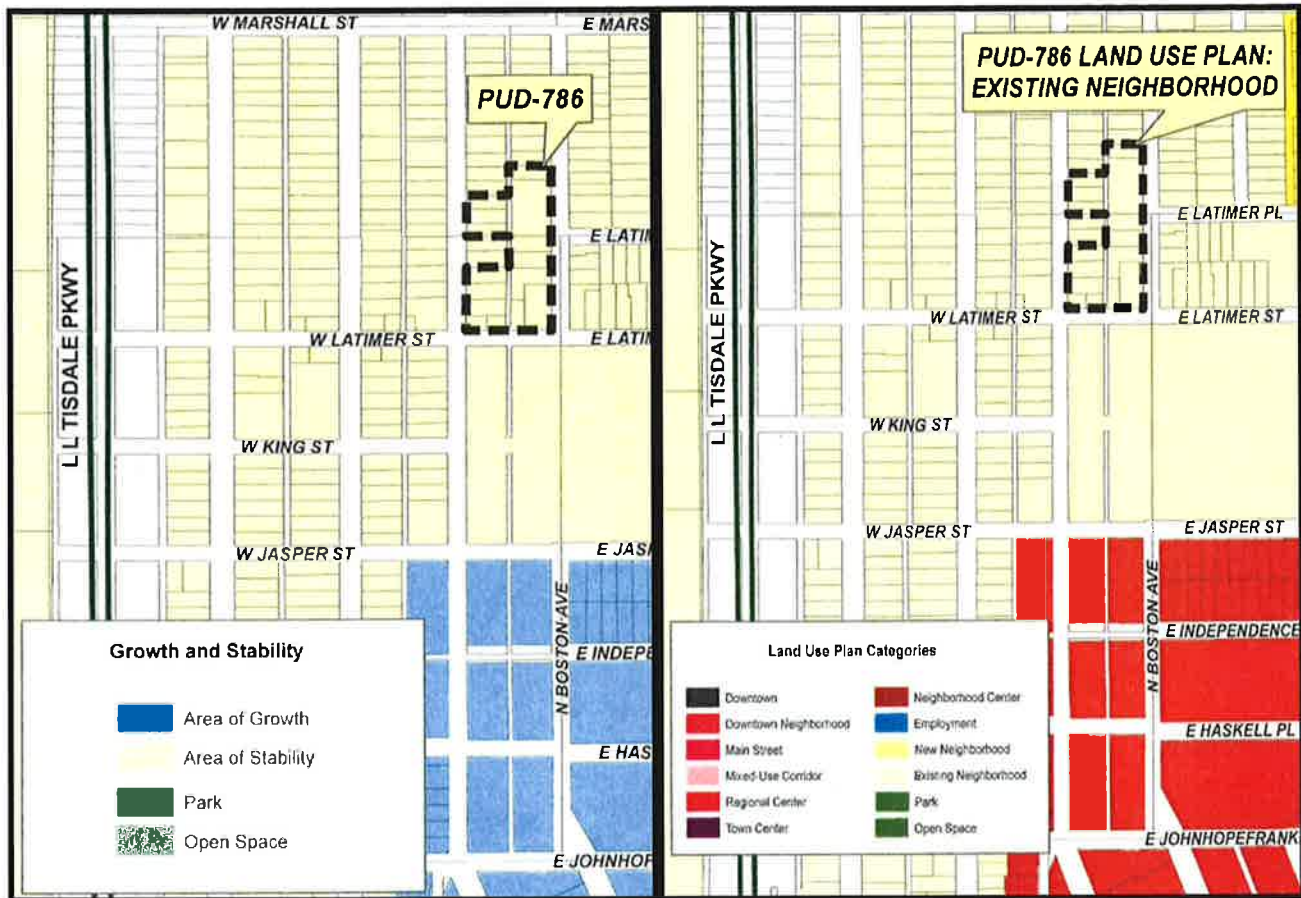
The **Areas of Stability** include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Within some **Areas of Stability**, there lie areas which should be designated as **Reinvestment Areas**. Reinvestment areas are those that have an overall character that is desirable to maintain, but would benefit from reinvestment through modest infill and redevelopment, or major projects in a small area such as an abandoned or underused commercial area. These areas would encourage investment, but in a more limited and targeted way than in Areas of Growth.

