TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2630

July 25, 2012, 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:

Review TMAPC Receipts for the month of June 2012

1. Minutes of June 20, 2012, Meeting No. 2628

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. <u>LS-20529</u> (Lot-Split) (County), Location: East of 209th West Avenue between West 5th Street South and Highway 51
- 3. <u>LS-20530</u> (Lot-Split) (CD-9), Location: South of East 28th Street South between South Gary Avenue and South Florence Avenue (Related to LC-413)
- 4. <u>LC-413</u> (Lot-Combination) (CD-9), Location: South of East 28th Street South between South Gary Avenue and South Florence Avenue (Related to LS-20530)
- 5. <u>PUD-766-4 Jason Emmett/Holiday Inn 5</u>, Location: West of the southwest corner of I-44 and South Yale Avenue, Requesting a **Minor Amendment** to decrease the ten-foot landscape edge on the west line of Lot 4 to minimum width of five feet, **CS/PUD-766**, (CD-9) (Related to Item 6)
- 6. <u>PUD-766-4 Jason Emmett/Holiday Inn 5</u>, Location: West of the southwest corner of I-44 and South Yale Avenue, Requesting a **Detail Site Plan** for a five-story Holiday Inn Express in a single-use building, **CS/PUD-766-4**, (CD-9) (Related to Item 5)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

- 7. Triple S Addition, Minor Subdivision Plat, Location: Southeast corner of North Lewis Avenue and East Pine Street (0332) (CD 3) (Continued from 6/20/12 and July 11, 2012 for revisions to plat, Request continuance to August 1, 2012 for further review of revisions to plat.)
- 8. <u>CZ-415 Patricia Evans</u>, Location: Northeast corner East 56th Street North and North Utica Avenue, Requesting rezoning from AG/RS to CS, (County)
- 9. <u>Z-7206 Robert Winchester</u>, Location: South of southwest corner of East 31st Street South and South Louisville Avenue, Requesting rezoning from RS-3/OL to OL/CS, (CD-9) (Continued from 7/11/12)

OTHER BUSINESS

- 10. <u>FBC-12-01/The Phoenix Café, Record Store</u> 1302 East 6th Street, Replacement of the existing fenestration with updated store fronts, doors, approved 7/12/12
- 11. 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 pagers 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.



AGENDA

Tulsa Metropolitan Area Planning Commission

WORK SESSION

175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber
Wednesday, July 25, 2012 – 1:45 p.m.*

(*Or immediately following adjournment of the TMAPC Meeting)

CONSIDER AND DISCUSS:

1. Briefing/Status Report regarding small area planning program/Dawn Warrick, City of Tulsa Planning Director

Adjourn.

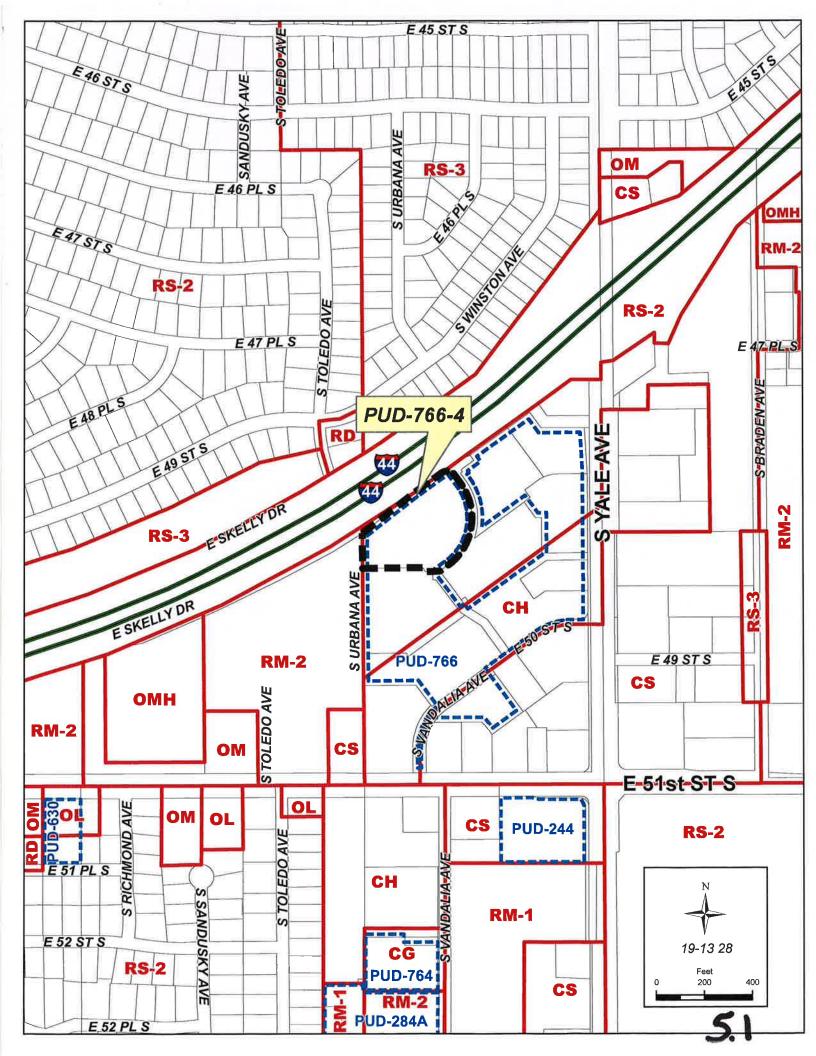
If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

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TMAPC RECEIPTS Month of June 2012

	-	Current Period			Year To Date			
				TOTAL				TOTAL
	ITEM	CITY	COUNTY	RECEIVED	ITEM	CITY	COUNTY	RECEIVED
ZONING								
Zoning Letters	11	\$55.00	\$55.00	\$110.00	114	\$1,400.00	\$1,400.00	\$2,800.00
Zoning	6	2,240.00	2,240.00	4,480.00	39	\$17,130.00	\$17,130.00	34,260.00
PUDs & Plan Reviews	26	2,275.50	2,275.50	4,551.00	361	\$30,508.00	\$30,508.00	61,016.00
Refunds		0.00	0.00	0.00	0	(\$400.00)	(\$400.00)	(800.00)
Fees Waived		0.00	0.00	0.00	0	\$0.00	\$0.00	0.00
		\$4,570.50	\$4,570.50	\$9,141.00		\$48,638.00	\$48,638.00	\$97,276.00
LAND DIVISION								
Minor Subdivisions	0	\$0.00	\$0.00	\$0.00	11	\$2,925.00	\$2,925.00	\$5,850.00
Preliminary Plats	2	861.91	861.91	1,723.82	20	\$9,477.76	\$9,477.76	18,955.52
Final Plats	0	0.00	0.00	0.00	9	\$3,467.77	\$3,467.77	6,935.54
Plat Waivers	0	0.00	0.00	0.00	18	\$2,250.00	\$2,250.00	4,500.00
Lot Splits	4	190.00	190.00	380.00	77	\$3,945.50	\$3,945.50	7,891.00
Lot Combinations	3	150.00	150.00	300.00	64	\$3,200.00	\$3,200.00	6,400.00
Access Changes	0	0.00	0.00	0.00	I	\$75.00	\$75.00	150.00
Other		0.00	0.00	0.00	0	\$430.00	\$430.00	860.00
Refunds			0.00	0.00	0	\$0.00	\$0.00	0.00
Fees Waived		0.00	0.00	0.00	0	\$0.00	\$0.00	0.00
		\$1,201.91	\$1,201.91	\$2,403.82		\$25,771.03	\$25,771.03	\$51,542.06
BOARDS OF ADJUSTMEN	Т							
Fees	17	\$5,450.00	\$1,300.00	\$6,750.00	189	\$61,010.00	\$12,800.00	\$73,810.00
Refunds		(100.00)		(\$100.00)	0	(\$3,095.52)	(\$700.00)	(3,795.52)
NSF Check			0.00	\$0.00	0	\$0.00	\$0.00	0.00
Fees Waived		0.00	0.00	\$0.00		(\$250.00)	\$0.00	(250.00)
		\$5,350,00	\$1,300.00	\$6,650.00		\$57,914.48	\$12,100.00	\$70,014.48
TOTAL		\$11,122.41	\$7,072.41	\$18,194.82		\$132,323.51	\$86,509.03	\$218,832.54

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STAFF RECOMMENDATION

PUD-766-4:

Minor Amendment – Lot 4, Block 1, 51 Yale, a Subdivision in Tulsa, West of the southwest corner of I-44 and South Yale Ave; TRS 19-13-28; CZM 47; Atlas 468; CD 9.

