

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2641**

**January 09, 2013, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> 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:**

Consideration of revised "Policies and Procedures and Code of Ethics of TMAPC"

### **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.**

1. **LS-20568** (Lot-Split) (CD-2) - Location: Northeast corner of West 53<sup>rd</sup> Street South and South 36<sup>th</sup> West Avenue
2. **LC-446** (Lot-Combination) (CD-4) - Location: Southwest corner of East 11<sup>th</sup> Street South and South Louisville Avenue
3. **LC-447** (Lot-Combination) (CD-2) - Location: Northeast of the Northeast corner of South 75<sup>th</sup> Street South and South Riverside Parkway
4. **LC-448** (Lot-Combination) (CD-8) - Location: West of the intersection of South Knoxville Avenue and East 103<sup>rd</sup> Street South
5. **LS-20569** (Lot-Split) (CD-8) - Location: Southwest of the Southwest corner of East 116<sup>th</sup> Street South and South Sheridan Road (Related to LC-449)
6. **LC-449** (Lot-Combination) (CD-8) - Location: Southwest of the Southwest corner of East 116<sup>th</sup> Street South and South Sheridan Road (Related to LS-20569)
7. **LC-450** (Lot-Combination) (County) - Location: South of the Southeast corner of North Erie Avenue and East 66<sup>th</sup> Street North



8. **LC-451** (Lot-Combination) (CD-5) - Location: Northeast of the Northeast corner of South Sheridan Road and East 46<sup>th</sup> Street South
9. **LC-452** (Lot-Combination) (County) - Location: West of the Southeast corner of North Memorial Drive and East 120<sup>th</sup> Street South
10. **PUD-136-A – Douglas Huber Architects/Dr. Stacey**, Location: West side of South Yale Avenue at East 74<sup>th</sup> Street South, Requesting a Detail Site Plan for a medical office building in Development Area One of Silver Ridge Office Park, OL, (CD-2)

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:**

**COMPREHENSIVE PLAN PUBLIC HEARINGS:**

11. **Consider Adoption of “The Brady Arts District – A Small Area Plan” as an amendment to the 2010 Tulsa Comprehensive Plan. Resolution No. 2641:906**

**PUBLIC HEARINGS:**

12. **PUD 307 C** – Plat Waiver, Location: 2021 East 71<sup>st</sup> Street South, Lot 1, Block 1, Camp Shalom Amended II, (8306), (CD 2)
13. **CZ-422 – HRAOK, Inc.**, Location: North of northwest corner of North Memorial Drive and East 116<sup>th</sup> Street North, Requesting rezoning from **AG to RS**, (County)

**OTHER BUSINESS**

14. **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](http://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.

## **TMAPC Staff Report**

**January 9, 2013**

### **Revised “Policies and Procedures and Code of Ethics of TMAPC”**

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**Item for consideration:** Adoption of revised *“Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission,”* which includes a new section (Section III) to address the Comprehensive Plan.

**Background:** Since the adoption of the new Comprehensive Plan in July 2010, there has been a need to develop and define a process for various types of items that require some sort of attention from the perspective of the Comprehensive Plan. In response to this need, staff has drafted revised *“Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission”* to include a section on Comprehensive Plans to clearly define these processes.

**General overview:** In addition to the need to clearly define the process for adoption of a Comprehensive Plan, there are several issues that have arisen lately that demand a documented process. This proposed section to the *“Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission”* addresses the following:

- 1) Process for updates & maintenance of the Comprehensive Plan;
- 2) Process for adopting small area plans;
- 3) Process for privately initiated Comprehensive Plan amendments – either site specific or text;
- 4) Description of how various initiatives (small area and neighborhood plans, functional plans, other initiatives and studies, etc.) should relate to Comprehensive Plan; and
- 5) Process for amendments to functional and other types of plans.

The new section (Section III) is included in the attached *“Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission.”*

**Staff recommendation:** Adopt the revised *“Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission.”*



**POLICIES AND PROCEDURES**  
**and**  
**CODE OF ETHICS**  
**of the**  
**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
  
(as Amended January 9, 2013)

**SECTION I: Policies and Procedures**

**I. GENERAL POLICIES**

**A. Name**

The name of this Commission shall be "Tulsa Metropolitan Area Planning Commission (TMAPC)", hereinafter referred to as the "Commission".

**B. Policies Regarding Meetings**

1. It is the policy of the Commission that sufficient supporting information, such as a plot plan, plat of survey, etc., be filed with an application in order for the staff and Commission to have time to evaluate the proposal. If staff concludes that sufficient supporting information has not been provided, staff shall consider the application as incomplete and shall not place the item on the agenda. If material is received by Commissioners less than 48 hours prior to a meeting, the application may be continued by a majority vote of Commissioners present at that meeting.
2. In order to help alleviate potential conflicts and assure that interested parties have adequate information, the Commission encourages applicants requesting a change in zoning or planned unit development (PUD) to meet with surrounding property owners of nearby areas prior to public hearings.
3. It shall be the policy of the Planning Commission in cases where the recommended PUD concept plan is changed from the applicant's submitted plan that a revised plan reflecting the Planning Commissions' recommendation be prepared and submitted to the Planning Commission staff for transmittal to the City Council with the minutes of the meeting.
4. It is the policy of the Commission that public comments are not encouraged at worksessions or training sessions.

## **TMAPC Rules of Procedure and Code of Ethics**

### **C. Zoning Initiated by TMAPC**

1. As a general rule, the TMAPC will not initiate applications for zoning changes without the consent of the owner or his agent, unless such application is requested by the proper legislative body.

### **D. Subdivisions and Lot-Splits**

1. **PLAT WAIVER:** It is the TMAPC's policy to waive the platting requirement for Antennas and Supporting Structures (Use Unit 4. Public Protection and Utility Facilities) and Open Air Activities (Use Unit 2. Subsection 1202.2). The Code lists Open Air Activities as: carnivals; Christmas tree sales; circuses; fruit and vegetable sales; plant sales; tent revivals; and any other sales from trucks, trailers, pickups and other vehicles.
2. **LOT-SPLITS:**
  - a. Right-of-way acquisition by the City of Tulsa requires the processing and approval of a lot-split by the Tulsa Metropolitan Area Planning Commission (TMAPC) when the City acquires only a portion of an existing lot of record. It is the policy of TMAPC to permit Staff to process such lot-splits as "prior approval lot-splits" and stamp the deed(s) for recording with the Tulsa County Clerk. TMAPC then ratifies Staff approval at the next regularly scheduled meeting of TMAPC.
  - b. No lot-split applications which require waiver of a provision of the Subdivision Regulations shall be processed as prior approval lot-splits. Such lot-splits shall require a ten-day written notice to abutting property owners (including lot owners separated only by a residential street). Deeds for such lot-splits shall not be stamped or released until the TMAPC has approved said lot-split in a public meeting.

### **E. Comprehensive Plan**

It shall be the policy of the Planning Commission to not recommend or advocate site-specific locations for such public and quasi-public uses as water storage facilities, stormwater management facilities, traffic signs and signals and other similar uses.

### **F. TMAPC Privacy**

Frequently the public asks how to contact members of the TMAPC. This may be done in one of three ways. The first is by letter correspondence to the TMAPC secretary who will deliver it to the members. The second is by-email to the TMAPC secretary, who will deliver it to the TMAPC members. The third method, if the individual wishes to speak personally with the TMAPC members, is for that individual to call the TMAPC secretary and leave a message to that effect. Staff



## **TMAPC Rules of Procedure and Code of Ethics**

will not release addresses or phone numbers of TMAPC members without that member's approval.

## **II. MEMBERSHIP AND OFFICERS**

### **A. Commission Membership (0.8.19-863.5)**

The Tulsa Metropolitan Area Planning Commission consists of eleven members, selected as follows: Six are appointed by the Mayor of the City of Tulsa and approved by the City Council, and three are appointed by the Board of County Commissioners of Tulsa County. The Mayor or a person designated by the Mayor as an alternate and the Chairman of the Board of County Commissioners or other member of the Board designated by the Chairman of the Board as an alternate shall be ex officio members of the Commission and shall be entitled to vote on all matters. Appointed members shall serve for terms of three years, and shall continue to serve until their successors are appointed. Vacancies occurring, otherwise than through the expiration of term, shall be filled only for the unexpired term in the same manner as set out above. All appointed members of the Commission shall serve without compensation and shall hold no municipal or county office.

A member of such Commission, once qualified, can thereafter be removed during his/her term of office only for cause and after a hearing held before the governing body by which he/she was appointed.

### **B. Absentees**

In order to properly conduct business, Commissioners must attend as many meetings as practical. If a Commissioner fails to attend ten regularly scheduled meetings, excluding worksession and training session, during a 12 month period the Commission may contact the appointing body to request that the Commissioner be removed and replaced.

