

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

**Meeting No. 2725**

**July 6, 2016, 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:**

**Work Session Report:** A work session will be held on July 20, 2016 to discuss the Sector Plan update.

**Director's Report:**

1. Minutes of June 15, 2016, Meeting No. 2724

**CONSENT AGENDA:**

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

2. **LS-20893** (Lot-Split) (CD 3) – Location: Northwest corner of East Independence Street and North Birmingham Place
3. **LC-782** (Lot-Combination) (CD 1) – Location: North of the northwest corner of East Haskell Street and North Quincy Avenue
4. **LS-20894** (Lot-Split) (CD 3) – Location: South of the southeast corner of East Apache Street and North Yale Avenue
5. **LC-783** (Lot-Combination) (CD 1) – Location: North of the northwest corner of West Tecumseh Place and North Quanah Avenue
6. **LC-784** (Lot-Combination) (CD 3) – Location: South of the Southwest corner of East Pine Street and North 105th East Avenue
7. **LS-20895** (Lot-Split) (County) – Location: Southeast corner of East 156th Street North and North Memorial Drive
8. **LS-20896** (Lot-Split) (CD 4) – Location: East of the southeast corner of East 1st Street South and South Elgin Avenue (Related to: LC-788)
9. **LC-788** (Lot-Combination) (CD 4) – Southeast corner of East 1st Street South and South Elgin Avenue (Related to LS-20896)
10. **Change of Access** – Location: 1919 North Garnett Road, Lot 2, Block 1, Green Valley Industrial Park, (CD 3)
11. **Tulsa Hills Healthcare Community** – Final Plat, Location: West of northwest corner of West 71st Street South and South Elwood Avenue, (CD 2)

12. **PUD-330-A-1 Mark Capron**, (CD 4) Location: Northwest corner of South Riverside Drive and South Denver Avenue requesting **PUD Minor Amendment** to modify permitted access to allow for refuse truck and service vehicle access off of West 17th Street.
13. **PUD-675-3 Steven Kueny**, (CD 8) Location: 10821 South Winston Avenue requesting **PUD Minor Amendment** to reduce required rear yard setback from 25 feet to 12 feet 6 inches to permit a proposed covered patio addition.

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

### **PUBLIC HEARINGS:**

14. **LS-20882** (Lot-Split) (County) – Location: South of the southeast corner of East 191st Street South and South Sheridan Road
15. **Z-7343**, Plat Waiver, North and west of the northwest corner of East 51st Street South and South Peoria Avenue, (CD 9)
16. **CO-1 Lou Reynolds**-(CD 6) Location: West of the Southwest Corner of South 145th East Avenue and East 51st Street South requesting a **Corridor Development Plan**. (continued from May 18, 2016 and June 15, 2016)
17. **Z-7331 Dr. S. Lee Hays**-(CD 9) Location: North of the northwest corner of South Columbia Avenue and Skelly Drive requesting rezoning from **RS-1 to OM**. (Continued from April 20, 2016, May 18, 2016, June 1, 2016 and June 15, 2016 )
18. **Z-7340 F. Darren Francisco**-(CD 2) Location: North of the northwest corner of South 57th West Avenue and West 22nd Street South requesting rezoning from **RS-3 to IL with Optional Development Plan**. (Continued from June 1, 2016)
19. **Z-7348 Richard Gardner**-(CD 9) Location: Northeast corner of East Skelly Drive and South College Drive requesting rezoning from **OL to CG**. (Withdrawn by Applicant June 23, 2016)

### **OTHER BUSINESS**

#### **20. 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)

email address: [esubmit@incog.org](mailto:esubmit@incog.org)