The applicant is requesting a minor amendment to decrease the ten-foot landscape edge on the west line of Lot 4 to a minimum width of five feet. The Planned Unit Development also requires a six-foot screening fence along the entire length of the lot. The required screening fence will be placed on the lot line which separates the multifamily development west of this site. The five feet of green space will only affect the owners of Lot 4.

In lieu of the ten-foot green space the applicant has presented a plan with five feet of green space and seven ten 15-foot tall trees spaced at approximately 20-foot centers. These trees will ultimately provide a more meaningful green space boundary between the hotel site and the multifamily site.

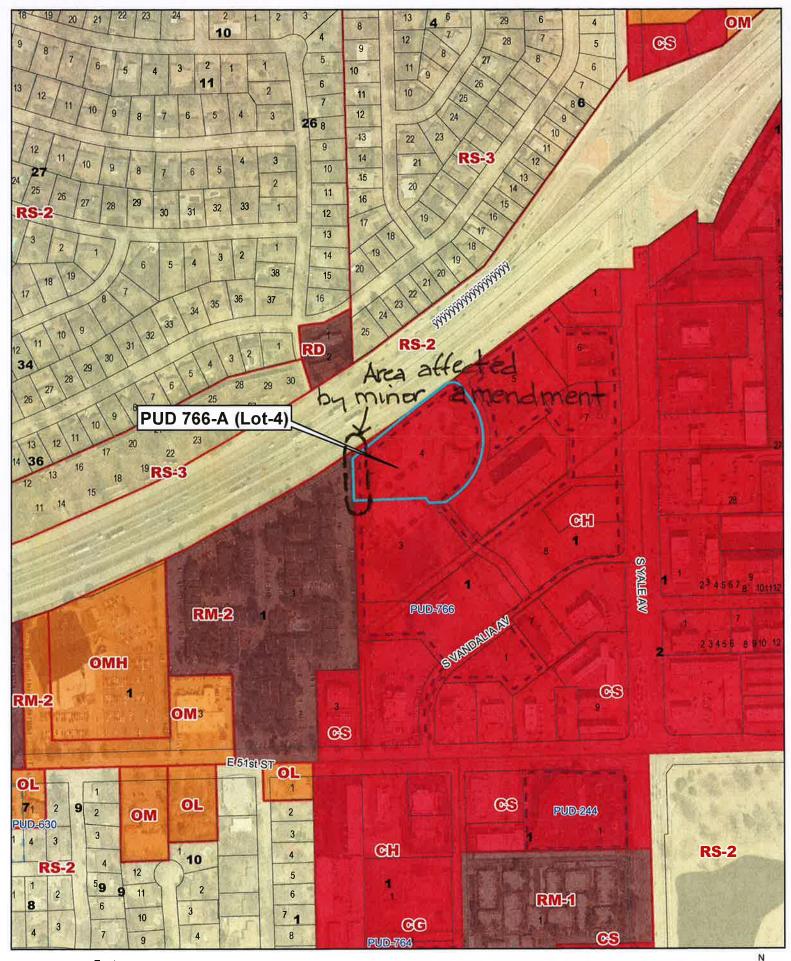
Please refer to the attached landscape plan illustrating concept of the intent along the west property line which is included as part of the staff recommendation.

The Planning Commission is provided authority in Section 1107.H.9 of the Tulsa Zoning Code to make "changes in structure heights, building setbacks, yards, open spaces, etc." as a minor amendment to the PUD if the "approved Development Plan, the approved PUD standards and the character of the development are not substantially altered."

The request for reduction of the ten-foot green space to five feet with the consideration of the additional trees along the west property line is in harmony with the design intent of the Planned Unit Development.

Therefore, staff recommends **APPROVAL** of the minor amendment for PUD-766-4.

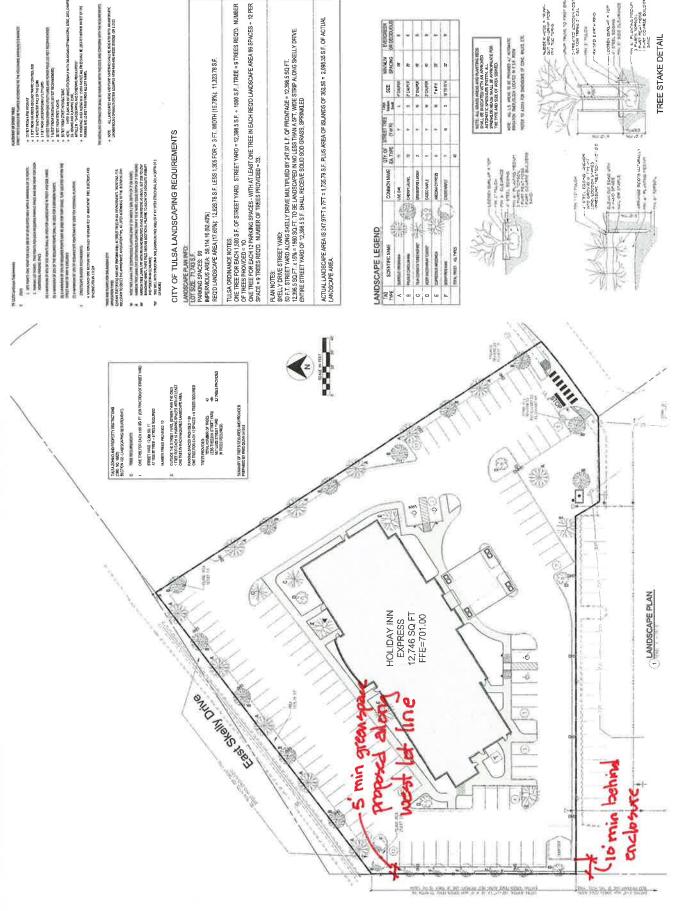
Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.