### **C. Officers**

1. Annually, on the first Wednesday in January, the Commission shall elect from its appointed members a Chair, a First Vice-Chair, a Second Vice Chair and a Secretary. No Commission member shall hold the same office for more than two consecutive full one-year terms. Any vacancy in office shall be filled by the Chair for the unexpired term only.
2. The duties of the Chair shall include:
  - (a) Presiding over meetings when present, unless the Chair designates another member to preside;
  - (b) Appointing commissioners to serve on other governmental agency committees;
  - (c) Establishing ad hoc committees as the Chair deems necessary and appointing members and chairs to that committee;
  - (d) Signing official documents of the Commission; and

## **TMAPC Rules of Procedure and Code of Ethics**

- (e) Representing the Commission before other governmental bodies, unless the Chair designates another member or a member of the Commission's staff.
- 3. The First Vice-Chair shall assume all of the duties of the Chair during the Chair's absence. The First Vice-Chair shall work in consultation with staff to arrange training sessions and acquire training material for the benefit of the Commission.
- 4. The Second Vice-Chair shall assume all of the duties of the Chair during the Chair's and the First Vice Chair's absence.
- 5. The Secretary shall keep or cause to be kept full and complete minutes of all public hearings of the Commission and shall assume all duties of the Chair in the event the Chair, First Vice-Chair and Second Vice-Chair are absent. The Secretary shall attest the Chair's signature on all documents and receive all District Court appeals from any action of the Commission. In the event the Secretary is not present, the First Vice-Chair or Second Vice-Chair, in that order, will assume the Secretary's duties.
- 6. Each of the officers above named shall be entitled to participate in discussion and vote on any question before the Commission, whether occupying the position of the Chair or not.

### **III. MEETING PROCEDURES**

#### **A. Quorum**

A numerical majority of six of the full membership of the Commission, including the ex officio members thereof shall constitute a quorum for the conduct of any Commission business except at Worksessions where four members shall constitute a quorum.

#### **B. Training and Worksessions**

- 1. The TMAPC shall meet as a committee of the whole in a worksession on the third Wednesday of the month, or at call of the Chair, unless the Chair determines that such a meeting is unnecessary. The TMAPC Chair shall preside or designee.
- 2. The purpose of the worksession shall be to discuss work items and Planning Commission issues, to share other information and determine whether work items are ready to be considered at regular TMAPC meetings. TMAPC shall take no final action on work items while in Worksessions. Generally, special requests coming to the Commission for consideration shall be reviewed by the Commission in the worksession prior to action, if appropriate, at the regular TMAPC meeting.

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3. To assist Commissioners in their job, the TMAPC shall hold regular training sessions at times and locations to be determined.

### **C. Meeting Schedule**

1. The Commission shall meet regularly on the first and third Wednesday of each month in the Tulsa City Council Chambers, 2<sup>nd</sup> Level, One Technology Center, 175 E. 2<sup>nd</sup> Street, or in another designated location, in accordance with its approved calendar.
2. Special Public Hearing meetings may be held on approval by a majority vote of the Commission. Such public hearings shall be held in the regular meeting place of the Commission.
3. Normally, land division matters and zoning public hearings will be considered on the first and third Wednesdays and Comprehensive Plan matters as needed.
4. All meeting agendas must be posted twenty-four (24) hours in advance of the meeting for all special and regularly scheduled hearings, provided that for special meetings the Tulsa County Clerk must be given notice of the date, time and place of such meeting, in writing, in person or by telephone means, forty-eight 48 hours in advance of all special Commission hearings and Committee meetings (Title 25 Oklahoma Statutes, Section 311).
5. Items to be placed on the TMAPC agenda shall meet the cut-off dates as specified on the approved TMAPC annual planning calendar. New items shall not be added to the final agenda mailed to TMAPC on Friday preceding the regularly scheduled Wednesday meeting unless authorized by the Chair.

### **D. Annual Meetings**

Once a year, at a time and place to be determined, the Commission shall meet to review Rules of Procedure and Code of Ethics, to discuss work programs, and to discuss other matters pertinent to the efficient running of the TMAPC.

### **E. General Procedures**

1. The latest edition of Robert's Rules of Order shall govern all TMAPC proceedings to which they are applicable and where they do not conflict with other adopted rules herein.
2. A waiver of the Subdivision Regulations shall require six affirmative votes by the Commission.

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3. An amendment to the Tulsa Comprehensive Plan, including the Tulsa City/County Major Street and Highway Plan, shall require six affirmative votes by the Commission.
4. The Commission may grant a continuance of a scheduled public hearing or other business item at the request of the applicant or another interested party. A request for a continuance should be made in writing and must contain the reasons for the request. In considering the request, the Commission may consider the timeliness of the request, the reasons given for the request, and the inconvenience created.

### **F. Notification**

1. The Commission shall provide notices for all public hearing items as prescribed by the Zoning Code and Subdivision Regulations. Methods of notification for public hearing items for zoning changes include giving at least twenty (20) days notice of the public hearing by: publication in a newspaper, posting of a sign on the affected property and by mailing written notice to all property owners within 300-foot radius of the exterior boundary of the affected property. The method of notice for proposed subdivision plats shall be by mailing a written notice of any proposed preliminary plat to the owners of property abutting the proposed plat a minimum of fifteen (15) days prior to the hearing. Also all commission meeting agendas are posted on the TMAPC website at least five (5) days prior to the hearing.
2. The Commission shall consider only public hearing items that have been properly advertised, as required by law, and only those items in which all fees have been paid, including fees for legal advertising.
3. Interested parties speaking on an agenda item for Corridor (CO) or PUD applications will be given notice of future related items appearing before the TMAPC if requested. These include such items as minor amendments, detail site plans, preliminary plats, and final plats.

### **G. Public Hearing Procedures**

1. The Commission may grant an early zoning public hearing, if properly advertised and notice given, upon receipt of a letter setting out the reasons for the need of an early public hearing.
2. Staff recommendation on advertised matters shall be written and made part of the file (public record) five days in advance of the advertised public hearing date.

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3. Form of Address: Each commissioner shall address only the presiding Chair for recognition; and shall confine their remarks to the question under debate.
4. Public Participation: Any member of the public may address the Planning Commission at a regular or special meeting after signing in for a specific item. When recognized by the Chair, a member of the public should state their name and address.
5. Limitation of comments: The Chair may rule comments out of order if it is redundant, irrelevant, indecorous or untimely.
6. Motions: The Chair shall restate motions before a vote is taken and shall state the maker of the motion and the name of the supporter.
7. The order of business for a public hearing shall be determined by the Chair; however, the following is provided as a guide:
  - (a) Chair announces the application and asks if the applicant is present and if there are any interested parties who wish to address the Commission.
  - (b) Chair asks staff for summary of the case and the physical facts of the area involved.
  - (c) Chair asks for staff recommendation, together with the reasons for the recommendation, and to provide, as part of that written recommendation, whether the request is, is not, or may be found, in conformance with the Comprehensive Plan.
  - (d) Chair calls on the applicant for a presentation, not to exceed 15 minutes for a zoning application, 20 minutes for a PUD or Corridor application or a joint PUD/zoning application. If the applicant presents a significantly changed application and/or Outline Development Plan from that submitted for staff review (determined by staff and TMAPC at the time of the presentation), such action is considered grounds for continuance.
  - (e) Chair calls on interested parties or protestants, and may direct that a time limit per speaker be imposed. Those wishing to speak must use the sign-in sheet.
  - (f) Applicant is given the opportunity to rebut, time not to exceed ten minutes. If applicant, in the Chair's opinion, should present new facts or information, the Chair may allow the protestants time to rebut same.
  - (g) Chair announces the public hearing is closed on the case and opens the review session, during which the Commission will discuss the case among themselves and make a recommendation.
  - (h) During the review session, which shall be open and public, no new evidence shall be admitted unless specifically requested by a member of the Commission. The Commission's recommendation shall be decided by a majority vote of the members present.

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- (i) The Chair shall announce the vote.
- 8. In the event the final vote on any zoning matter before the Commission results in a tie, such tie vote shall result in the matter being transmitted to the City Council as a tie vote, without recommendation.
- 9. The Commission shall not rehear a zoning application on the same property for a period of six months after action on the application has been taken by the Commission, unless said application is amended to a land use which is in accordance with the Comprehensive Plan.
- 10. The transmittal of applications for a zoning map amendment to the City Council in those instances where the applicant, staff and Commission are all in agreement and there are no interested parties will occur following the Commission hearing without minutes. All other applications will be transmitted when the meeting minutes are prepared.
- 11. Reconsiderations: A motion to reconsider an item on which a vote has been taken may be made only by a Member who voted with the prevailing side. If a motion to reconsider is adopted, the Members shall consider the need for additional notice to interested persons before a vote is taken on the item being reconsidered.

### **H. Development**

- 1. **VARIANCES OF SECTION 206. STREET FRONTAGE REQUIRED:**  
Applicants proposing developments using a combination of private street(s) and a variance of the required 30 feet of frontage on a public street should instead be required (to the extent possible) to develop their project as a PUD, excepting a proposed townhouse development.
- 2. **COMPATIBILITY REVIEW:**  
A development project where rezoning is required shall be reviewed not only for compatibility with surrounding zoning patterns and land uses, but also for compatibility of the proposed intensities with surrounding intensities of like uses. Where review shows the potential exists for creating an intensity on the tract that is significantly different from that surrounding the tract, development of the project through the use of the PUD is encouraged. When reviewed as a PUD, it shall meet the test of being in harmony with the existing and expected development of surrounding areas (Section 1107.D.2, Zoning Code, City of Tulsa).
- 3. **PUD DETAIL PLAN REVIEW:**  
The staff of the TMAPC shall review and approve, approve with conditions or deny all Detail Sign and Landscape Plans and minor revisions to previously approved Detail Site Plans unless specifically directed by the TMAPC to present the Plans to the Commission for

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review. Prior to approval of any Detail Plans, the staff shall ascertain that the Plan complies with all PUD and Zoning Ordinance provisions. If the Plan does not comply with such requirements, the staff shall approve the Plan subject to conditions which bring it into compliance or deny the Plan.