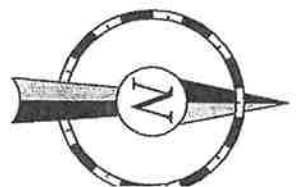
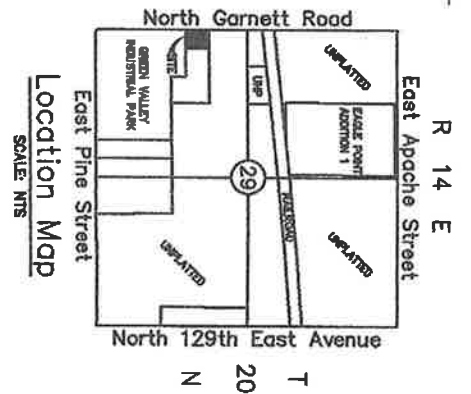
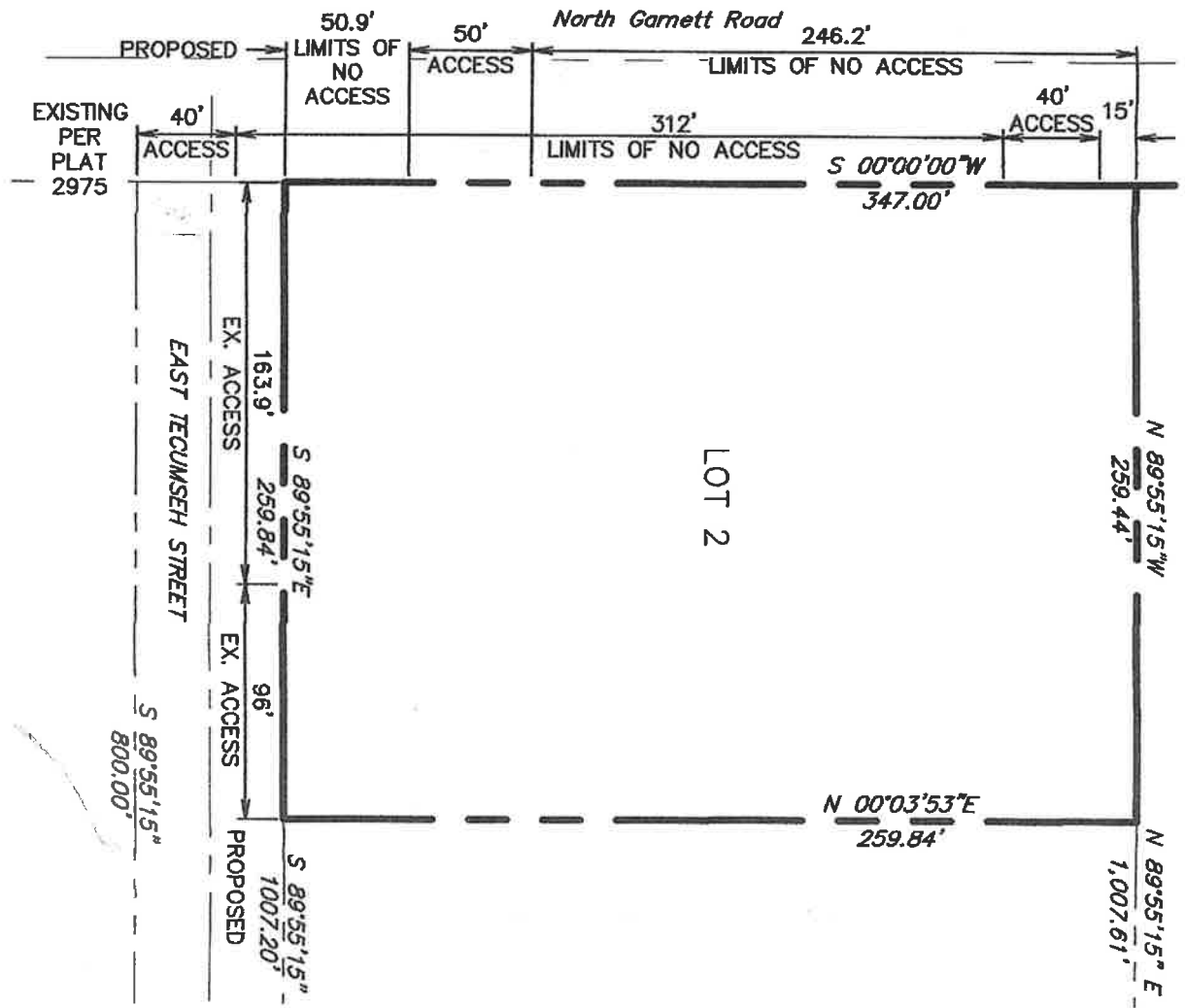
**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development 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.

## **Change of Access on Recorded Plat TMAPC July 6, 2016**

### **Lot 2, Block 1, Green Valley Industrial Park**

This application is made to allow a change of access to shift and widen one access along North Garnett Road. The property is zoned IM.

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



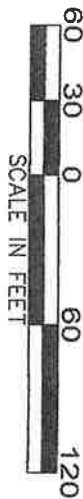
10.2

APPROVED: *[Signature]*  
TRAFFIC ENGINEER

REVISED CHANGE OF ACCESS EXHIBIT  
FOR

W258.8 N347.38 LT 2 BLK 1

GREEN VALLEY INDUSTRIAL PARK  
SECTION 29, T-20-N, R-14-E  
CITY OF TULSA, TULSA COUNTY, OKLAHOMA  
JUNE 3, 2016



Impact Engineering & Planning, PLLC  
109 N Birch Street, Suite 200  
Owasso, OK 74055  
(918) 376-4294  
www.impact-engr.net  
Certificate of Auth. No. 045798  
Expiration/Renewal: 06/30/2017



## Final Subdivision Plat

**Tulsa Hills Healthcare Community** - (CD 2)

West of northwest corner of West 71<sup>st</sup> Street South and South Elwood Avenue

This plat consists of 3 Lots, 1 Block, on 10.90 acres.

Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

**//.1**

6/20/16





**Case Number:** PUD-330-A-1  
**Minor Amendment**

**Hearing Date:** July 6, 2016

**Case Report Prepared by:**

Jay Hoyt

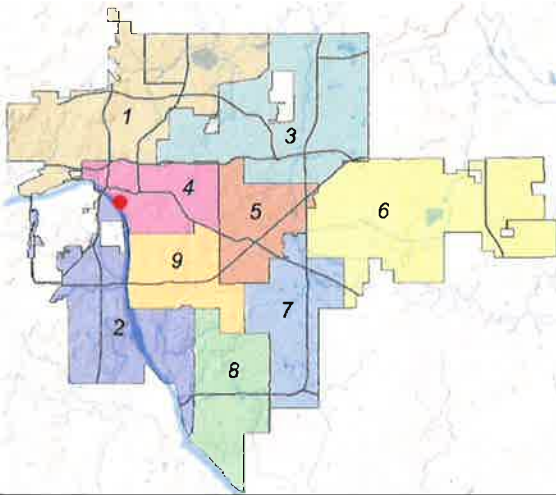
**Owner and Applicant Information:**

Applicant: Mark Capron

Property Owner: Bomasada Cosmopolitan  
Tulsa, LLC

**Location Map:**

(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to modify permitted access to allow for refuse truck and service vehicle access off of W. 17<sup>th</sup> Street.