Minor Amendment : 10' Landscape Edge to 5' w/Trees along West Line





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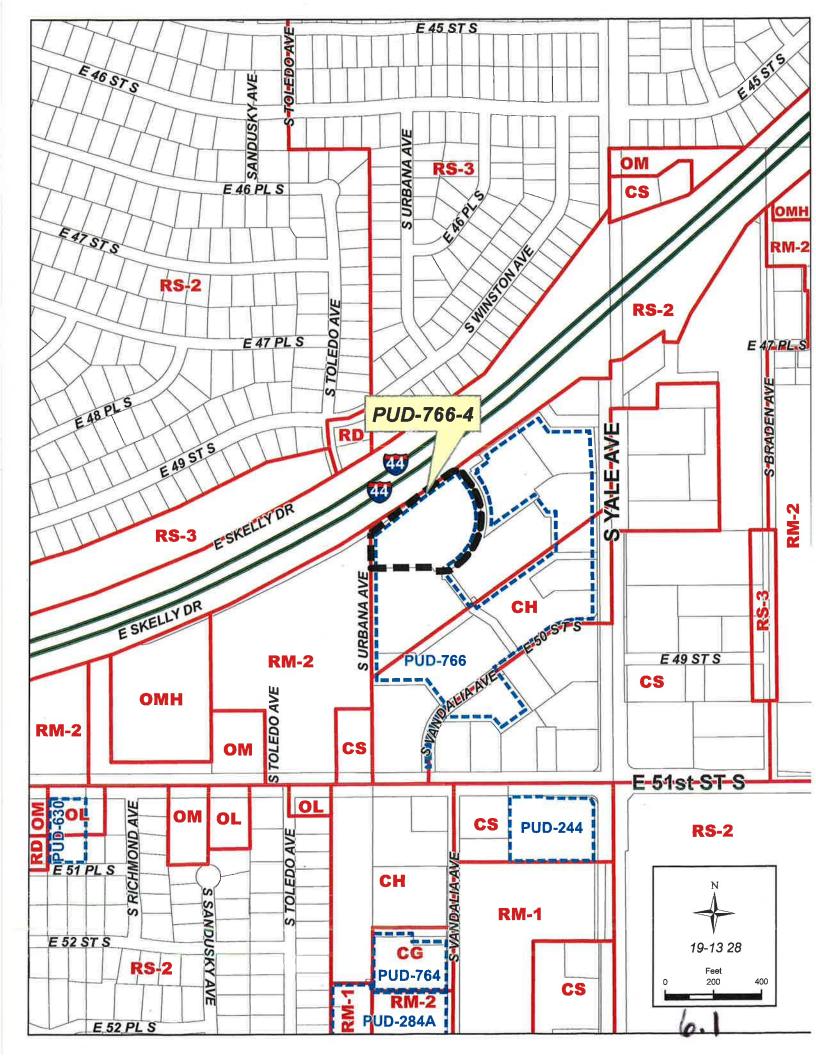
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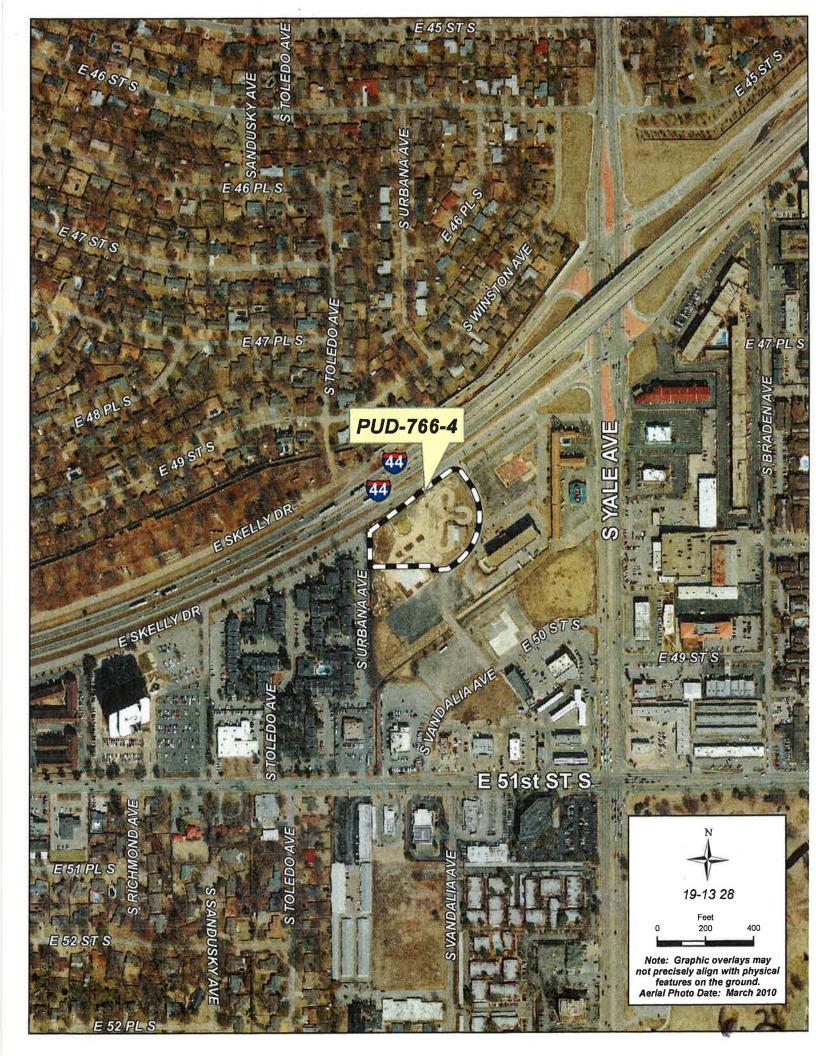
CONSTRUCTION DOCUMENTS

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STAFF RECOMMENDATION

<u>PUD-766-4</u>: Detail Site Plan – Holiday Inn Express, Lot 4, Block 1, 51 Yale,

a Subdivision in Tulsa, West of the southwest corner of I-44 and

South Yale Ave; TRS 19-13-28; CZM 47; Atlas 468; CD-9.

PERMITTED USE:

The applicant is requesting approval of a detail site plan for a five-story Holiday Inn Express, in a single-use building. The proposed use, Use Unit 19, is a permitted use in PUD-766-4.

DEVELOPMENT STANDARDS:

The submitted site plan meets all applicable development standards including but not limited to building floor area, open space, building height and setback limitations with the understanding that the minor amendment for PUD-766-4 is approved at the Planning commission meeting prior to approval of this site plan.

VEHICULAR ACCESS AND PARKING:

Vehicular access to the site will be provided by mutual access agreements from East 51st Street South and South Yale. Parking will be provided per the applicable Use Unit of the City of Tulsa Zoning Code. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code.

LANDSCAPE AND SCREENING REQUIREMENTS:

Landscaping will be provided per the Planned Unit Development, PUD Amendments and Landscape Chapters of the Zoning Code. A masonry trash enclosure is shown on the site plan will be provided as required by the PUD.

SITE LIGHTING:

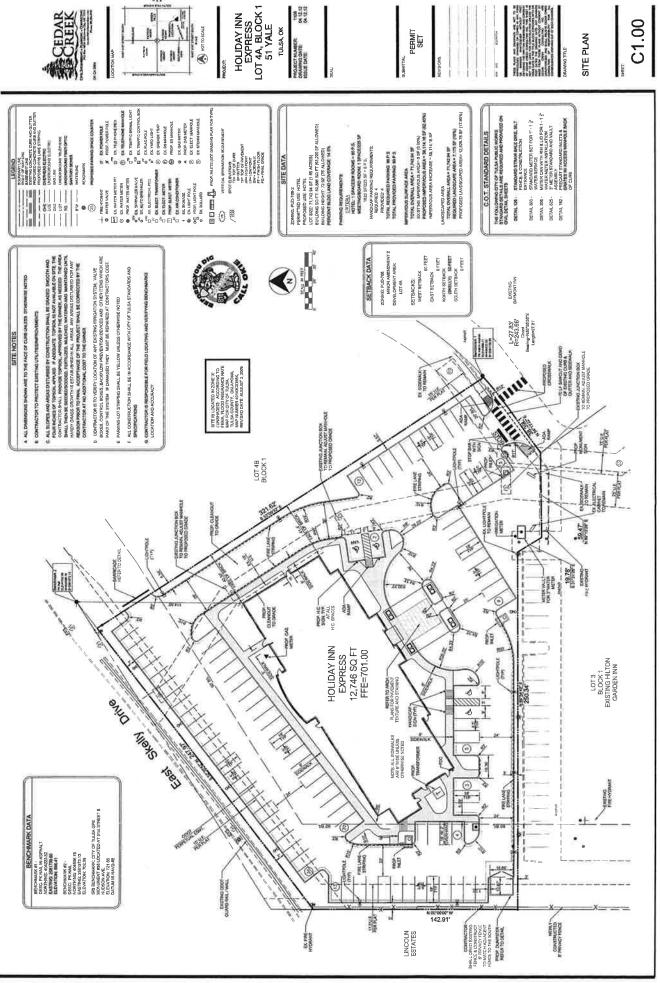
All site lighting, including building mounted fixtures, will be limited to 30 feet in height per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district.