If the applicant or interested parties disagrees with the decision of staff, they may appeal the staff decision as provided for in Section 1107C of the Tulsa Zoning Code.

The staff shall provide periodic reports to the TMAPC of Detail Plans they have approved or approved with conditions. If staff is uncertain as to whether a Detail Plan complies with the requirements of a PUD, staff shall place the items on the TMAPC agenda and the Planning Commission shall determine if the Plan is in compliance.

### **4. PROCEDURES FOR PROCESSING URBAN RENEWAL PLAN (URP) AMENDMENTS:**

In keeping with Oklahoma statutory requirements, the Tulsa Development Authority (TDA) periodically requests that TMAPC review proposed amendments to the URP for conformance with the Comprehensive Plan. If a proposed URP amendment is not in accord with the Comprehensive Plan, an amendment to the respective District Plan must be processed prior to or concurrently with TMAPC review of the proposed URP amendments.

The foregoing points apply to proposals that lie within existing designated Urban Renewal areas. However, additional Urban Renewal areas may be created and amendments to the respective District Plans may need to precede the Urban Renewal area designation.

### **5. PROCEDURES FOR PROCESSING MINOR AMENDMENTS TO APPROVED CO SITE PLANS:**

Minor changes in the proposed corridor development may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved site plan and the purposes and standards of Section 805, Zoning Code, City of Tulsa. Changes that would represent a significant departure from the site plan shall require compliance with the notice and procedural requirements of an initial site plan review and approval. The following shall be considered minor amendments.

- (a) Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered.
- (b) Limitation or elimination of previously approved uses, provided the character of the development is not substantially altered.

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- (c) Increases in dwelling units, provided the approved number of dwelling units is permitted by the underlying zoning and the density of a development area is not increased more than 15%.
- (d) Increases in permitted non-residential floor area, provided the increased floor area is permitted by the underlying zoning and the floor area of a development area is not increased more than 15%.
- (e) Modification of the internal circulation system, provided the system is not substantially altered in design, configuration or location.
- (f) Changes in points of access, provided the traffic design and capacity are not substantially altered.
- (g) Addition of customary accessory buildings and uses within the delineated common open space of a residential development area, including but not limited to swimming pools, cabanas, security buildings, clubhouses and tennis courts.
- (h) Location of customary residential accessory buildings and uses on an adjoining single-family residential lot within a residentially developed area including but not limited to a swimming pool, cabana, garage and tennis court, provided an agreement has been recorded by the owner prohibiting the conveyance of the lot containing the accessory use separate from the conveyance of the lot containing the principal use.
- (i) Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Corridor Plan, the approved Corridor Standards and the character of the development are not substantially altered.
- (j) Lot-splits which modify a recorded plat and which have been reviewed and approved by the Technical Advisory Committee (TAC).
- (k) Home occupations which meet the requirements of Section 404.B Home Occupations, of the Zoning Code.
- (l) Modifications to approved signage, provided the size, location, number and character (type) of the sign(s) is not substantially altered.
- (m) Modifications(s) to approved screening and landscaping plans, provided the modification(s) is not a substantial deviation from the original approved plan.
- (n) Changes from multifamily (apartments) to duplexes, townhouses or detached single-family, thereby reducing the number of permitted dwelling units.

Ten days notice of public hearing shall be given for minor amendments by mailing written notice to all owners of property within a 300-foot radius of the exterior boundary of the subject property.



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If the Planning Commission determines that the proposed amendment, if approved, will result in a significant departure from the approved Corridor Site Plan or otherwise change the character of the Site Plan significantly or that the cumulative effect of a number of minor amendments substantially alters the approved Site Plan, then the amendment shall be deemed a major amendment. Major amendments shall comply with the notice and procedural requirements of Section 805. Site Plan Review.

6. TENT AND OPEN AIR SALES IN PUD:
  - (a) Accessory tent sales are to be processed by TMAPC as site plan approvals.
  - (b) Principal use tent sales are to be processed by the Board of Adjustment.

## **SECTION II: Code of Ethics**

### **Definitions**

1. PRIVATE BENEFIT means a direct or indirect benefit not shared by the general public that could be reasonably expected to impair a Commissioner's objectivity or independent judgment.
2. ORGANIZATIONAL INTEREST exists when a Commissioner is an officer, director or board member of a company, business, or organization that takes an official position before the Planning Commission.
3. EX PARTE COMMUNICATION means a private communication with a Commissioner from a party with an interest, financial or otherwise, in a particular matter before the Planning Commission.

### **B. Conflict of Interest:**

1. A conflict of interest exists whenever a Commissioner
  - a. may receive a private benefit; or
  - b. has an organizational interest regarding a matter before the Planning Commission;
  - c. has any economical interest, directly or indirectly, in a matter before the Planning Commission or in action to be taken by the Planning Commission.

The possibility, not the actuality, of a conflict of interest should govern. *The question is, "Would a reasonable person believe me to be unbiased and impartial?"*

2. A Planning Commissioner experiencing a conflict of interest should declare his interest publicly, abstain from voting on the matter, and should refrain from any deliberations on the matter. When possible, the Planning Commissioner should leave the public hearing room.
3. A Planning Commission member experiencing a conflict of interest should not discuss the matter in any venue other than the public hearing with any fellow TMAPC member,

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staff or other officials involved in decision making on the matter for the purpose of influencing a decision thereon.

### **C. Ex Parte**

1. Although not forbidden, per se, ex parte communication has the potential to influence a Planning Commissioner's decision on quasi-judicial matters before the Commission. The Planning Commissioner who receives ex parte communication may, if he or she feels that it is appropriate, disclose this prior to public discussion of the subject matter.
2. The Commissioner should also evaluate whether, as a result of this communication, he/she can remain unbiased and impartial and should either abstain or participate accordingly. As with a potential conflict of interest, the appearance, not the actuality, of bias should govern.

### **D. Release of Information:**

1. No Planning Commissioner or staff member shall use or transmit to others for private benefit any information derived from Planning Commission activities unless and until such information is made available to the public at large.
2. No Planning Commissioner or any person appearing before the Planning Commission shall knowingly misrepresent facts or distort information for the purpose of achieving a desired outcome.

### **E. Appearance at City Council**

1. Planning Commissioners who appear at City Council public hearings on matters which were considered by the Planning Commission should do so as representatives of the majority opinion. Only the person designated by the Chair shall be the official spokesperson for the Planning Commission. The official spokesperson for the Commission shall, to the best of his or her ability, present an unbiased record of the proceedings and the decision of the Commission. The official spokesperson shall not present new facts or arguments that were not made available at the hearing before the Commission.
2. Nothing herein would deprive a Planning Commissioner of the right to speak at a public hearing. If a Planning Commissioner chooses to speak at a public hearing, and he or she has not been designated as the spokesperson by the Chair, that Commissioner must state that:
  - a. Though they are a Planning Commissioner, they are before the City Council as an individual, and not on behalf of the Planning Commission; and
  - b. They have no authority to make representations regarding the Planning Commission's public meetings, thought processes, or decision-making.
3. If a Planning Commissioner other than the one designated by the Chair intends to speak at a public hearing on a matter upon which the Planning Commission has previously voted, he or she must notify all members of the commission that intention at least 24 hours prior to the public hearing.

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### **F. Violation of Codes of Ethics**

1. The Planning Commission or any Planning Commissioner may refer a violation of these Code of Ethics for a hearing before the governing body by which he/she was appointed.

## **Section III: Comprehensive Plan**

The TMAPC derives its authority to adopt and amend a comprehensive plan under the provisions of Title 19 Oklahoma Statutes, Section 863.7. The Comprehensive Plan of the Tulsa Metropolitan Area was originally adopted on June 29, 1960, and was subsequently amended on numerous occasions. The current Comprehensive Plan for the City of Tulsa was adopted by the TMAPC on July 6, 2010 and approved by the Tulsa City Council on July 22, 2010 and retains various small area and functional plans. The 2010 Comprehensive Plan has been and will likely continue to be amended from time to time to recognize new small area and functional plans.

The purpose of this section is to provide a clear process for updates, maintenance and amendments to the Comprehensive Plan as it relates to TMAPC. In addition, a process is defined as to how various initiatives (small area and neighborhood plans, functional plans, capital improvement plans, other studies, etc.) should relate to the comprehensive plan.

### **A. Regularly Scheduled Updates and Maintenance**

The Comprehensive Plan states that the Land Use Plan and Stability and Growth Map “should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually.” (p. LU-75)

TMAPC staff will establish a system to track all housekeeping amendments needed to reflect development approvals and present a comprehensive plan amendment to TMAPC annually, generally in July. These annual amendments will include updates to the Land Use Plan and, if necessary, changes to the Growth and Stability Maps. It is expected that City of Tulsa will prepare an update to the Comprehensive Plan in five year intervals based on new projections recommending adjustments.

### **B. Small Area Plan Adoption process**

The Comprehensive Plan outlines a process for adoption of small area plans in the Appendix, pp. 9 & 10. It generally states that when the small area plan has been drafted, following the multi-agency review and public participation process, the draft plan document will be presented to the TMAPC at a work session. At the work session, the TMAPC will review the plan content and for consistency with the Comprehensive Plan. Also, the TMAPC will announce if and when the document is ready for public hearing. [Note: notice must be published at least 15 days prior to the adoption hearing.] TMAPC will conduct the public hearing, consider the plan based on the findings and public testimony presented, and consider adoption of the small area plan as an amendment to the Comprehensive Plan.