Gross Land Area: 2.84 acres

Location: Northwest corner of S. Riverside Dr. and S. Denver Ave.

**Zoning:**

Existing Zoning: RM-3/PUD-330-A

Proposed Zoning: No Change

**Comprehensive Plan:**

Land Use Map: Downtown Neighborhood

Growth and Stability Map: Growth

**Staff Recommendation:**

Staff recommends **approval**.

**Staff Data:**

TRS: 9212

CZM: 36

Atlas: 16/35

**City Council District: 4**

*Councilor Name:* Blake Ewing

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**SECTION I:** PUD-330-A-1 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Amend the PUD Development Standards to modify permitted access to allow for refuse truck and service vehicle access off of W. 17<sup>th</sup> Street.

The development standards for PUD-330-A limited all access points on W. 17<sup>th</sup> Street to entrance only. This was intended to help lessen the traffic impact on W. 17<sup>th</sup> Street. Due to the nature of the site, the trash dumpsters for this project are to be located in an inside space south of the SE corner of W. 17<sup>th</sup> Street and S. Elwood Avenue. Due to grading at this location, the access to this inside trash needed to be located off of W. 17<sup>th</sup> Street. This would conflict with the entrance only requirement, since trash collection vehicles would need to both enter and exit from W. 17<sup>th</sup> Street. The proposed minor amendment would allow the trash collection vehicles to both enter and exit from W. 17<sup>th</sup> Street. The amendment would also allow for access to this point for infrequent service access for building maintenance. Dumpsters would be required to be located inside the building. Residents and guests would still be limited to entrance only from W. 17<sup>th</sup> Street.

The applicant is also proposing to screen the service area and drive with a minimum 4 ft masonry wall, composite fencing or green wall system similar to the concept shown on applicant Exhibit 'A'. The service area fence and gate along W. 17<sup>th</sup> Street is to be metal with a maximum 20% opening and minimum 4 ft height similar to the concept shown on applicant Exhibit 'B'.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(6) of the City of Tulsa Zoning Code.*

*"Changes in points of access, provided the traffic design and capacity are not substantially altered."*

Staff has reviewed the request and determined:

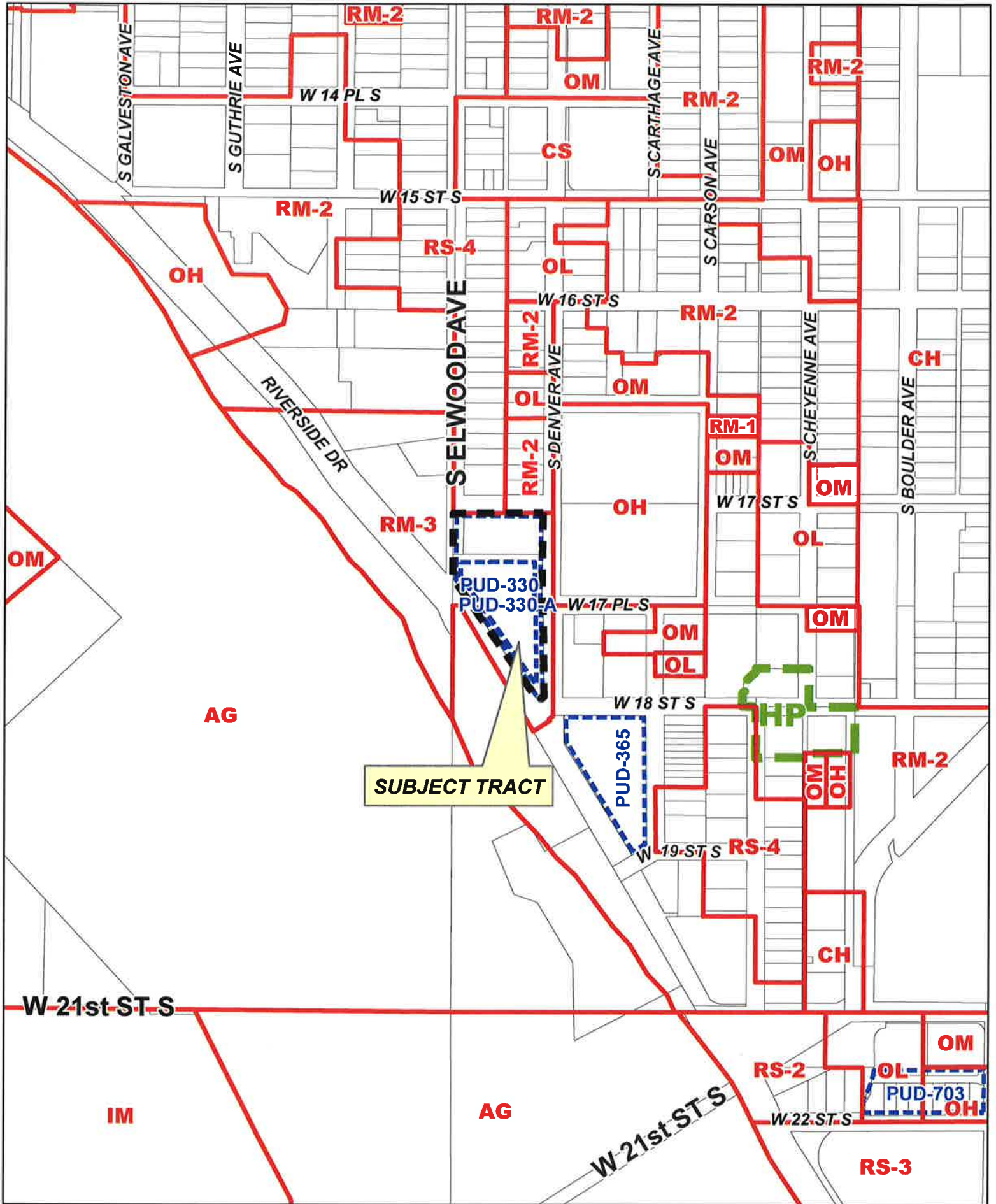
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-330-A shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Minor Text Amendment Exhibit