PEDESTRIAN ACCESS:

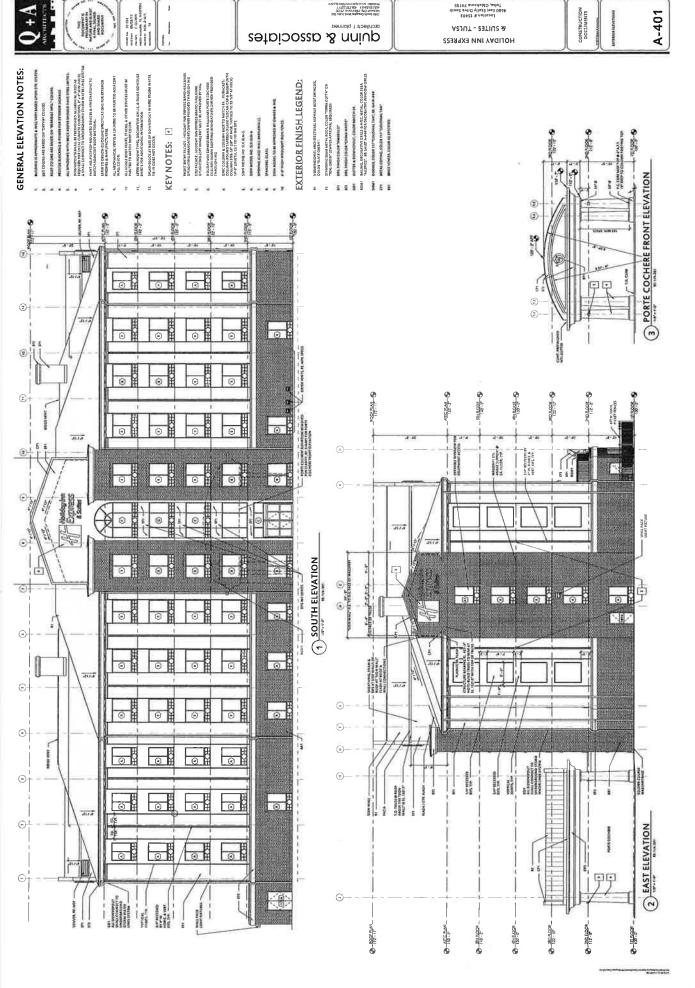
Sidewalks will be provided within the development and connected to existing sidewalks in the area. All vehicular and pedestrian access is provided via private streets and access agreements inside PUD-766-4 therefore there is no requirement for sidewalks on public streets for this particular site.

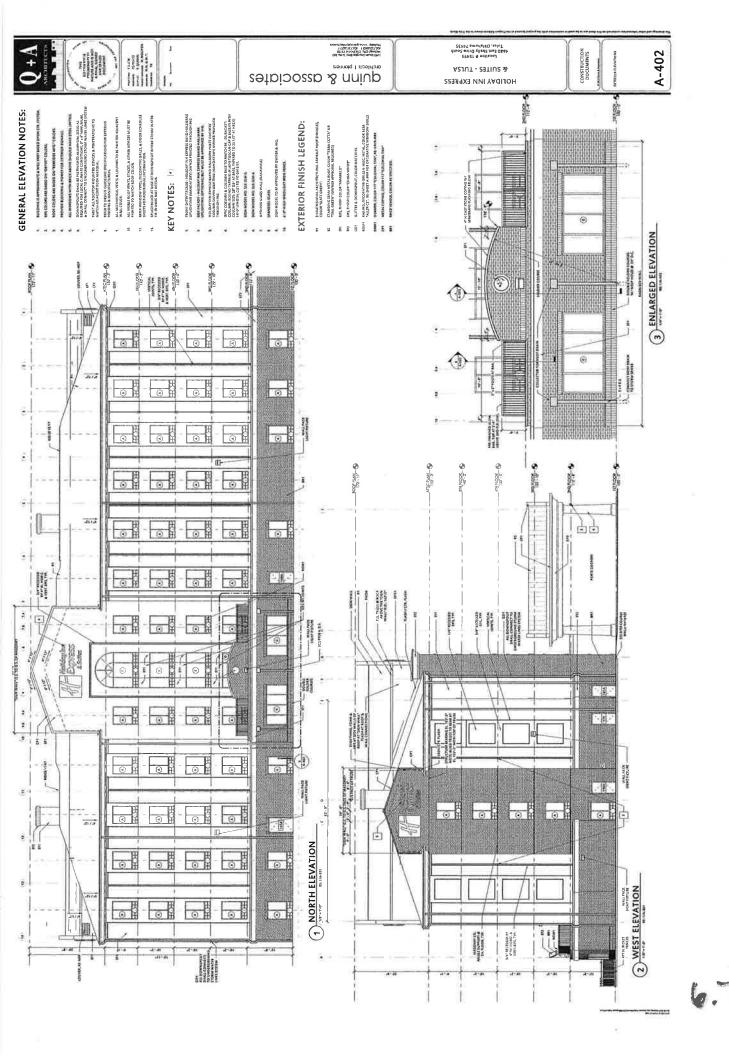
Staff recommends **APPROVAL** of the detail site plan for PUD-766-4 with the condition that the minor amendment PUD-766-4 is approved prior to site plan approval.

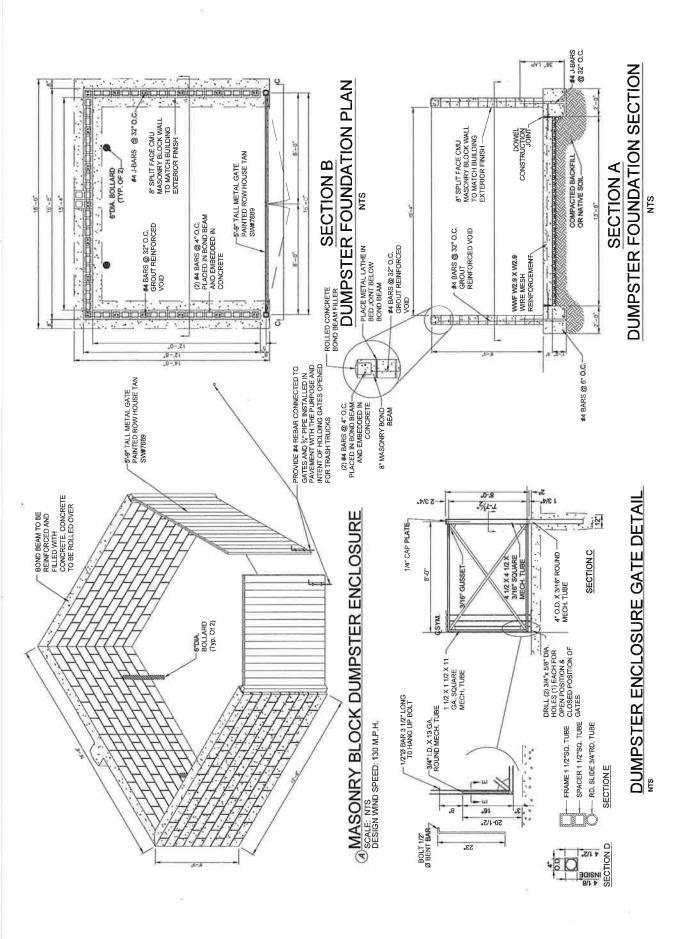
Note: Detail site plan approval does not constitute landscape and sign plan approval.