**C. Privately initiated Comprehensive Plan amendments**

**1. Amendments of the Comprehensive Plan Generated by Proposed Zoning Changes**

During the initial review of an application to the TMAPC for approval of Zoning, PUD, Corridor Development Plan or PUD Major Amendment, TMAPC staff shall determine if the proposal is consistent with the Comprehensive Plan map designation. If staff determines that the proposal is inconsistent with the Comprehensive Plan map designation, and further determines that the deviation from the purpose and intent of the Comprehensive Plan is minor in nature, the application for approval of Zoning, PUD, Corridor Development Plan or PUD Major Amendment shall be set for hearing by the TMAPC and, if approved, the Comprehensive Plan shall be amended to reflect the approved land use as a part of the annual housekeeping amendments. If staff determines that the proposal is inconsistent with the Comprehensive Plan map designation, and further determines that the proposal represents a significant deviation from the purpose and intent of the Comprehensive Plan, an application to amend the Comprehensive Plan shall be required to run concurrently with the application for approval of Zoning, PUD, Corridor Development Plan or PUD Major Amendment. In such instance, staff shall inform the applicant, within 15 days of receipt of the application for approval of Zoning, PUD, Corridor Development Plan or PUD Major Amendment, that an application to amend the Comprehensive Plan is required and shall provide an application form for completion by the applicant. The requirement for a concurrent application for Comprehensive Plan amendment may necessitate an extended timeframe of review.

**2. Amendments of the Comprehensive Plan Not Generated by Proposed Zoning Changes**

Should any person, corporation, partnership, limited liability company, or other association request an amendment of the Comprehensive Plan that is not generated by a proposed zoning change or development proposal as described above, the party requesting the amendment shall submit an application for amendment of the Comprehensive Plan on the form provided by the TMAPC staff. TMAPC staff shall review and present the application to the TMAPC within 30 days of receipt of the application, and the TMAPC shall determine whether to initiate the requested amendment. Should the TMAPC initiate the requested amendment, TMAPC staff shall, in coordination with City of Tulsa Planning Staff, prepare a recommended timeline for staff review and recommendation regarding the proposal and shall submit the recommended timeline to the TMAPC at its next scheduled meeting.

**D. Relationship of various initiatives to the Comprehensive Plan**

The purpose of the Comprehensive Plan, as stated in the adopting Resolution No. 2581:900 is to bring about coordinated physical development in an area in accord with present and future needs and is developed to conserve the natural resources of an area, to ensure the efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity, and general welfare of the people of the area. It is the purpose and intent that the Comprehensive Plan be a guide for many initiatives, however, few necessitate being adopted as a comprehensive plan amendment. The table below provides guidance on how various initiatives should be reviewed and/or included in the Comprehensive Plan.

<b>Items</b>	<b>Adopt as an Amendment</b>	<b>Adopt as supporting information or guidelines</b>	<b>Issue Conformance statement</b>
<b>Small area &amp; neighborhood plans</b>			
Plan and Land Use Map	<b>X</b>		<b>X</b>
Goals, objectives, policies, recommendations	<b>X</b>		<b>X</b>
Background, public process, etc.		<b>X</b>	<b>X</b>
<b>*Functional plans</b>		<b>X</b>	<b>X</b>
<b>Other types of plans, studies &amp; initiatives</b>			<b>X</b>
Capital Improvement Plans			<b>X</b>

\*Examples of Functional Plans: Major Street & Highway Plan; Trails Master Plan and Map; Arkansas River Corridor Master Plan; Zoo Master Plan, Parks Master Plan, etc.

**E. Amendments to Functional and Other Types of Plans**

Functional and other types of plans will be amended through the same process as their initial adoption. If they have been adopted as supporting information or guidelines, consideration of proposed changes that are in keeping with the comprehensive plan will be administered at a staff level to reflect current best practices or procedural changes. If a plan, study or initiative has been issued a statement of conformance with the Comprehensive Plan, staff will review proposed amendments and review against applicable plan policies. An updated statement will be issued providing specific justification to support the proposed changes if they are in fact in conformance with the Comprehensive Plan. If staff finds proposed changes to be inconsistent with the Comprehensive Plan, a staff report and draft statement of conformance will be developed and provided to the TMAPC for action.

**TMAPC Rules of Procedure and Code of Ethics**

Date Approved: January 9, 2013

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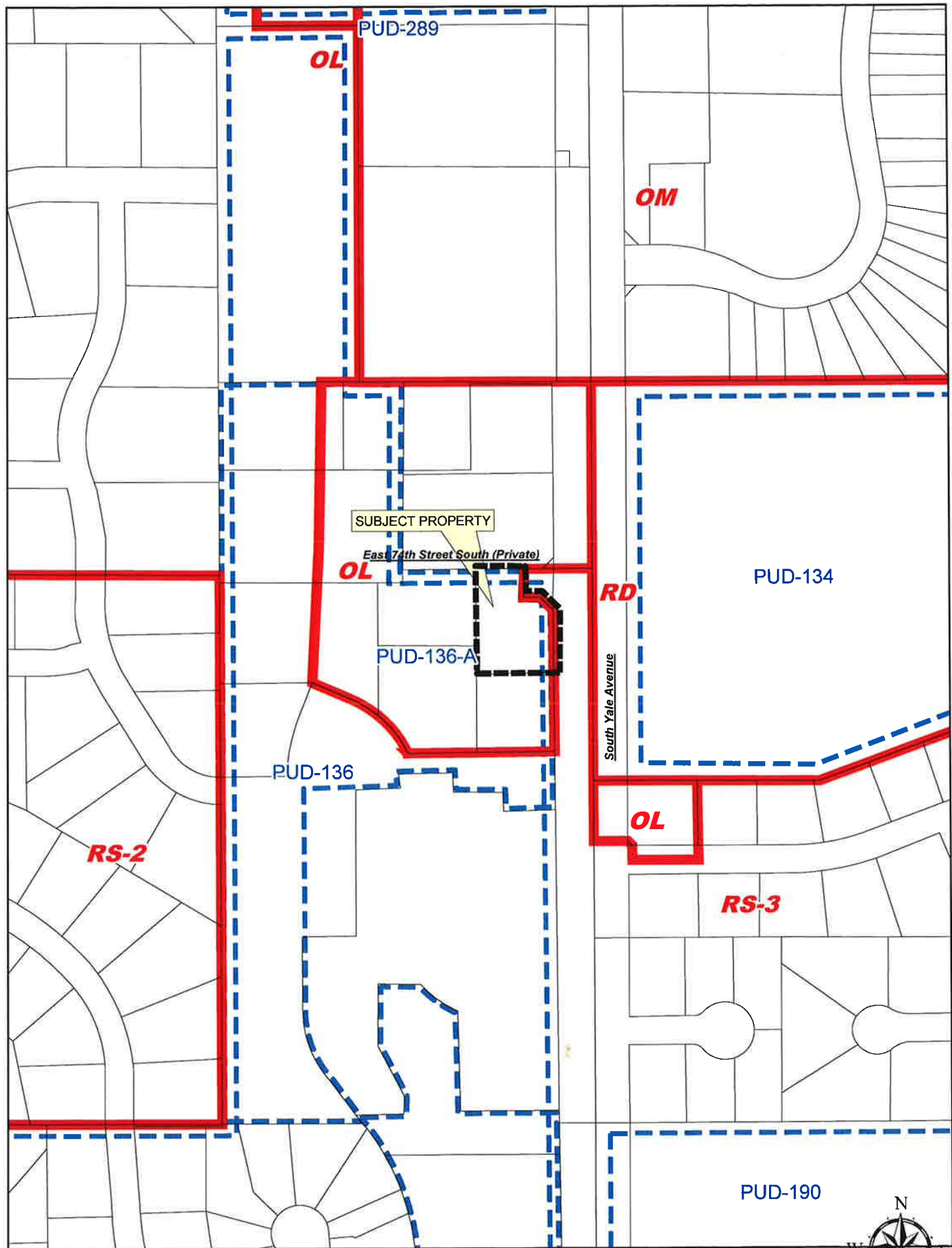
Chairman

ATTEST:

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Secretary

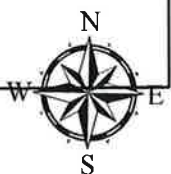
PC/ethics  
revised 1.09.13



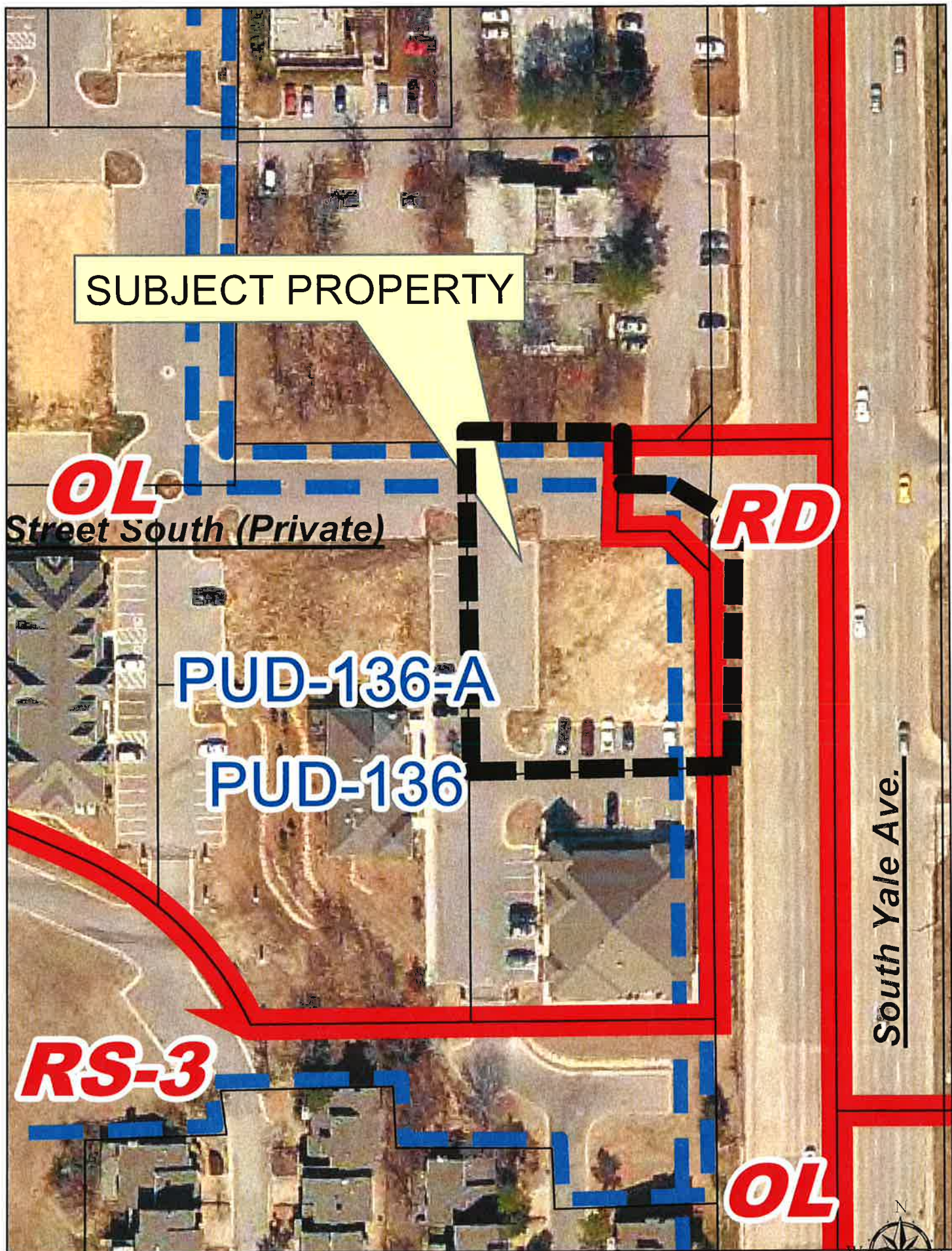
January 9, 2013

# **PUD 136-A Detailed Site Plan**

10.1







January 9, 2013

**PUD 136-A Detailed Site Plan**

10.2





January 9, 2013

## **STAFF RECOMMENDATION**

### **PUD 136-A**

**Detailed Site Plan** – A 0.53 acre tract that is part of the SE/4 of Section 09, T-18-N, R-13-E, Lot-2, Block-1 Silver Ridge. West side of South Yale Avenue at East 74<sup>th</sup> Street South; CZM 52; Atlas 1134: CD 2.

---

### **CONCEPT STATEMENT:**

The applicant is requesting approval of a detail site plan for a medical office building in Development Area One of Silver Ridge Office Park. The site has been previously platted but not developed. All the parking has been previously constructed.

### **PERMITTED USES:**

The Site Plan provided as an attachment to this staff report illustrates a new Pediatric Specialist Office (Use Unit 11) which is permitted by right in Development Area One of the Planned Unit Development.

### **DIMENSIONAL REQUIREMENTS:**

The submitted site plan meets all applicable building floor area, density, open space, and setback limitations. No modifications of the previously approved PUD guidelines are required for approval of this site plan.

### **OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The parking count exceeds the minimum required parking in the corridor district plan and meets the dimensional requirements of the Tulsa Zoning Code. Additionally a parking agreement and shared access has also been included in the Plat for the property.

### **LIGHTING:**

No additional site lighting is proposed with this site plan. Significant lighting standards apply to this PUD. Future lighting installation will require staff review prior to permitting by the City of Tulsa building permit office.

### **SIGNAGE:**

The site plan does not illustrate any proposed ground sign and none are proposed at this time. This staff report does not remove the requirement for a separate sign plan review process.

**SITE SCREENING AND LANDSCAPING:**

The landscape plan will be submitted to staff for separate review as allowed in the PUD Section of the Zoning Code.

The trash service will be a residential style system. No dumpster enclosure is shown. No trash container storage will be allowed outside the building.

**PEDESTRIAN ACCESS AND CIRCULATION:**

Appropriate sidewalk plans have been provided on the site plan and provide pedestrian access to the office from the parking area.

**MISCELLANEOUS SITE CONSIDERATIONS:**

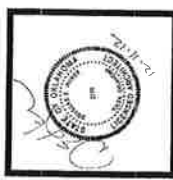
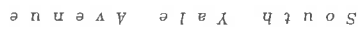
The site slopes significantly from East to West toward with South Yale Avenue being the high point on the site. There are no concerns regarding the development of this area as it relates to the terrain modifications.

**SUMMARY:**

Staff has reviewed applicants' submittal of the Site Plan as it relates to the approved Planned Unit Development PUD-136-A in Development Area One. The applicant site plan submittal meets or exceeds the minimum requirements of the PUD. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved PUD and the stated purposes of the PUD chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of the detail site plan as noted above for the proposed new medical office building project.

*(Note: Detail site plan approval does not constitute sign plan or landscape plan approval.)*



7438 SOUTH WILLOW STREET  
MILWAUKEE, WISCONSIN 53221



**Douglas Huber Architects**  
10129 S. Joclin Ave.  
Tulsa, Oklahoma 74137  
Tel (918) 906 7105  
www.douglas-hub.com  
dhub@douglas-hub.com

PROJECT NO: DH12-011  
DATE: 15 NOVEMBER 2012  
REVISED: 11 DECEMBER 2012  
SHEET:  
**AS-100**

only 200000 individuals and a single cultural group have not been included in the study. It is also interesting to note that the majority of the study population is of African descent, but that the majority of the study population is of African descent.

[illegible][illegible]

OTHER THAN THE PARKING THERE ARE NO OTHER ADDITIONS WITHIN DEVELOPMENT AREA TWO

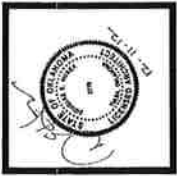
OFF-STREET PARKING \_\_\_\_\_ TO \_\_\_\_\_ TOTAL NUMBER OF ADDITIONAL SPACES IMPROVED \_\_\_\_\_

LAND SCATED AREA \_\_\_\_\_ THE LANDSCAPED AREA FOR EACH SPACE IS REQUESTED BY \_\_\_\_\_ S.F. S.F.

LEGAL DESCRIPTION LOT (2) BLOCK ONE (1) SILVER RIDGE	1 NO ADDITIONAL SITE LIGHTING PROVIDED	2 NO TRASH ENCLOSURE PROVIDED ON THIS SITE. RESIDENTIAL TRASH SERVICE ANTICIPATED	3 MUTUAL ACCESS AGREEMENT (MAE) PROVIDED BY SECTION 1 OF MD CHA



10.5



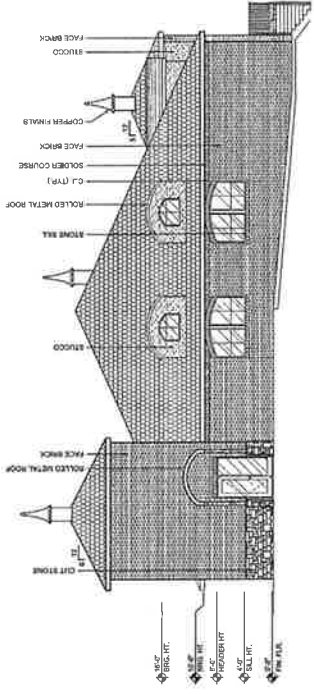
**PEDIATRIC SPECIALIST OF TULSA**  
7412 SOUTH VALE AVENUE  
TULSA, OKLAHOMA

**EXTERIOR ELEVATIONS**

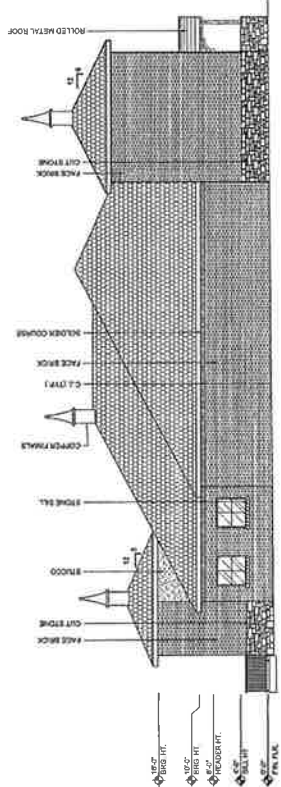
**DOUG**  
Douglas Huber Architects  
1000 N. Lincoln Ave., Suite 200  
Tulsa, Oklahoma 74105  
Tel: (918) 580-7105  
doug@dhacraft.com

**PROJECT NO: 0412011**  
**DATE: 10 NOVEMBER 2012**  
**REVISION:**  
**SHEET:**  
**A-200**

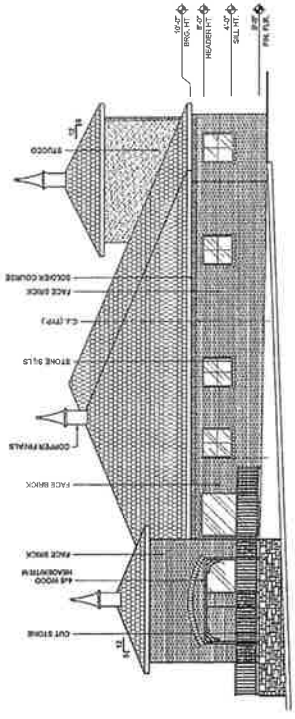
THIS DOCUMENT IS THE PROPERTY OF DOUGLAS HUBER ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF DOUGLAS HUBER ARCHITECTS.