Applicant Service Area Screening Exhibit 'A'  
Applicant Service Area Gate Sketch Exhibit 'B'  
Applicant Grading Plan  
Applicant Letter of Justification for requested amendment  
Applicant Letter regarding inability to use Riverside curb cut

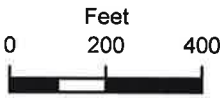
With considerations listed above, staff recommends **approval** of the minor amendment request to modify permitted access to allow for refuse truck and service vehicle access off of W. 17<sup>th</sup> Street.



SUBJECT TRACT

PUD-330-A-1

12.4







0 200 400  
Feet



Subject  
Tract

**PUD-330-A-1**

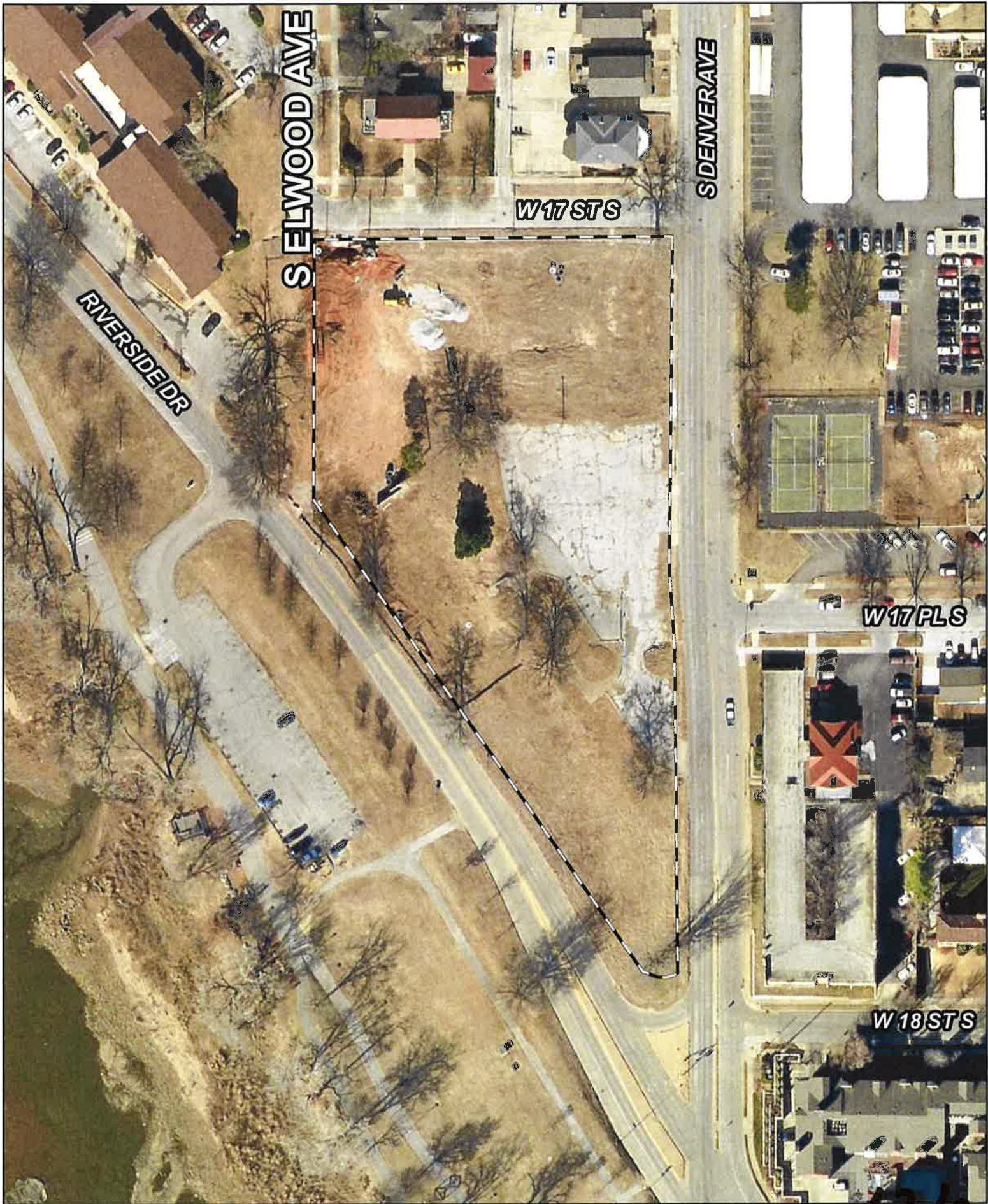
19-12 12

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

Aerial Photo Date: February 2016







S ELWOOD AVE

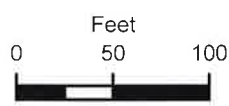
S DENVER AVE

W 17 ST S

W 17 PL S

W 18 ST S

RIVERSIDE DR



Subject Tract

**PUD-330-A-1**

19-12 12

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

Aerial Photo Date: February 2016





Cosmopolitan Apartments  
PUD 330-A-1 Minor Amendment

Whereas PUD #330-A for cosmopolitan apartments was submitted as a planned unit development (designated as PUD 330-A), and PUD 330-A was affirmatively recommended by the Tulsa metropolitan area planning commission (the "TMAPC") on July 15, 2015, and was approved by the Tulsa City Council on August 13, 2015

This Minor Amendment #1 is to PUD 330-A is submitted to request one revision to the Development Standards for Landscaping, Streetscapeing and Screening. and Access and Circulation. The requested modifications to the PUD are delineated by underlined as shown below:

Current PUD #330-A:

C. Landscaping, Streetscaping and Screening

As the development will have a zero foot (0') setback around its perimeter, the development will not be subject to any specific landscaping requirements or standards (including those set forth in Section 10 of the Tulsa Zoning Code). However, during final Detailed Site Plan review, the developer will work closely with the City of Tulsa to develop, implement and install scenic and attractive landscape plantings and streetscape features, which may include curbside or streetside trees, shrubs, grass, or other plantings or features.