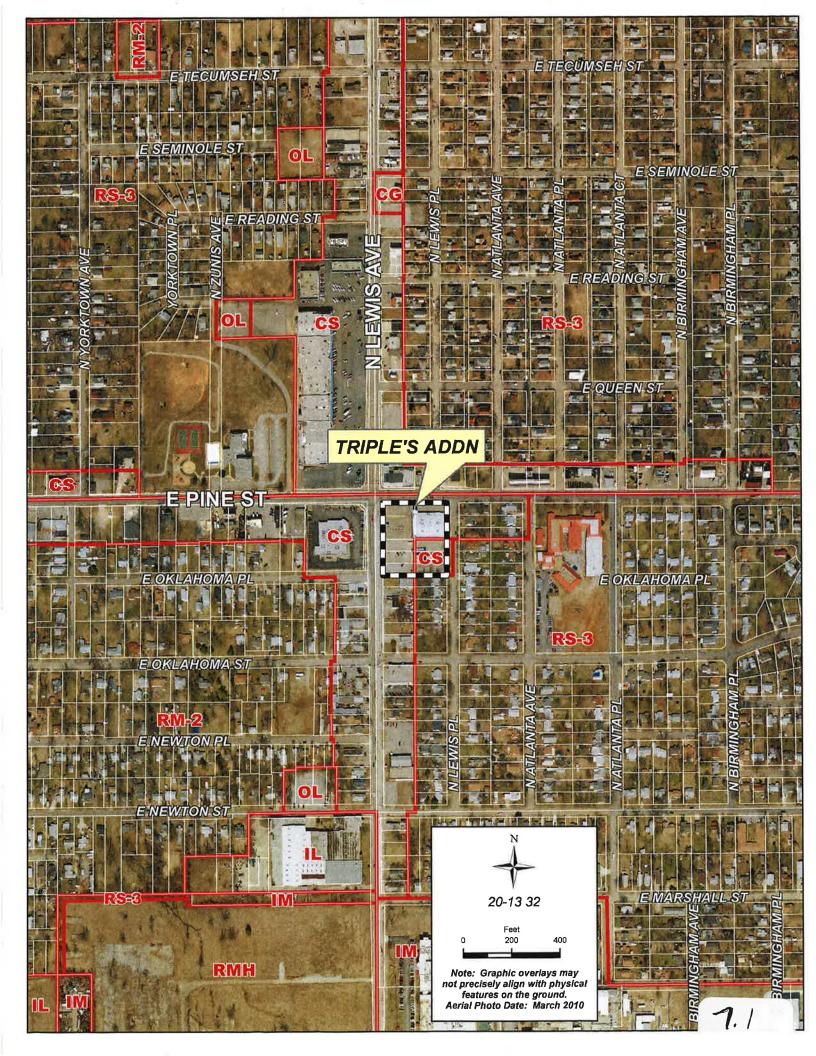


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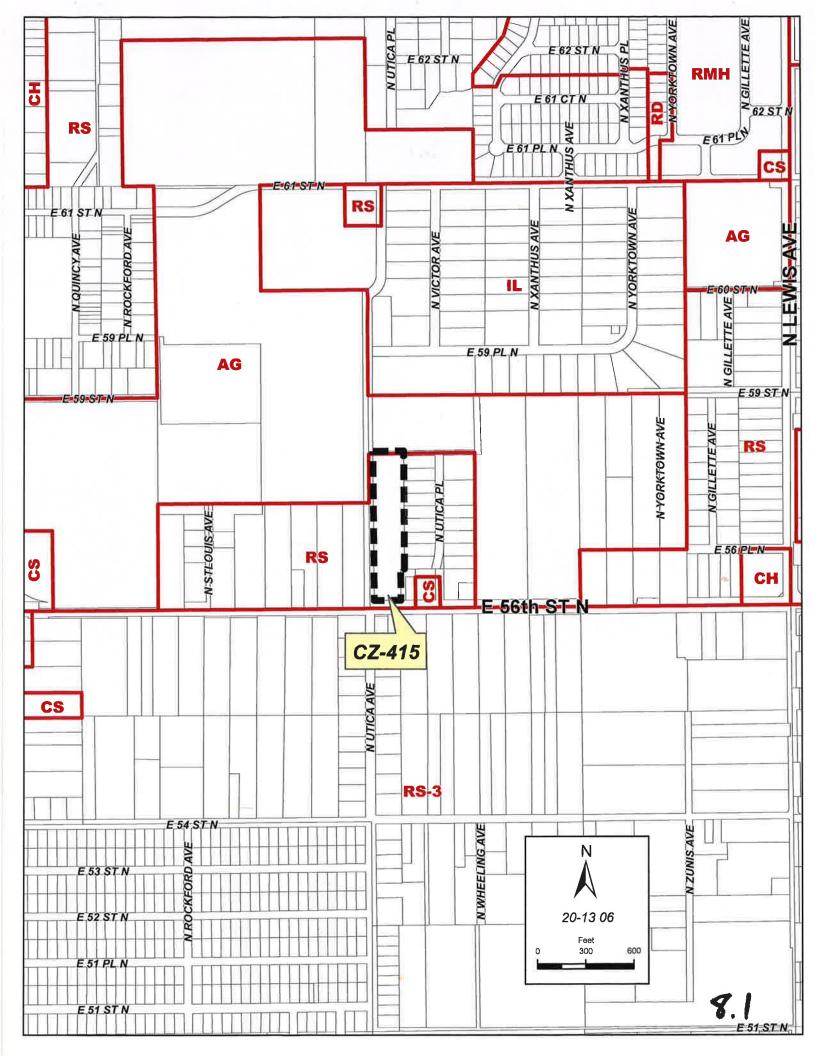














TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: CZ-415

TRS 0306

Atlas 0

CZM 22

County

TMAPC Hearing Date: July 25, 2012

Applicant: Patricia Evans

Tract Size: 4.5+ acres

ADDRESS/GENERAL LOCATION:

Northeast corner of East 56th Street North and North

Utica Avenue

EXISTING ZONING:

AG/RS

EXISTING USE:

Vacant

PROPOSED ZONING:

CS

PROPOSED USE: Beauty and barber salon

ZONING ORDINANCE: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

RELEVANT ZONING HISTORY:

CBOA-2399-A December 20, 2011: The Board of Adjustment approved the Reconsideration of case CBOA-2399, a Special Exception to allow a Home Occupation (Beauty Salon with 2 chairs) to permit 4 chairs total in the salon, with only members living on the premises as part of the home occupation business, on the subject property.

CBOA-2399 August 16, 2011 The Board of Adjustment approved a Special Exception to allow a Home Occupation (Beauty Salon). The exception was granted limiting the home occupation to two (2) salon chairs on the subject property.

CBOA-652 April 15, 1986: The Board of Adjustment denied a Special Exception to allow a home occupation (excavating company) in an RS district; and denied a Variance to allow a detached accessory building in the rear yard to exceed 750 sq. ft. to 1,440 sq. ft.; finding that the excavating company would not be compatible with the residential neighborhood; and finding that a hardship was not demonstrated by the applicant that would justify the variance requested; located at 1641 E. 56th St. and is abutting to the west of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 4.5+ acres in size and is located northeast corner of East 56th Street North and North Utica Avenue. The property appears to be vacant and is zoned RS/AG.

<u>SURROUNDING AREA</u>: The subject tract is abutted on the east by vacant property, structures, zoned RS, CS; on the north by vacant property, zoned AG; on the south by residential uses, zoned RS; and on the west by residential and vacant property, zoned RS and AG.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates 56th Street North as a Secondary Arterial.