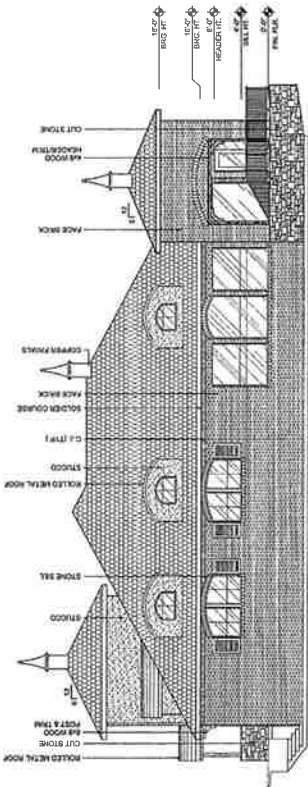
**2 North Elevation**  
SCALE: 1/8" = 1'-0"



**4 East Elevation**  
SCALE: 1/8" = 1'-0"



**1 South Elevation**  
SCALE: 1/8" = 1'-0"



**3 West Elevation**  
SCALE: 1/8" = 1'-0"

## **TMAPC Staff Report**

**January 9, 2013**

### **“The Brady Arts District – A Small Area Plan” Comprehensive Plan Amendment**

---

**Item for consideration:** Adoption of the “The Brady Arts District - A Small Area Plan” amendment to the 2010 Tulsa Comprehensive Plan

**Background:** This plan is an update to and supersedes the “Brady Village Infill Development Design Guidelines,” which were adopted as an amendment to the Comprehensive Plan in 2004. The plan was prepared in 2009 through 2010 via a collaborative effort by Brady Arts District stakeholders including the Brady Arts District Owners Association, George Kaiser Family Foundation, Wallace Engineering, the ONEOK Ballpark Trust, Howell & Vancuren Landscape Architects, Selser Schaefer Architects, the Tulsa Beautification Foundation, the City of Tulsa Planning Division, SWA Group, Stonebridge Construction Consultants and other Tulsans who shared their expertise, feedback, and knowledge to make this small area plan and associated design guidelines and streetscape projects possible. Plan recommendations and development guidelines were subsequently adopted by the Brady Arts District Owners Association and preparation of the final planning document has followed.

The “Brady Arts District – A Small Area Plan” is comprised of three major document sections.

- The first section is the Executive Summary containing the description of the Brady Arts District, area characteristics, vision, goals, actions, area context, and overall design guidelines compiled from the major study efforts conducted for the Brady Arts District area. The Executive Summary compiles in one section all policies and recommendations from the Brady Arts District planning studies.
- Section two contains the “Brady Arts District – A Small Area Plan” report which includes the planning study process, history and description of the district, and recommended vision, goals, actions, and strategies for achieving the recommendations for the district.
- The final section contains findings and recommended from the “Brady Arts District Streetscape – Summary Report” which includes overall development guidelines for the district’s streetscape elements including those for designated primary streets within the small area.

It is the intent that only the first section, the Executive Summary, be adopted for inclusion in the 2010 Tulsa Comprehensive Plan.

## **Conformance with the 2010 Tulsa Comprehensive Plan and Downtown Area Master Plan:**

The 2010 Tulsa Comprehensive Plan identifies the area in “The Brady Arts District” as part of a “Downtown Neighborhood” and an “Area of Growth.”

**Downtown Neighborhoods** are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

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.

**Staff Comments:** The "The Brady Arts District Plan - A Small Area Plan" was developed in collaboration with and at the same time as the 2010 Tulsa Comprehensive Plan and the Downtown Area Master Plan. Input and recommendations for all three studies were considered and vetted concurrently. Therefore, the plan is in accord with the goals of both the 2010 Tulsa Comprehensive Plan and the Downtown Area Master Plan, while giving more details into plan interpretation and implementation for this specific district.

**Staff recommendation:** Adopt and include the "The Brady Arts District Plan - A Small Area Plan" Executive Summary as part of the 2010 Tulsa Comprehensive Plan and adopt the remainder as supporting information and guidelines.

## **RESOLUTION**

### **TULSA METROPOLITAN AREA PLANNING COMMISSION**

#### **Resolution No. 2641:906**

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC), PURSUANT TO TITLE 19 OKLAHOMA STATUTES, SECTION 863.7; ADOPTING AN AMENDMENT TO THE 2010 TULSA COMPREHENSIVE PLAN AND AS SUBSEQUENTLY AMENDED; AMENDING THE 2010 TULSA COMPREHENSIVE PLAN BY ADOPTING "THE BRADY ARTS DISTRICT – A SMALL AREA PLAN" AS PART OF THE 2010 TULSA COMPREHENSIVE PLAN.

WHEREAS, the Tulsa Metropolitan Area Planning Commission ("Planning Commission") is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, to ensure the efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity, and general welfare of the people of the area; and

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the 2010 Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22<sup>nd</sup> of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, a public hearing was held on January 9, 2013 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt as an amendment to the 2010 Tulsa Comprehensive Plan "The Brady Arts District – A Small Area Plan", hereto attached.

WHEREAS the "Brady Arts District – A Small Area Plan" is comprised of three major sections. Section one is the Executive Summary containing the vision, goals and actions derived from the latter two sections. Section two includes a description of the planning process, history and description of the district and provides recommendations. Section three includes overall development guidelines for the district's streetscape elements.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That the 2010 Tulsa Comprehensive Plan, as adopted by the Tulsa Metropolitan Area Planning Commission on July 6, 2010 and as amended from time to time, shall be and is hereby amended, to adopt and include the Executive Summary of "The Brady Arts District – A Small Area Plan" as part of the 2010 Tulsa Comprehensive Plan and adopt the remainder as supporting information and guidelines.

Section 2. That a true and correct copy of "The Brady Arts District – A Small Area Plan" is attached to this Resolution.

Section 3. That all provisions of the Brady Village Infill Development Design Guidelines, which were adopted as an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area by the Tulsa Metropolitan Area Planning Commission (TMAPC) by Resolution on the 4th of February, 2004, and subsequently approved by the Tulsa City Council on the 5<sup>th</sup> of March, 2004, are hereby expressly superseded by this Resolution and amendment to the 2010 Tulsa Comprehensive Plan.

Section 4. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the City Council of the City of Tulsa for its consideration, action and requested approval within forty-five (45) days of its submission.

Section 5. That upon approval by the Tulsa City Council, or should the City Council fail to act upon this amendment to the 2010 Tulsa Comprehensive Plan within forty-five (45) days of its submission, it shall be approved with the status of an official plan and immediately have full force and effect.



ADOPTED on this 9<sup>th</sup> day of January, 2013, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

---

Joshua Walker, Chairman  
Tulsa Metropolitan Area Planning Commission

ATTEST:

---

John Dix, Secretary  
Tulsa Metropolitan Area Planning Commission

APPROVED by the City Council of the City of Tulsa, Oklahoma on this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

APPROVED AS TO FORM:

STATE OF OKLAHOMA )  
 )  
COUNTY OF TULSA ) SS.

I, Joshua Walker, Chairman of the Tulsa Metropolitan Area Planning Commission, certify on this \_\_\_\_ day of January 2013 that the foregoing Resolution and amendment to the 2010 Tulsa Comprehensive Plan attached to this Resolution are a true and correct copy of the Resolution and amendment to the 2010 Tulsa Comprehensive Plan as adopted by the Tulsa Metropolitan Area Planning Commission.

Subscribed and sworn to before me on this \_\_\_\_\_ day of January 2013.

My Commission Expires: \_\_\_\_\_

Commission No.: \_\_\_\_\_

STATE OF OKLAHOMA )  
 )  
COUNTY OF TULSA ) SS.