For the Commissions convenience, Part VI of the Plan – “Managing the Plan” which includes full descriptions of Areas of Stability and Areas of Growth are attached as Exhibit A.

The **Existing Residential Neighborhood** category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The requested zoning would be of higher intensity than the remainder of the neighborhood and would **not be in accord** with either the Plan or surrounding uses. The requested RM-3 is the highest multifamily residential zoning category allowed by the zoning code, and development to this density could have negative impacts on the neighborhoods around it, which have benefited greatly by the City's efforts to clean up the subject properties and rid the area of crime.



Large versions of these maps are attached.

STAFF RECOMMENDATION FOR ZONING:

For the above reasons, staff cannot support the requested rezoning. Staff further understands that this neighborhood, as with the adjacent Brady Heights, is trying to revitalize, but we do not believe that the requested rezoning and use would further that cause. Therefore, staff recommends **DENIAL** of RM-3 zoning for the subject property.

PUD STAFF RECOMMENDATION:

PUD-786 is an in-fill development proposal comprising a 2.63 acre tract located at the northeast corner of North Main Street and East Latimer Street. The site is mostly vacant with a few residential structures and has a very slight slope extending from south to north. The property is currently zoned RS-4 with two parcels located at the southwest corner zoned CS.

The purpose of PUD-786 is to allow the construction of a mixed-use facility permitting 162 senior living apartment units with a maximum of 20,000 square feet (sf) of commercial floor area. The proposal calls for two, 4-story apartment buildings with commercial uses located on the ground floor of the southern building along Latimer Street (see Exhibits A-1, B and C). The building on the northern half of the site would be limited to the residential use.

Rezoning is required to allow the Use Unit 8 uses (senior living apartments) and to extend the CS zoning along Latimer Street to garner requisite commercial floor area. The applicant has

submitted zoning requests to rezone the property from RS-4, with two tracts of CS zoning at the southwest corner of the site, to RM-3 zoning with CS zoning extending along the entirety of the Latimer Street Frontage to a depth of 121 feet (see Exhibit D).

Staff has carefully reviewed this PUD development proposal and has certain reservations. First, in order for the PUD development proposal to be considered for approval the requested rezone would first need to be supported and approved. Considering staff's recommendation for the associated rezoning applications, the PUD development proposal cannot be supported as well.

Secondly, the property designation as an Area of Stability with a land use classification of Existing Neighborhood makes the proposal in conflict with the Comprehensive Plan.

Therefore, staff recommends **DENIAL** of PUD-786.

09/07/11



Southwest corner of site



Looking east down Latimer St.



Looking north through center of site



Looking north up Boston Ave.



Northern portion of site



Single Family Homes



Apartment building, not subject of application



Southeast corner of Main & Latimer—Emerson Elem. property



Emerson Elementary



Looking north from southwest corner of site



Northeast corner Latimer & Boston



Looking south down Main St. from just south of Marshall St.

Land Use

Part VI: Managing the Plan

The comprehensive plan is the blueprint for how Tulsa will be shaped over the next 30 years. It lays out the goals, and policies that will guide decisions about how to invest in infrastructure and transportation, how land should be zoned for development, and what initiatives, such as small area or new community plans, should be undertaken.

The plan translates widely-held values and priorities from *Our Vision for Tulsa* into a set of long-range priorities and policies. It is not an immutable document, however. It can and should evolve over time as the city grows and changes. Technological, cultural, and environmental shifts are hard to predict, and the plan should not unnecessarily bind the city to policies that cannot be adapted. That said, the plan should not be altered too often or without public involvement and an evaluation of its performance.