Streetscape features will be identified and detailed during the site plan and landscape plan approval process but cannot be specifically identified until construction documents and all underground facilities have been identified.

~~Trash collection will be provided inside the parking structure or will be screened with a masonry enclosure of sufficient height to screen the dumpster from public view. The screening structure if required will not be less than 6'. The doors of the trash enclosure will be constructed with a solid metal or other durable product complimentary with the exterior design of the building.~~

*Trash collection will be located inside the building and will be totally enclosed and will not be in the public view. Outdoor dumpsters are prohibited.*

*The service area and drive will be fully screened on the south and west with a minimum 4 foot tall masonry, composite fencing, or green wall system similar to concepts provided. (See Exhibit 'A').*

The north screening fence and gate system at West 17th Street will be metal with a maximum 20% opening and minimum 4 foot height and similar to the concept as shown on concept provided (See Exhibit 'B'). The gate will be closed except during trash collection and service vehicle entrance and exit.

The exact means of screening shall be reviewed and approved by TMAPC staff at the time of Detail Site and Landscape Approval.

D. Access and Circulation

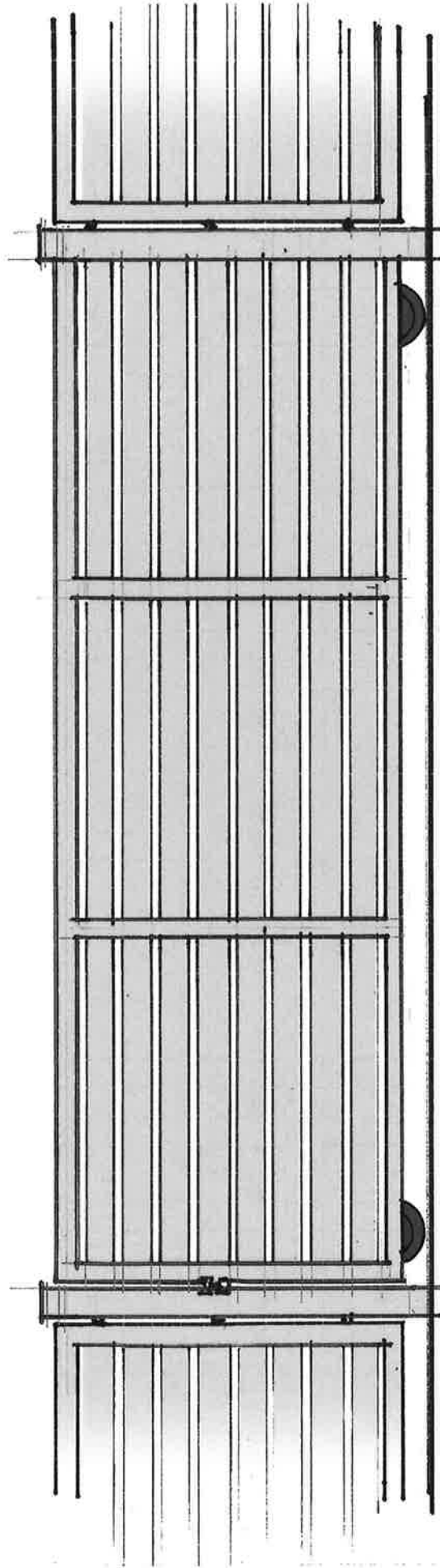
Vehicular access to the development will be located from Riverside Drive, Denver Avenue and West 17<sup>th</sup> Street as approved by Detailed Site Plan review. All access points into the building parking garage for residents and guest on West 17th Street shall be entrance only.