STREETS:

East 56th Street North, North Utica Avenue

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 56 th Street North	4 lanes	100 feet	2 lanes
North Utica Avenue	Residential Collector	60 feet	

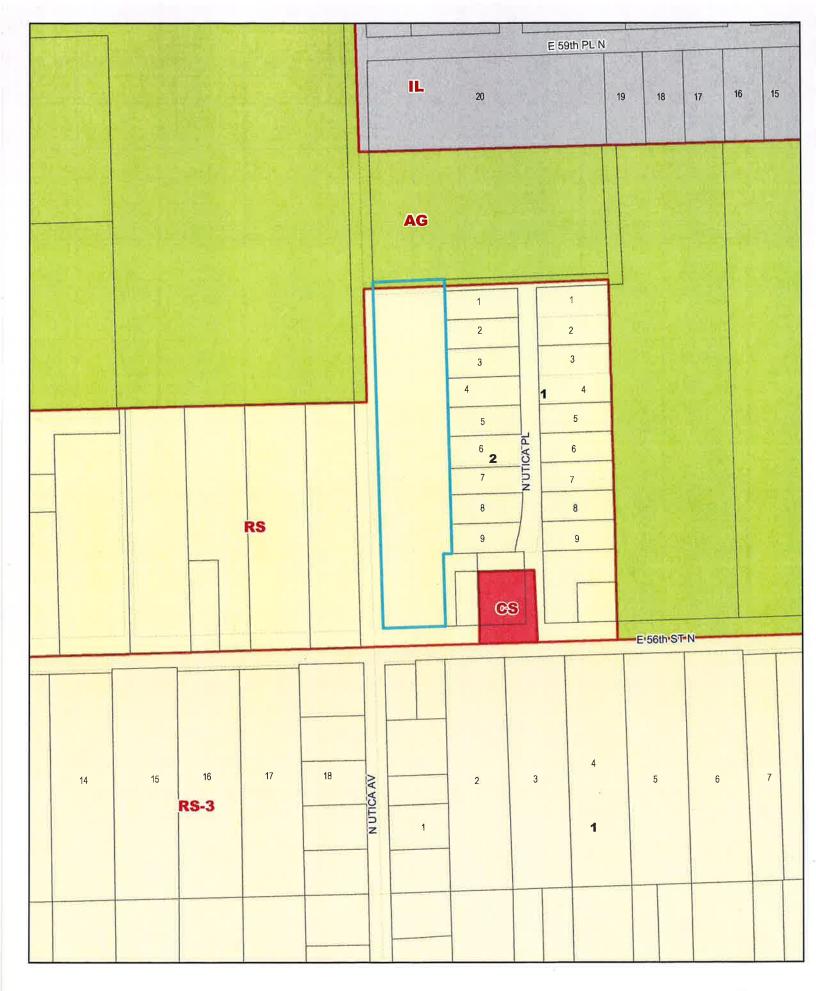
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The North Tulsa County Plan does not designate a planned use for the property. The old Comprehensive Plan for District 24 viewed this area as Low Intensity and CS zoning would not be in conformance with the plan. (All plans for the area are very old and need to be revisited and updated.)

STAFF RECOMMENDATION:

There have been several Board of Adjustment cases to allow the beauty salon use and additional beauty "chairs" on the site. There is a small CS commercial zoning located east of the site, and there is a property in between the requested rezoning and this existing CS zoning. The property is surrounded by RS residential zoning and a subdivision plat. Without the use of a Planned Unit Development overlay or perhaps revising the request to a smaller sized parcel, the request represents a case for spot zoning at the current time. There is a lot of vacant property in the area and further north an IL zoned industrial property. Staff recommends **DENIAL** of the request as presently proposed.

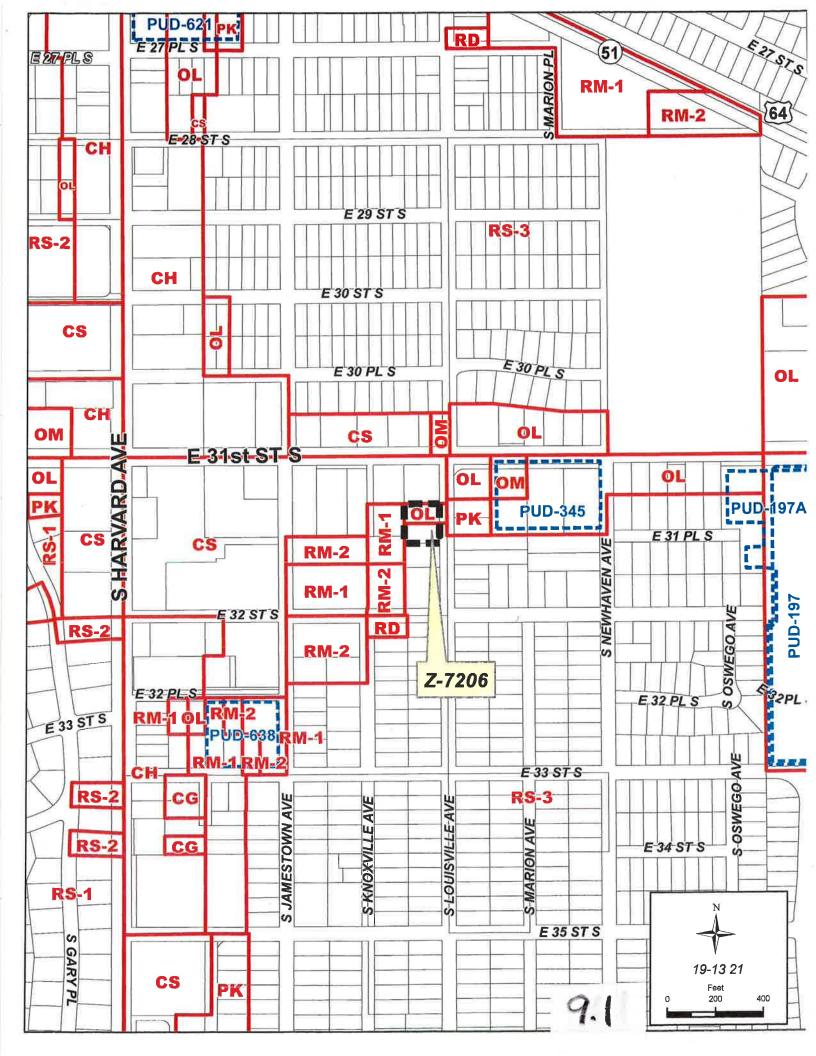
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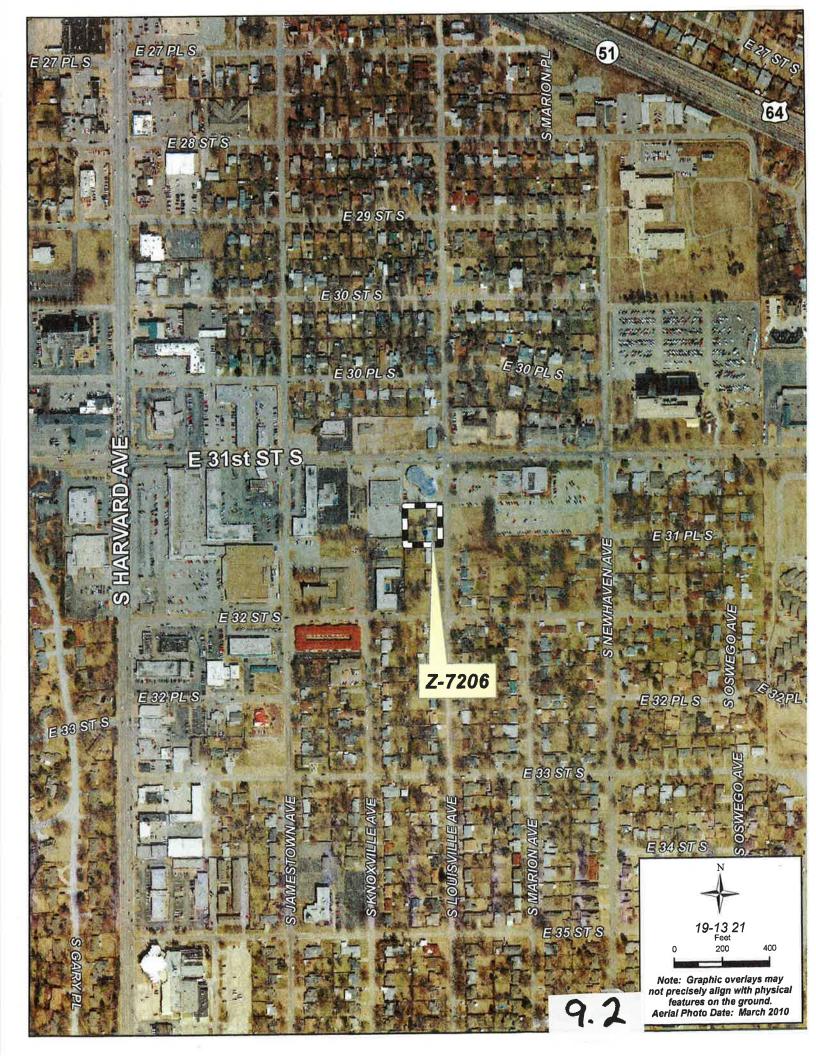