Management Tools

This plan has been designed with some tools that will help guide decision makers in managing and implementing its goals. The Areas of Stability and Growth map and policies are intended to prioritize where the majority of growth and investment should take place and which neighborhoods should remain substantially as they are. The city's zoning code translates overarching land use goals into specific use and development regulations at the parcel level. The zoning code must be aligned with the vision and plan map so as to shape development in a way that meets those goals. The small area and neighborhood planning process provides a structure for how to go about working with specific areas to implement the vision. This includes working with areas that are already developed and are in need of infill strategies, and new communities on vacant land, both inside the city and in areas to be annexed.

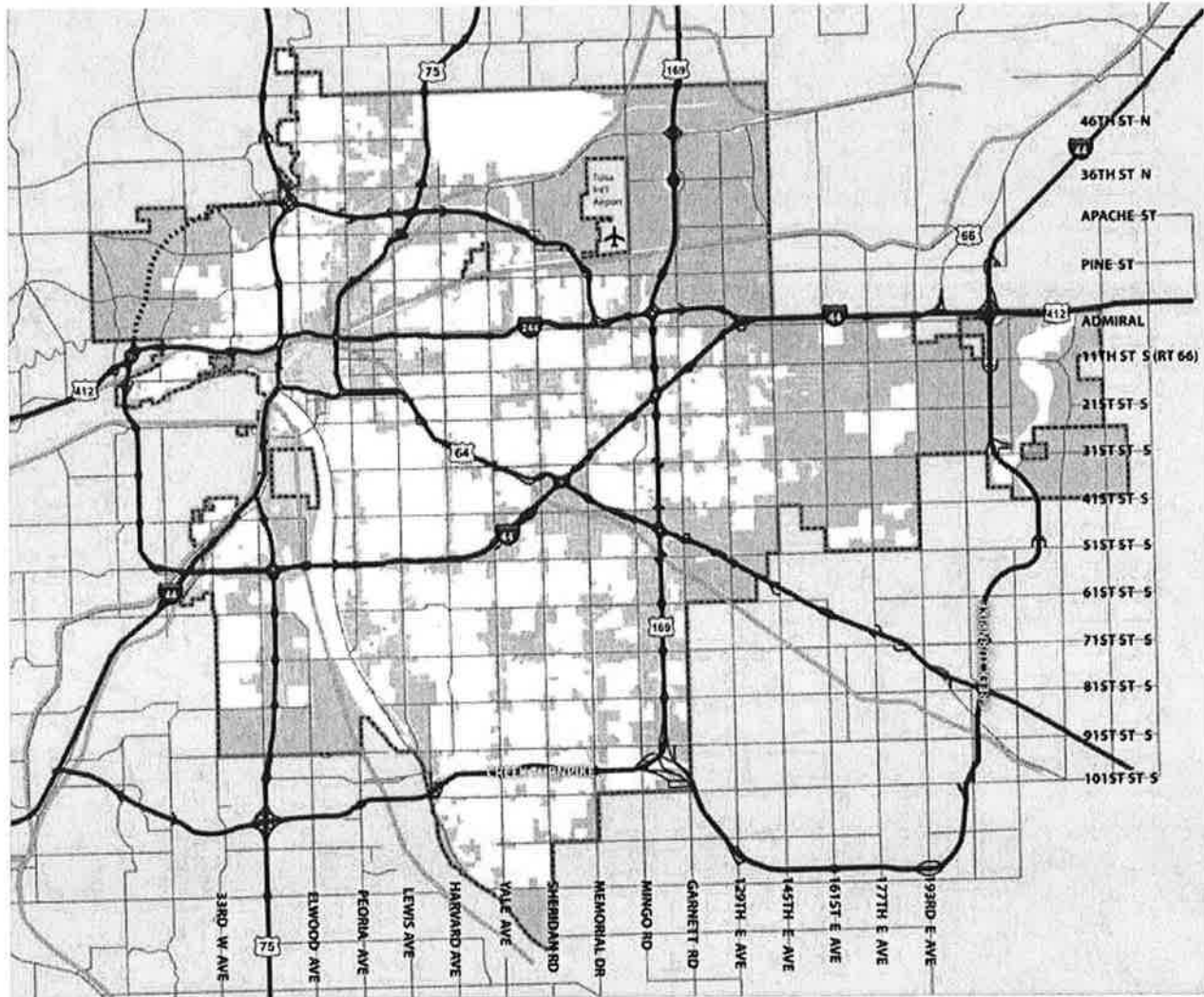
Areas of Stability

Shaping Tulsa's future involves more than deciding where and how new development will take place. It is equally important to enhance those qualities that attracted people here in the first place. In recognition of how strongly Tulsa's citizens feel about their neighborhoods, the comprehensive plan includes tools for the maintenance of valued community characteristics in older and stable neighborhoods. These new measures provide tools that address rehabilitation of property and help shape where and how redevelopment occurs.

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation,

27.11

Figure 20: Areas of Stability and Growth



Source: Fregonese Associates

- Area of Stability
- Area of Growth

27.12

improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Relationship to Areas of Growth

The plan focuses growth where it will be most beneficial, i.e., Areas of Growth, and away from where it may have some negative consequences, i.e., Areas of Stability. Thus Areas of Stability and Areas of Growth are interrelated.

Despite this relationship, Areas of Stability and Growth should not be considered as mutually exclusive. First, each area in the city can be thought of as located on a continuum from growth to stability. Second, in stable residential neighborhoods there are often elements of stagnant commercial development that would benefit from revitalization. These areas, due to their lack of reinvestment, have a negative visual impact on the surrounding area. In Areas of Growth there are sometimes pockets of stable residential development; these areas should be noted and considered stable.

Types of Areas of Stability

While residents of many parts of Tulsa seek to maintain the character of their neighborhoods, these predominantly residential areas do not all have similar characteristics. The Areas of Stability can be thought of as belonging predominantly to one of the following two categories: "Established Areas" and "Reinvestment Areas", as described below.

ESTABLISHED AREAS

Established areas are those neighborhoods that have a sufficient level of property investment such that