An access service drive for the sole purpose of refuse pickup and other infrequent maintenance shall be permitted on the west side of the building within the vacated right-of-way of South Elgin Avenue at or near the corner of West 17th Street and South Elgin Avenue. Vehicular exits from tenants and their guest are prohibited from use of this drive and is the only vehicular exit permitted on East 17th Street.

Pedestrian access within the development shall be facilitated with the construction of a sidewalk system on site and in the street right of way. Defined pedestrian crossing will be provided on Riverside Drive. Pedestrian access to the residence portions of the building will be facilitated from multiple access points along Riverside Drive and Denver Avenue.

Both vehicular and pedestrian access shall be reviewed and approved by Detailed Site Plan review.

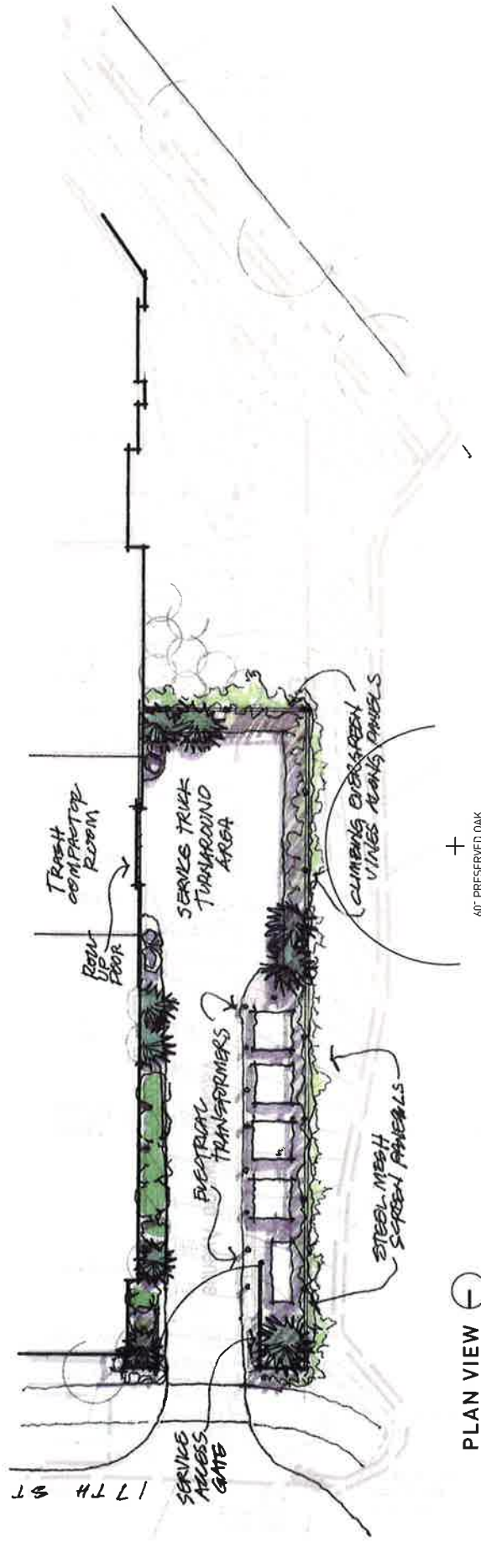
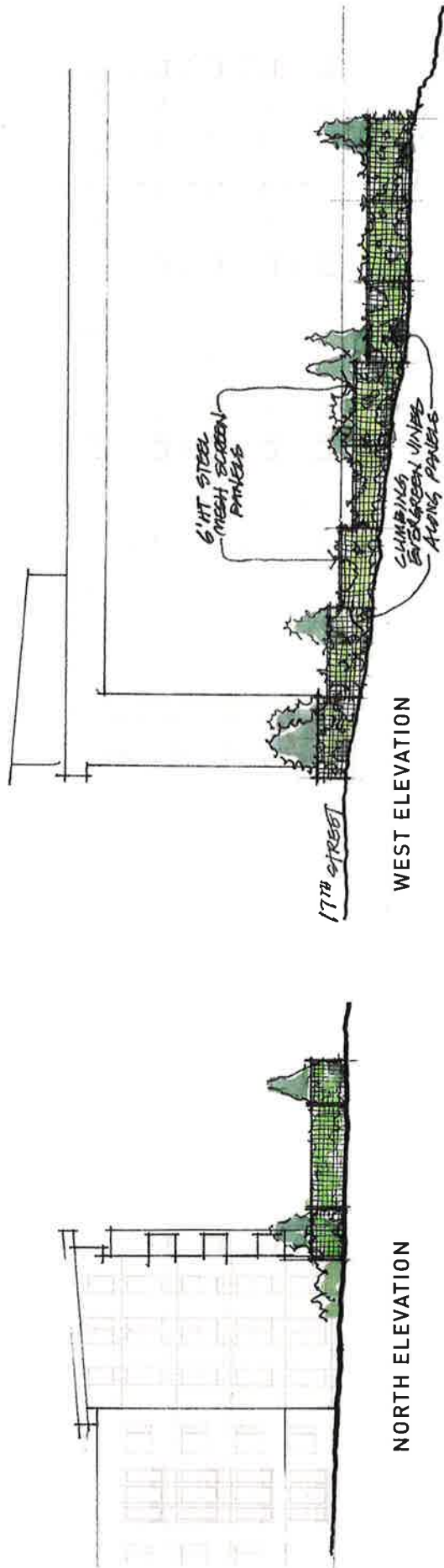
Except as outlined above, the remainder of the PUD #330-A development standards will remain the same as approved by the Tulsa City Council.