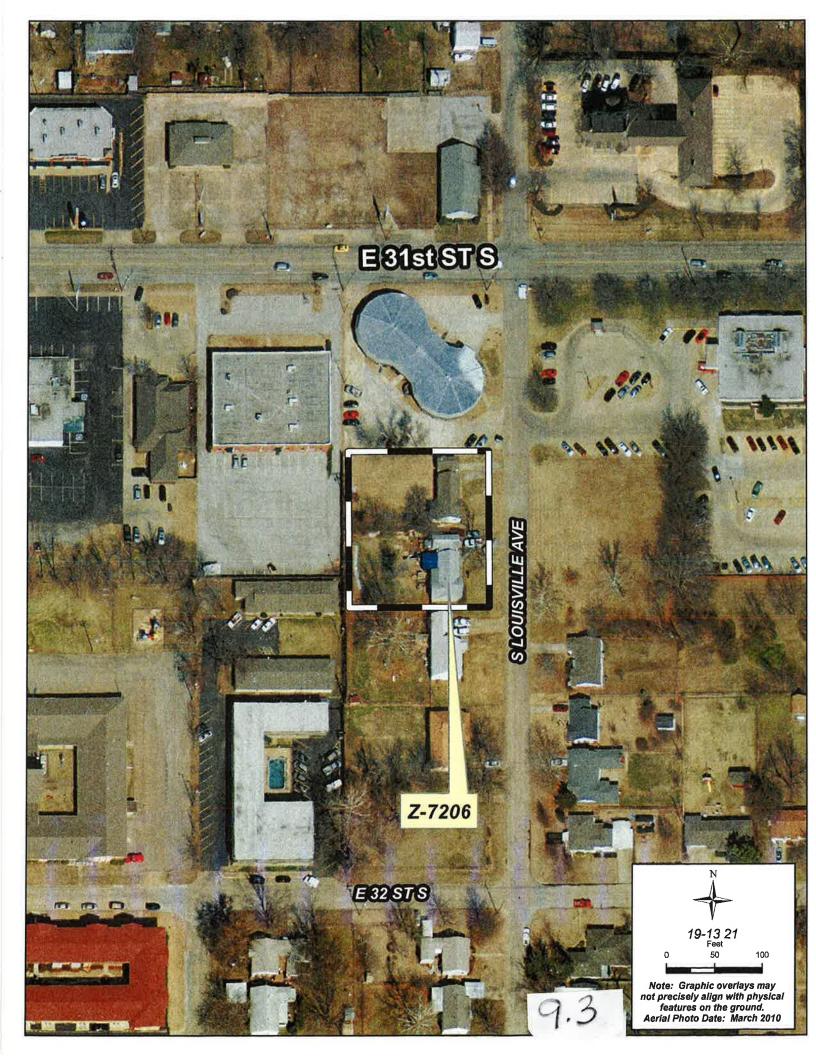
Case # To Whom it may concerni Rei Propale located of 1703 \$. 56 St.N. Tulsa OK >4130 We the undersigned hie in close proximity To Mp. Falirera Sirans new Residence, told 27 her wish to add 2 more Chairs to her home trased busines, and We have no objections at all. Please grant Mrs. We feel it may help

the nieghborhood, We support her wishes wishes Marie Adderso Phone Thomas 14708.56th SIN 9183986761 Thasey Bayarer 1470 E. Stet St. N 9183986761 Chamlotte 5/mm on 5 1508 E5657 M 9184026637 Jenvis Burngha 1530 €, 56th St. N. 9184285255 Edward Franklin 791 E. Seminolost. 9189020515 Charles, Brann 718-4097764 What Men 1640 E Sto St V. Tubiolla 9183780931 Corey Dumas 1710 E5651 N TUISA OKIA 918 949-1542 Billy myers 1720 E 56st N. TulsA okla 918-625-8708 Sam Naras 1805 56 54 N TULSACKUA918 373-1846 Nathaniel Morrow 1641 E. 56th St.N Julsa Ok. 918-425-6863 Syb; 1 Tennyson 1563 E 565+ 918425-2410 CAROLYN LUCIAHART 1530 ESL STNO 918 425174

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TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: Z-7206

TRS 9321

Atlas 185

CZM 47

CD-9

TMAPC Hearing Date: July 25, 2012

(Continued from July 11, 2012)

Applicant: Robert Winchester

Tract Size: .56 + acres

24,376+ square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of East 31st Street and South

Louisville Avenue

EXISTING ZONING:

RS-3/OL

EXISTING USE:

Rental and vacant

PROPOSED ZONING: OL/CS

PROPOSED USE: Office

ZONING ORDINANCE: Ordinance numbers 21984 dated January 23, 2009 and 11823 dated June 26, 1970, established zoning for the subject properties.

RELEVANT ZONING HISTORY:

Z-7121 January 2009: A request was made for rezoning a 12,188+ square foot tract of land from PK to OM. All concurred in denial of OM and approval of OL zoning for office use, on property located south of southwest corner of East 31st Street and South Louisville Avenue and is a part of the subject property.

Z-6825 September 2001: All concurred in approval of a request for rezoning a 5+ acre tract of land from RS-3 to PK for parking on property located south of southwest corner of East 31st Street and South Louisville Avenue.

Z-6227 January 1989: All concurred in approval of a request to rezone a 1.3± acre tract from RS-3 to OL on the north 150' and PK zoning, on the south tract located on the southeast corner of East 31st Street South and South Louisville Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .56+ acres in size and is located south of the southwest corner of East 31st Street and South Louisville Avenue. The property is rental and vacant and is zoned RS-3/OL.

SURROUNDING AREA: The subject tract is abutted on the east by a parking lot zoned PK; on the north by an office use, zoned CS; on the south by single-family residential uses, zoned RS-3; and on the west by a parking lot adjacent to an apartment building, zoned RM-1.

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

TRANSPORTATION VISION:

The Comprehensive Plan does not designate South Louisville Avenue.