they would be harmed by large amounts of infill redevelopment. For example, reinvestment in the Florence Park neighborhood is not necessary to improve its character. Tools appropriate for this neighborhood seek to maintain present character and to motivate modest redevelopment of selected areas such as vacant lots or dilapidated homes. Programs for Established Areas may also encourage new investment in parks, streets, and other facilities.

Established Areas of Stability face many different challenges. For example, some neighborhoods are primarily concerned about the transitions or lack of transitions between commercial areas and residential areas. Some neighborhoods are primarily concerned with traffic issues. Other neighborhoods are primarily concerned about the expansion or replacement of housing that sometimes results in designs incompatible with existing single-family houses. The challenge in these places is to preserve character without preventing property owners from reinvesting in, rehabilitating or rebuilding their homes.

REINVESTMENT AREAS

Reinvestment areas are those that have an overall character that is desirable to maintain, but would benefit from reinvestment through modest infill and redevelopment, or major projects in a small area such as an abandoned or underused commercial area. These areas would encourage investment, but in a more limited and targeted way than in Areas of Growth.

Residents in these areas face a variety of challenges and opportunities. Challenges include concern over inadequate sidewalks, inappropriate land uses or inadequate buffering between uses, lack of services such as grocery stores, and maintaining their housing stock. Opportunities can also vary widely. Examples include redeeming vacant land for neighborhood parks or redeveloping underutilized land to provide needed neighborhood services.

This plan does not identify which areas are Established and which are Reinvestment Areas. These distinctions will shift and change over time as Tulsa develops, and many neighborhoods will not cleanly fit into the committed or reinvestment types. Thus, through the small area and neighborhood planning process, the community and the city can identify the proper tools to promote redevelopment in one portion of a neighborhood and those to stabilize other portions.

From Stability to Growth

As the comprehensive plan is implemented, many areas currently designated as stability may transition to those that should support growth. Where appropriate, this may be accomplished with small area plans, master development plans, and planned unit developments.

Areas of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

From Growth to Stability

As the comprehensive plan is implemented, many areas currently designated as growth will transition to those that should remain stable. This will occur particularly in new communities that develop on vacant land, but also where redevelopment successfully revitalizes main streets or centers.