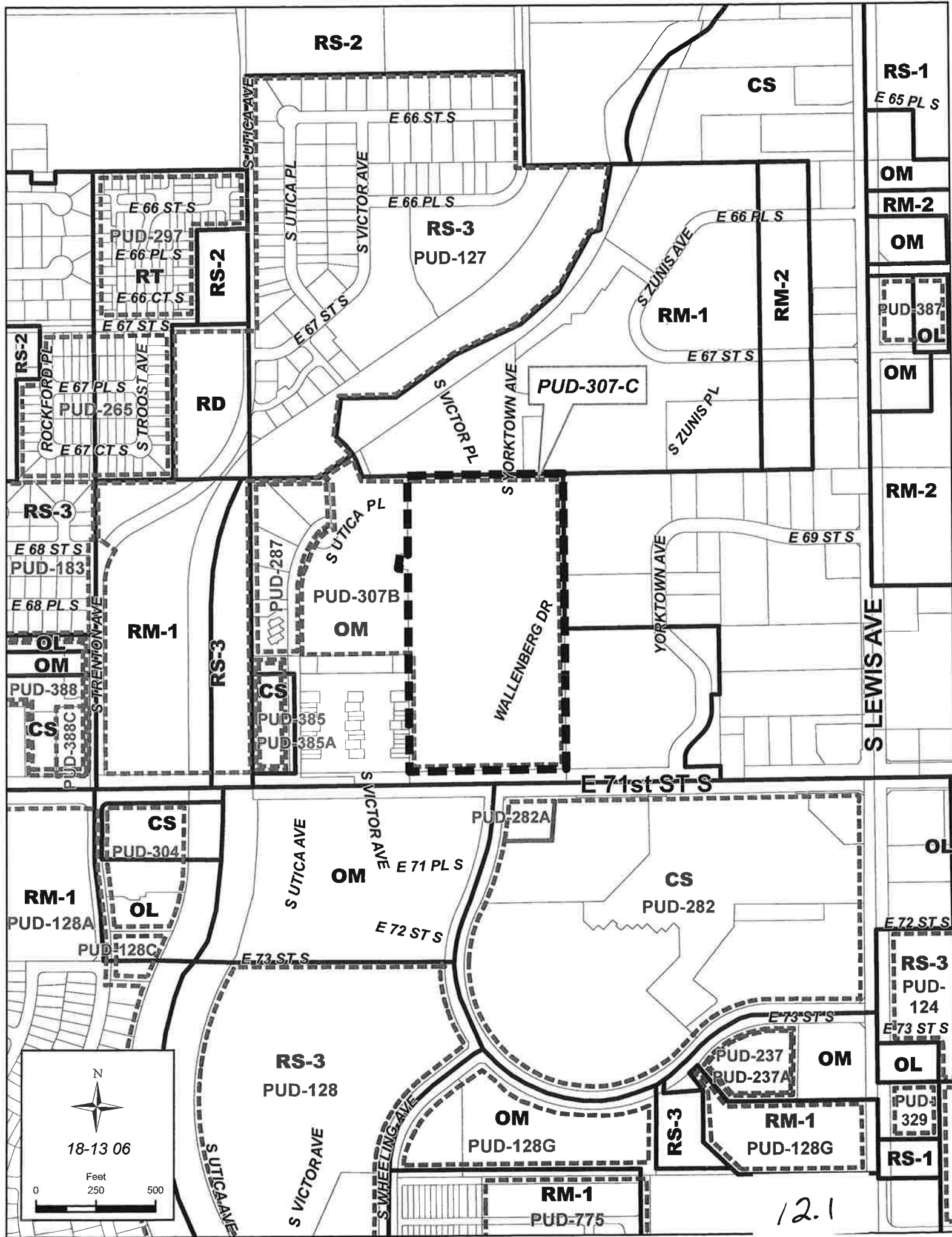
I, David Patrick, Chairman of the City Council of the City of Tulsa, Oklahoma certify on this \_\_\_\_\_ day of \_\_\_\_\_ 2013 that the foregoing Resolution and amendment to the 2010 Tulsa Comprehensive Plan attached to this Resolution are a true and correct copy of the Resolution and amendment to the 2010 Tulsa Comprehensive Plan as approved by the City Council of the City of Tulsa.

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

My Commission Expires: \_\_\_\_\_

Commission No.: \_\_\_\_\_







## PLAT WAIVER

January 9, 2013

**PUD 307 C- 2021 East 71<sup>st</sup> Street South, Lot 1, Block 1, Camp Shalom Amended II, (8306) (CD 2)**

The platting requirement is being triggered by a major amendment for a use expansion in the Camp Shalom platted area.

***Staff provides the following information from TAC for their December 20, 2012 meeting:***

**ZONING:**

TMAPC Staff: The property has been properly platted and includes the use expansion.

**STREETS:** No comment.

**SEWER:** No comment.

**WATER:** No comment.

**STORMWATER:** No comment.

**FIRE:** No comment.

**UTILITIES:** No comment.

Staff recommends **APPROVAL** of the plat waiver for the property 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   |    |

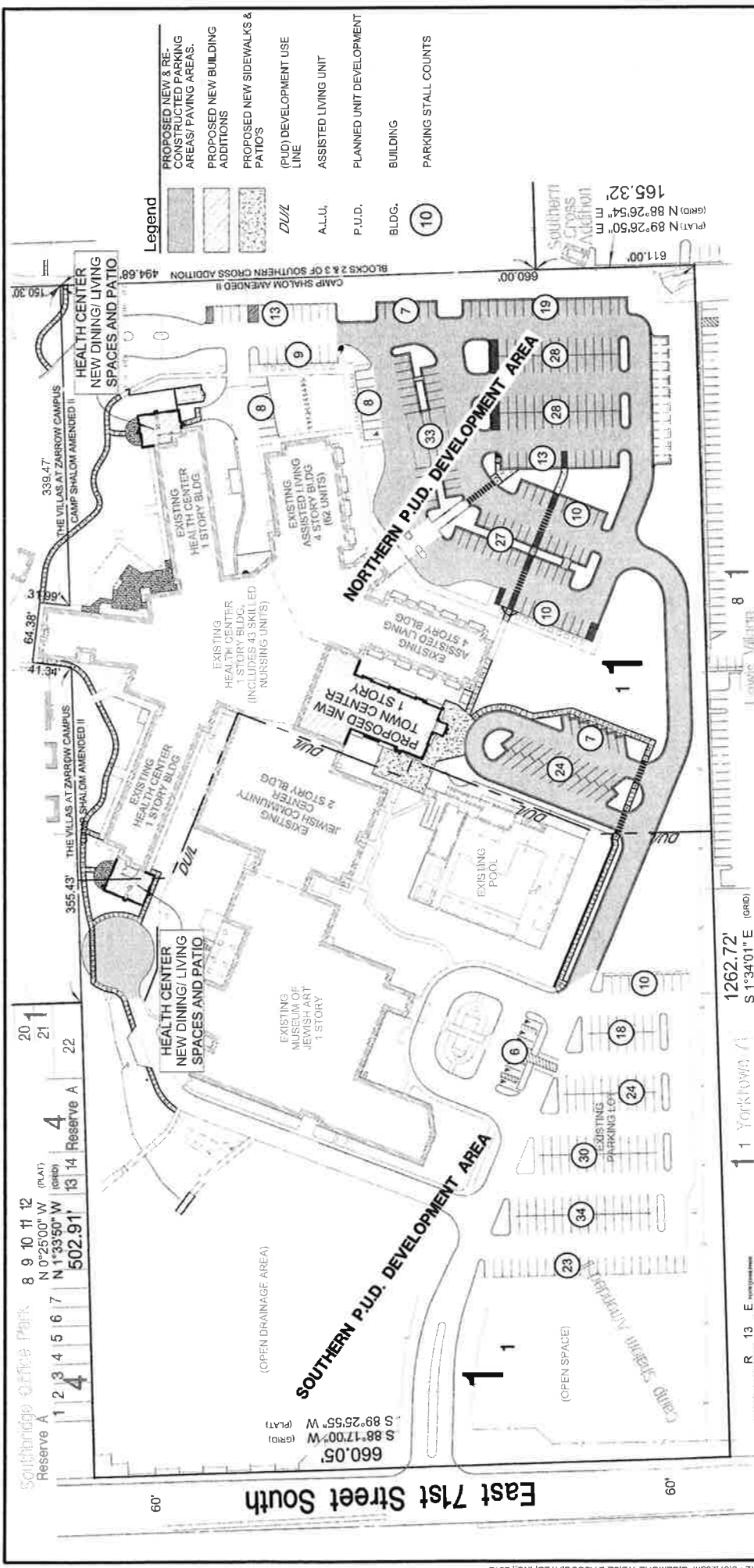
***A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:***

- |  | 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.?  |   |   |
|     | 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.?  |   | X |
| 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 |

Note: If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

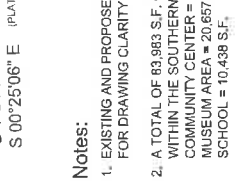




**Conceptual Site Plan - Option 1**  
**Tulsa Jewish Retirement & Health Care Center**  
**PUD Major Amendment Exhibit**  
**Lot 1, Block 1**  
**Camp Shalom Amended II**  
**City of Tulsa, Tulsa County, Oklahoma**

Notes:  
 1. EXISTING AND PROPOSED EASEMENTS NOT SHOWN ON THIS EXHIBIT FOR DRAWING CLARITY PURPOSES.  
 2. A TOTAL OF 83,983 S.F. OF BUILDING FLOOR AREA IS PRESENTLY CONTAINED WITHIN THE SOUTHERN PUD DEVELOPMENT AREA, AS FOLLOWS:  
 MUSEUM AREA = 52,888 S.F.  
 SCHOOL = 10,439 S.F.