STREETS:

<u>Exist. Access</u> <u>MSHP Design</u> <u>MSHP R/W</u> <u>Exist. # Lanes</u>

South Louisville Avenue N/A N/A 2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

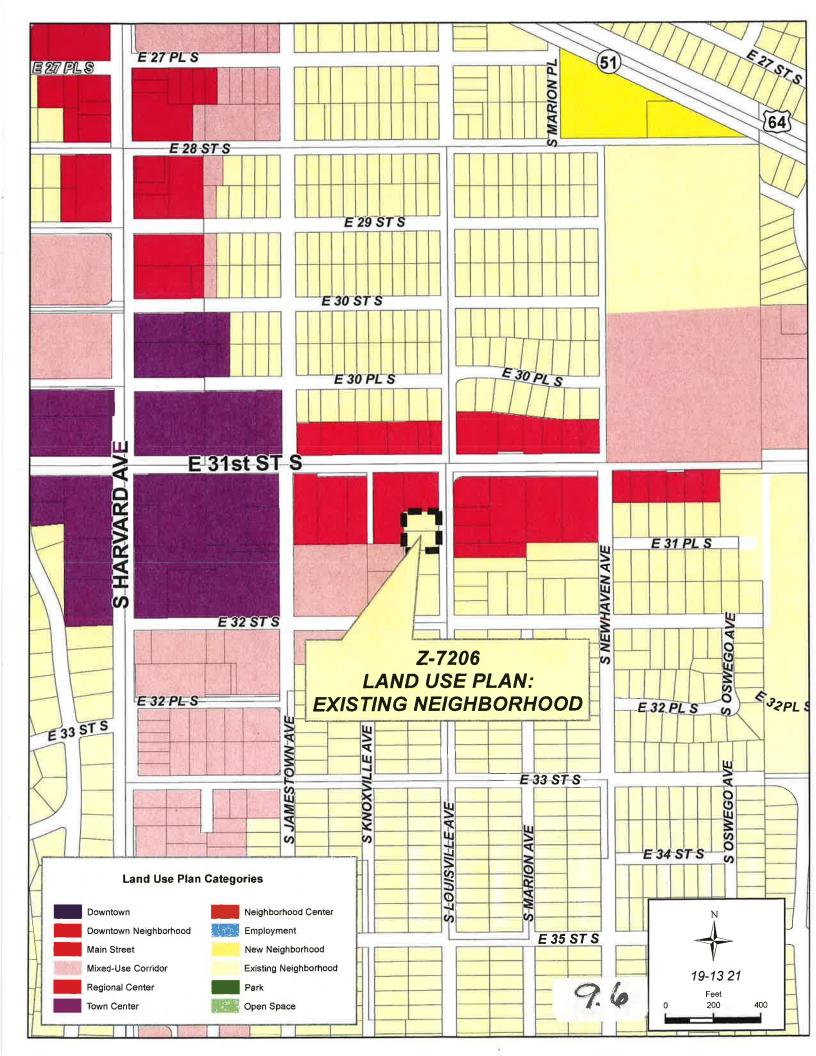
The Comprehensive Plan calls for this area to be an Existing Neighborhood. East 31st Street, which this property does not abut, is designated as a Mixed Use Corridor. Existing Neighborhoods are so designated due to their stage of development and in anticipation of the continuance of that type of land use. The plan also designates it as an area of Stability, again based on its history.

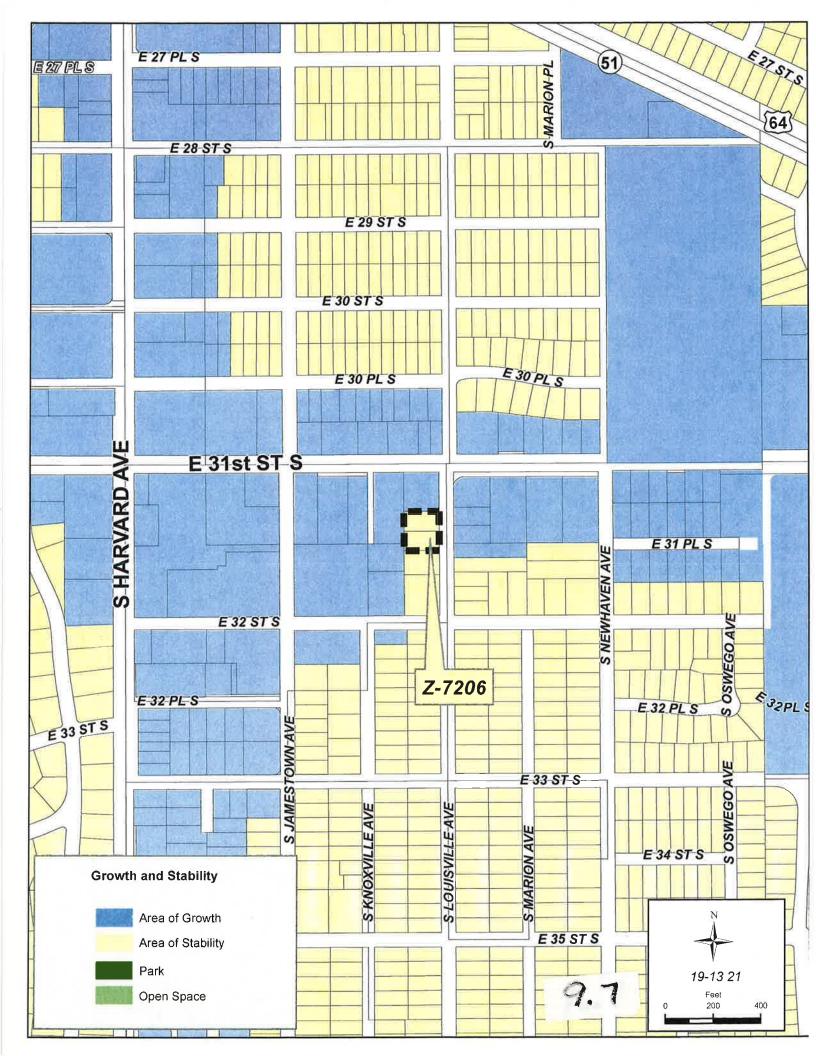
STAFF RECOMMENDATION:

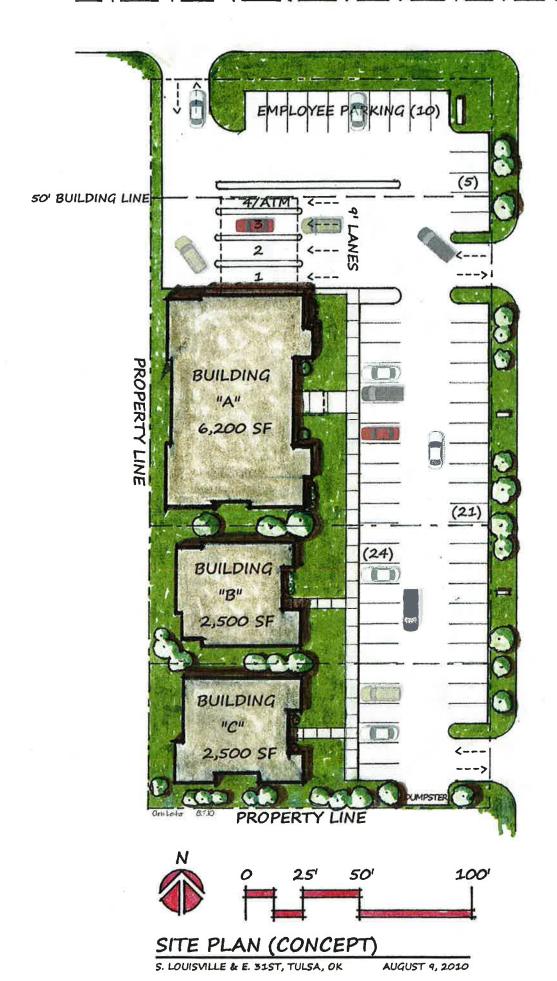
Based on the Comprehensive Plan and the existing single-family residential uses to the south, staff cannot support the requested OL/CS zoning. Therefore, staff recommends **DENIAL** of OL/CS zoning.

Staff has taken under consideration the amended request to OM zoning for the property as proposed at the July 11, 2012 planning commission meeting. The OM zone allows no height restriction. The OL zone has a one-story height limitation. Staff can not recommend OM zoning for the subject site because of the existing residential structure and use immediately south of the property. If the Commission decides that OL zoning is appropriate on the subject lot to align to PK zoning across the street, there would be a one-story height limitation and a 30% limitation on site floor area next to the residential use. Without a PUD, the screening requirement between the OL and RS-3 zonings will require a screening fence or wall along the property line.

7/25/12







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3/14 5. Casis U. 1/2

3110 5. Lossville



3/14 5, Louis Ma

3110 S. Lousolle



East Side of 3114 & Lousviller (Tulsa Teaches Coedit Union)

9.12





OFFICAL RECORD EXHIBIT "
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