CRITERIA FOR AREAS OF GROWTH AND FOR SELECTING ADDITIONAL AREAS OF GROWTH IN THE FUTURE

The following criteria were used to select the Areas of Growth in the plan. After the plan is adopted, new or revised Areas of Growth can be proposed based on these same criteria.

- Underutilized land, especially surface parking lots or vacant buildings downtown or along corridors
 - Areas already undergoing positive change which is expected to continue
 - Areas adjacent to transit and around transit stations, existing and planned
 - Areas along corridors with frequent bus service that can accommodate development on underutilized land
 - Locations where appropriate infill development will promote shorter and less frequent auto trips
 - Areas with special opportunities such as where major public or private investments are planned
-

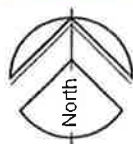
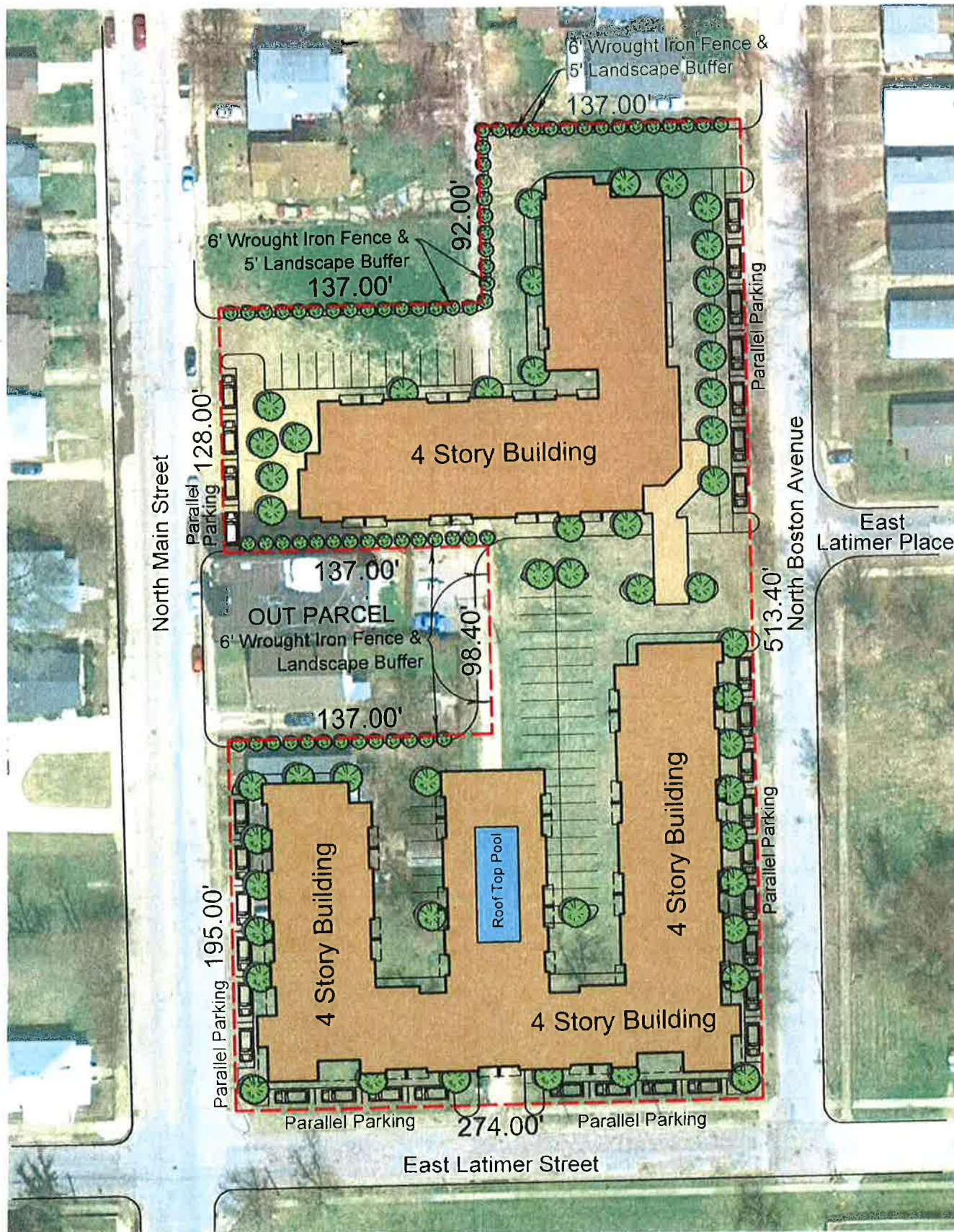
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JULY 2010