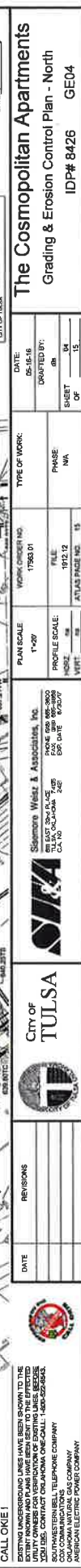
THE COSMOPOLITAN APARTMENTS TULSA: ELWOOD SERVICE AREA GATE SKETCH  
PROJECT: 10522-00 \* Prepared for: Bonasada by Lord Aeck Sargent

12.9

Exhibit 'B'







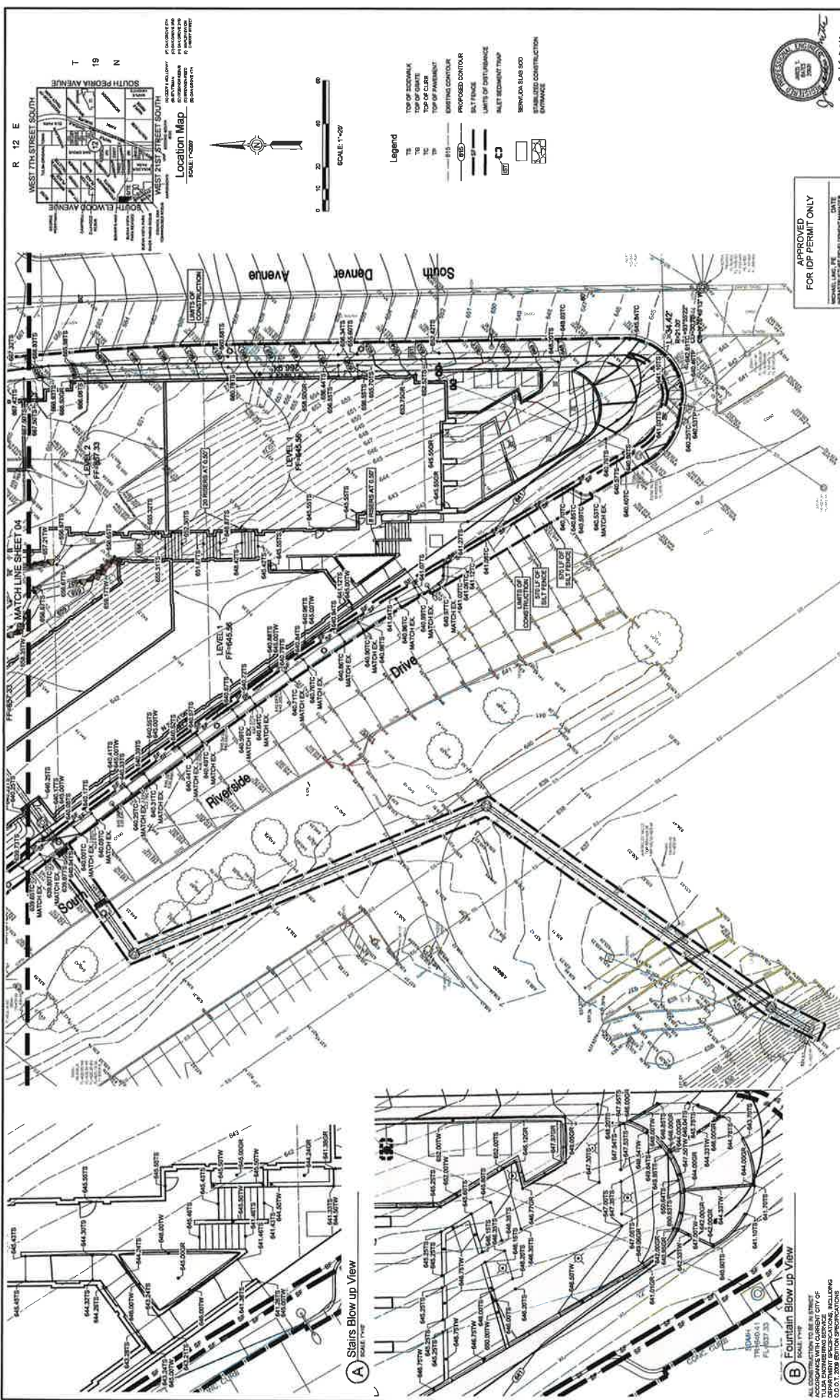
ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA ENGINEERING SERVICE SPECIFICATIONS, INCLUDING ALL 0.1 2009 EDITION SPECIFICATIONS

**CALL OKIE 1**

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SET TO THE EXPECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE 12/01/05, CONTACT OKLAHOMA ONE-CALL 1-800-522-6663.