Scale: 1"=100'



FILE:	1812JMRD	SURVEY BY:	GLM	DATE:	10/25/12
ORDER:	1862J01	DRAWN BY:	GLM	SCALE:	1"=100'
BOOK:		CHECKED BY:	DJA	SHEET:	1 OF 1

**SKEMORE WEIZ & ASSOCIATES, INC.**  
 1812 JMRD  
 TULSA, OKLAHOMA 74106  
 PHONE: 918.662.1000  
 FAX: 918.665.8688  
 E-MAIL: info@skemoreweiz.com  
 WWW: www.skemoreweiz.com

18624.01682+D11-STPL.dwg SHEET 1 OF 1 04/25/2012 9:37:23am SISEMORE WEIZ & ASSOCIATES, INC., 2012

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E 116th ST N

AG

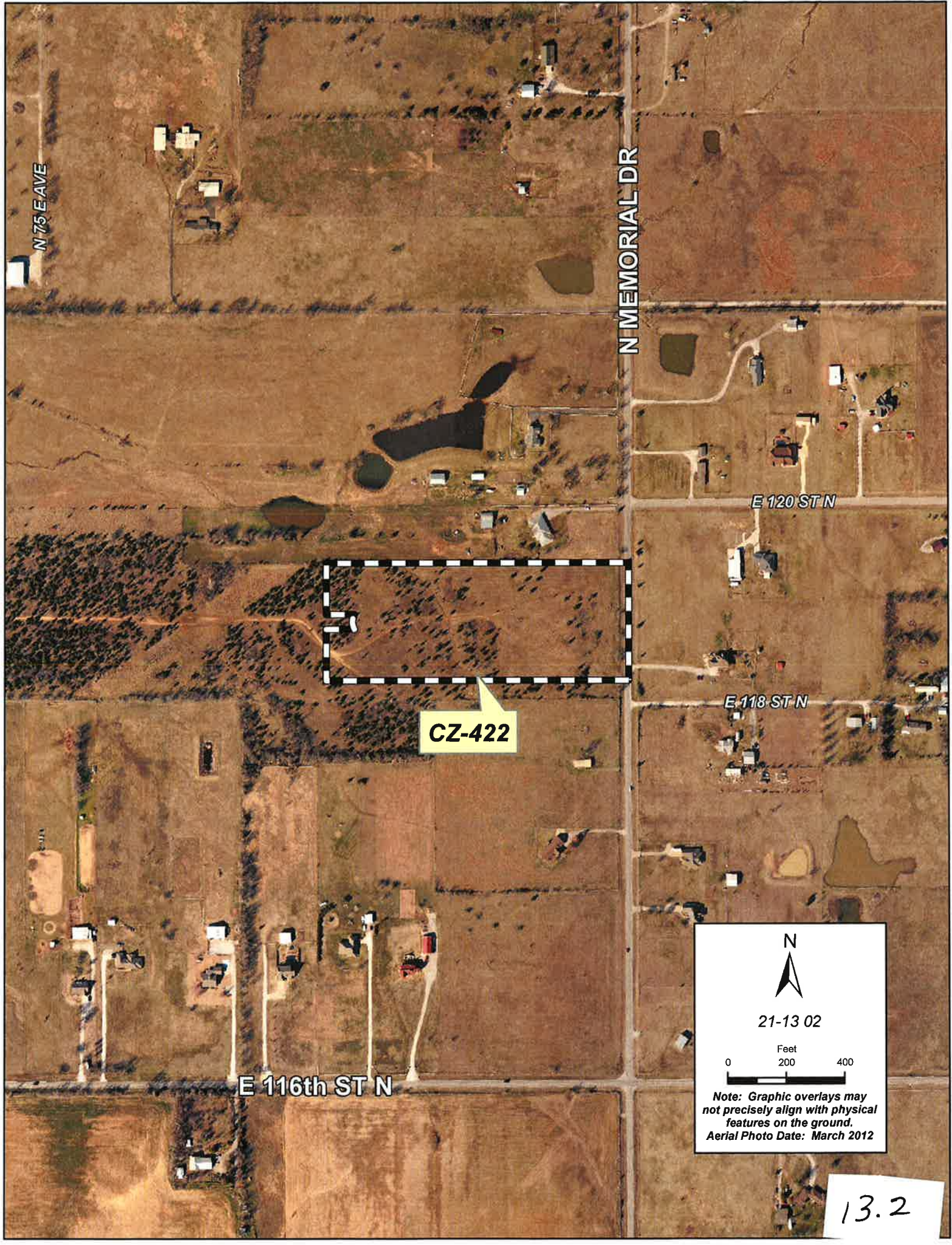


21-13 02

0 Feet 200 400

13.1





N 75 E AVE

N MEMORIAL DR


E 120 ST N

E 118 ST N

E 116th ST N

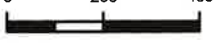
CZ-422

N



21-13 02

Feet  
0 200 400



*Note: Graphic overlays may not precisely align with physical features on the ground.*  
*Aerial Photo Date: March 2012*

13.2



**TULSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT**

**APPLICATION: CZ-422**

**TRS 1302**

**Atlas 0**

**CZM 11**

**County**

**TMAPC Hearing Date:** January 9, 2013

**Applicant:** HRAOK, Inc.

**Tract Size:** 9.5± acres

**ADDRESS/GENERAL LOCATION:** North of northwest corner of North Memorial Drive and East 116<sup>th</sup> Street North

**EXISTING ZONING:** AG

**EXISTING USE:** Vacant

**PROPOSED ZONING:** RS

**PROPOSED USE:** Single-Family Residential

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

***RELEVANT ZONING HISTORY:***

**CZ-286 October 2001:** All concurred in approval to rezone a 174± acre tract of land from AG to RE for single-family uses, on property located on the northeast corner and southeast corner of East 106<sup>th</sup> Street North and North Memorial Drive.

**CZ-270 September 2000:** The applicant withdrew their a request for rezoning a 2± acre tract of land from AG to CS for a health spa, on property located northeast corner of East 116<sup>th</sup> Street North and North Memorial Drive. Staff had recommended for approval but there was a lot of opposition at the TMAPC meeting, so the applicant chose to withdraw.

**CBOA-1047 October 15, 1991:** The Board of Adjustment approved a Variance of the required 30' of frontage on a public street to 0' to permit a private road, on property located north of northwest corner of North Memorial Drive and East 116<sup>th</sup> Street North and includes the subject property.

***AREA DESCRIPTION:***

**SITE ANALYSIS:** The subject property is approximately 9.5± acres in size and is located north of northwest corner of North Memorial Drive and East 116<sup>th</sup> Street North. The property appears to be vacant and slightly wooded and is zoned AG.

**SURROUNDING AREA:** The subject tract is abutted on the east by North Memorial Drive. Further east and across the street is zoned AG; on the north by an un-platted residential tract, zoned AG; on the south by a panhandle for a parcel west of the subject tract and further south several un-platted residential sites, zoned AG; and on the west by vacant land, also zoned AG.

**UTILITIES:** The subject tract has water from a Rural Water District and no public sanitary sewer is available. Each lot will provide its own septic system.

### **TRANSPORTATION VISION:**

The Comprehensive Plan does not include North Memorial as a multi modal street.

### **STREETS:**

<b><u>Exist. Access</u></b>	<b><u>MSHP Design</u></b>	<b><u>MSHP R/W</u></b>	<b><u>Exist. # Lanes</u></b>
North Memorial Drive	Secondary Arterial	100'	2

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

This site is outside of the current City of Owasso and City of Tulsa Comprehensive Plan Land Use map areas.

The Land Use Plan in the "North Tulsa County Comprehensive Plan 1980-2000" illustrates this area as an agricultural area. The Intensity Development Concept illustrates the area as a low intensity development area with a collector street system which anticipated future low intensity residential growth. There are two types of residential development identified for this area:

- 1) Low Intensity Development Concept is defined in the North Tulsa County Comprehensive Plan as an "area ..... concentrated within neighborhoods bounded by arterial streets ..... The probable extension of water and sewer services, the existing and planned traffic network, the proximity of other urban services, and the suitability of physical characteristics make these areas the optimum places of urban growth for the Planning area. Extension of water and sewer service to these areas are prerequisite for urban intensity residential growth and includes RS zoning designation areas". Current bulk and area requirements in the RS district support a more suburban style development than is expected in this area.
- 2) A Rural Residential Intensity Area was considered in the comprehensive plan text for "anticipated development of large lot residential areas on the fringes of anticipated urban development and where development constraints regarding public sanitary sewer and water systems would limit even a low intensity development." Appropriate bulk and area requirements are generally identified in the RE zoning designation in the current Tulsa County Zoning Code to support this type of development.

### **STAFF RECOMMENDATION:**

All of the area included in the zoning request is part of The North Tulsa County Comprehensive Plan which was prepared for the 1980-2000 vision. The plan has successfully predicted the existing development patterns and still anticipates future development but recognized the limitations of infrastructure, especially sanitary sewer service, in the area. The plan also identified an opportunity for the Rural Residential Intensity Area as a possible use in the low intensity development area. The plan noted that ".....large lot residential areas adjacent to the urban area may be transitional in nature and could develop in a low intensity nature depending upon the availability of urban facilities and utilities."

At this time, while the comprehensive plan may support the RS zoning request in this area, staff recommends denial of RS zoning because of the potential small lot size that is not compatible with the surrounding areas. This property does not have sanitary sewer service available for the smallest RS size lots and none is expected in the foreseeable future. The RS district allows 60' wide lots and 6900 square feet in a lot area which is not compatible with the existing and anticipated surrounding land use pattern.

The current development pattern for this area is considered a Large Lot Residential or Agricultural areas which are both supported in the "North Tulsa County Comprehensive Plan 1980-2000". The Residential Estate "RE" bulk and area requirements include a minimum lot width of 150 feet and a minimum lot area of 22,500 square feet. The RE lot size is dense by comparison to abutting properties however is an accepted use in this urban fringe and in the comprehensive plan and therefore staff **recommends approval for RE Zoning**.

01/09/13