LAND USE - TULSA COMPREHENSIVE PLAN

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North Boston Avenue Elevation - Senior Housing Only



The Tulsa North Community Development Corporation
Senior Living Community



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Tanner Consulting, LLC
5232 SOUTH LEWIS AVENUE - TULSA, OKLAHOMA 74105 (918) 745-9629

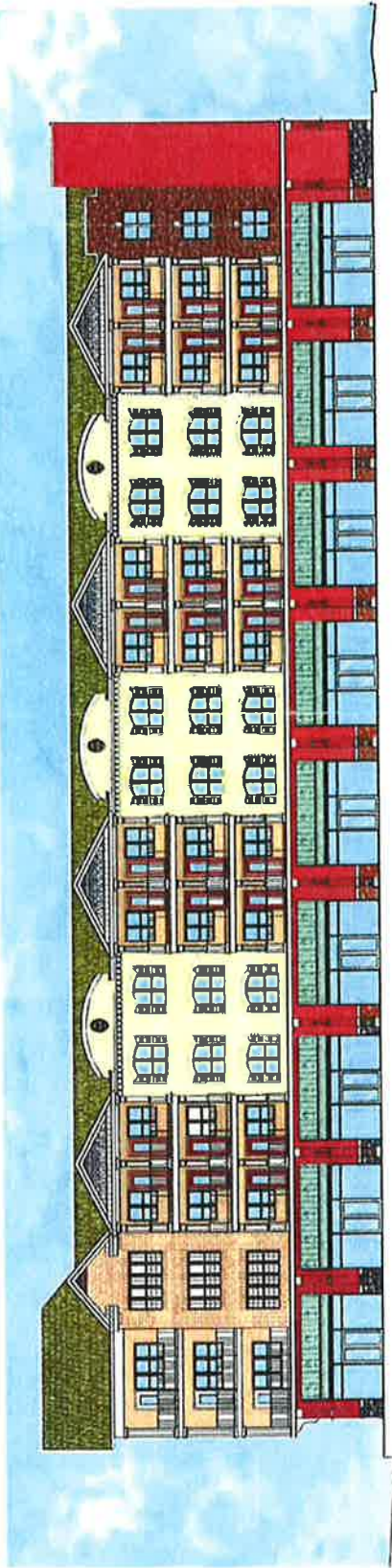
Tulsa North Senior Living Community

Conceptual Building Elevations
11109

Tulsa, Oklahoma

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EXHIBIT B



North Boston Avenue Elevation - Mixed Use Commercial and Senior Housing



East Latimer Street Elevation - Mixed Use Commercial and Senior Housing



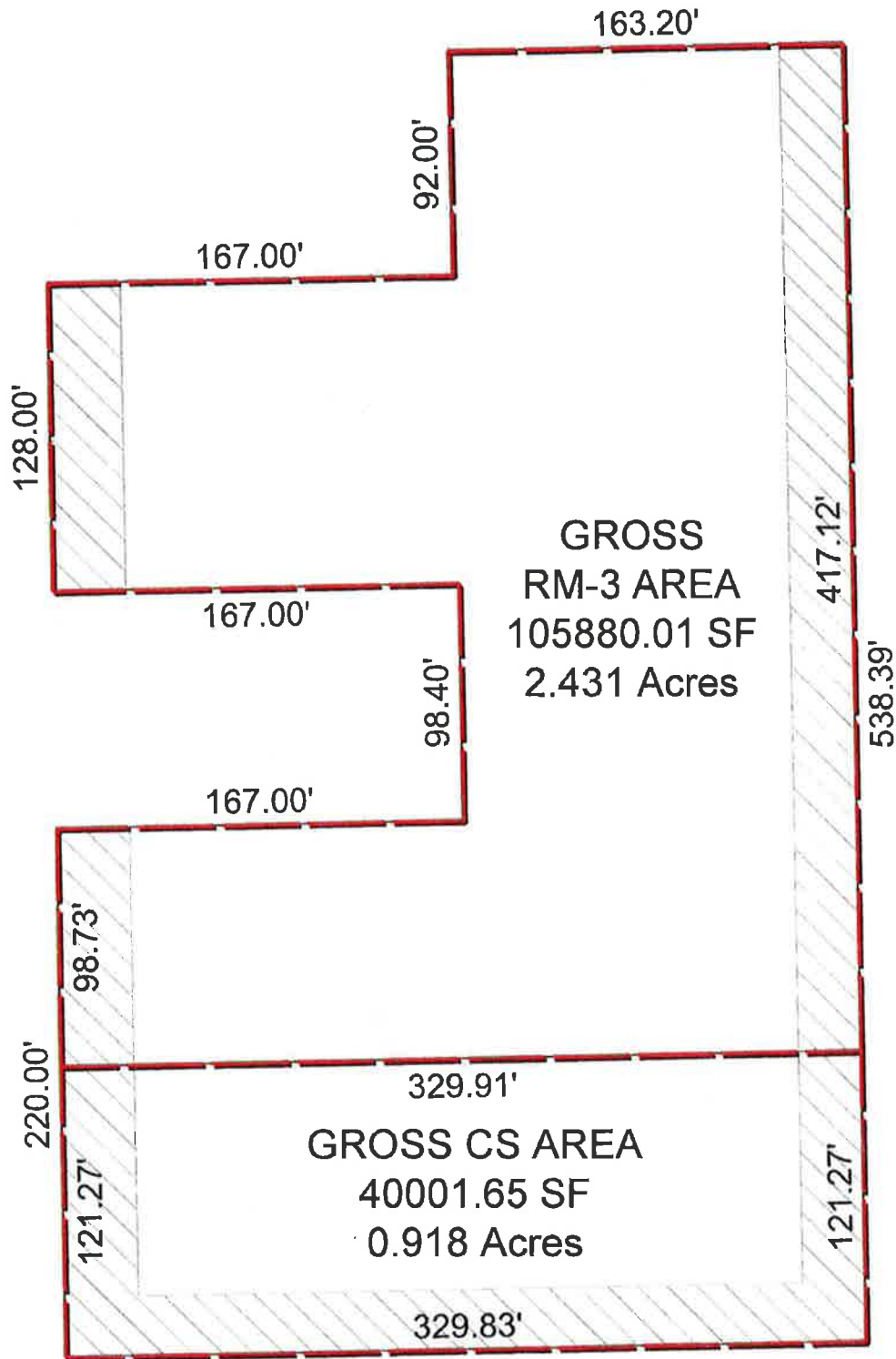
The Tulsa North Community Development Corporation
Senior Living Community



PUD

Tanner Consulting, LLC
5323 SOUTH LEWIS AVENUE - TULSA, OKLAHOMA 74105 (918) 455-9629





ZONING ANALYSIS

GROSS PROJECT AREA: 145,882 SF OR 3.35 ACRES

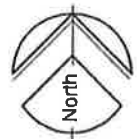
PROPOSED CS LAND AREA: 40,001.65 SF

PROPOSED CS FLOOR AREA: 20,000 SF

PROPOSED RM-3 LAND AREA: 105,880.01 SF

PROPOSED RM-3 UNIT COUNT: 1 UNIT PER 500 SF

105,880.01 DU \ 500 SF = 211 DU PERMITTED

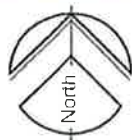
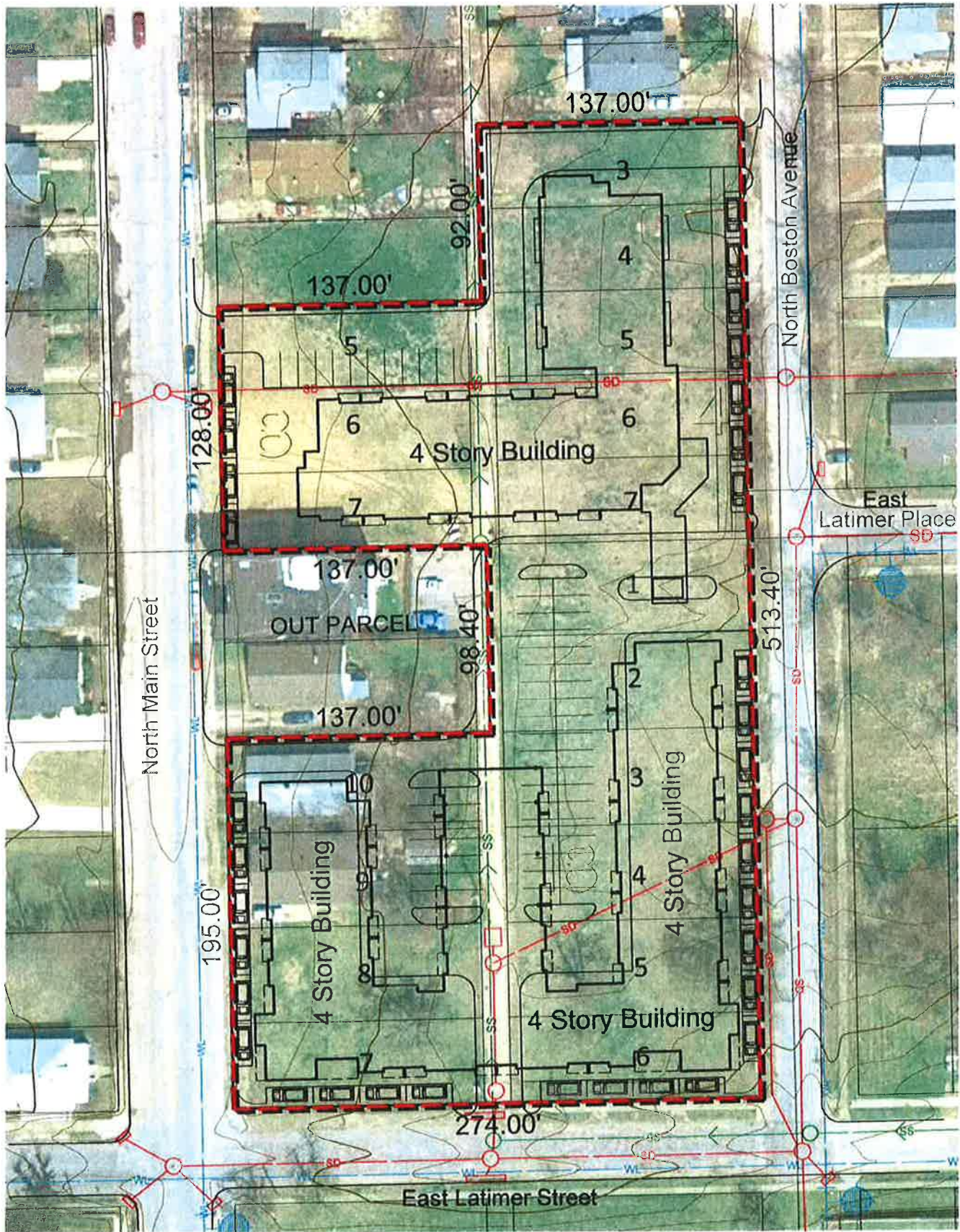


Graphic Scale



Tanner Consulting, LLC

5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 (918)745-9929



Scale: 1"=100'



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06/23/2011 11109_PUD

Tulsa North Senior Living Community Existing Utilities and Topography
11109
Tulsa, Oklahoma

27.19