SOUTHERN BELL TELEPHONE COMPANY  
OKLAHOMA NATURAL GAS COMPANY  
AMERICAN ELECTRIC POWER COMPANY



[illegible]



VIA EMAIL

May 20, 2016

Jay Hoyt  
Land Development Planner  
**INCOG**  
2 West 2<sup>nd</sup> street, Suite 800  
Tulsa, OK 74103

The Cosmopolitan Apartments – Tulsa, Oklahoma

Dear Jay:

We received comments from the PUD amendment process and would like to affirm that the service aisle element currently shown in the Elwood easement on the PUD amendment application will not be used for vehicular access to the development.

The PUD amendment stipulates that any access and circulation for the Cosmopolitan project from 17<sup>th</sup> street be strictly entrance only to address neighborhood concerns over traffic. The service aisle element meets the requirements of the amendment as it is to be used as a service aisle only to allow waste collection trucks access to the development's enclosed trash room on an intermittent schedule. It does not offer a vehicular connection to the parking deck and will not be used by the residents of the Cosmopolitan. It is appropriate to place the enclosed trash room in this area to negate any potential negative visual impacts on the neighborhood as well as keep the streetscapes as clean and orderly as possible. Also, given the topographic constraints of the site and based upon traffic analysis from Sisemore Weisz & Associates, Inc., the service aisle does not connect to Riverside Drive and as such, will not alter or increase traffic patterns around the north side of the development.

The function and beauty of the neighborhood is the primary driver behind the design. Please let us know if you require additional clarification or information for these elements as we would be happy to provide them.

Sincerely,

  
**BOMASADA GROUP, INC.**

John L. Gilbert  
President and Chief Operating Officer

JLG/sg

cc: Stuart L. Fred  
Stuart Van De Wiele  
Mark Capron  
Dwayne Wilkerson

12.13





Sisemore Weisz & Associates, Inc.

August 4, 2015

John Gilbert  
President  
Bomasada Group  
Houston, TX

Re: Riverside Curbcut

John,

We understand the suggested proposal to include a driveway connecting the parking structure for Cosmopolitan Tulsa with Riverside Drive. As you requested, we analyzed the civil engineering and architectural implications of including the roadway. In our opinion, the connection cannot work for the following reasons:

1. The lowest point of the proposed parking structure as currently designed is 18' above Riverside Dr. Therefore a continuous ramped roadway of more than 13% slope would be necessary to connect the lowest parking level and Riverside, and that exceeds workable driving limits. There is more than 35' of drop between Denver Ave and Riverside at that location; please see attached 3d building section for a massing illustration.
2. The Ellwood easement is 30' wide—ample to locate a 24' roadway. However, the configuration of the site is such that part of the adjacent, neighboring property lies in-between the Ellwood easement and Riverside such that the roadway from the parking structure to a Riverside curbcut would have to turn a sharp left into the easement, and then a sharp right to a slightly angled connection to Riverside. The resulting roadway would be too difficult for daily use in a multifamily building.
3. From a civil engineering standpoint, the site condition of a curbcut onto Riverside is challenging because of the volume and speed of traffic on that street. We do not believe appropriate turn lanes out of the development can be properly accommodated, especially given the severity of ramping and sharp turns that would be required.

Please let us know whenever you need additional information or clarification.

Sincerely,

Gregory T. Weisz, P.E.  
President  
Sisemore Weisz & Associates

Mark Lange, AIA  
Principal  
Lord Aeck Sargent





**Case Number:** PUD-675-3  
**Minor Amendment**

**Hearing Date:** July 6, 2016

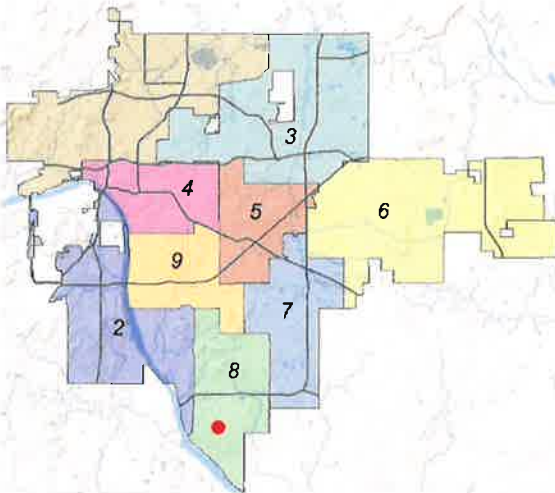
**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**

Applicant: Steven Kueny

Property Owner: Chad Goodman

**Location Map:**  
 (shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to reduce required rear yard setback from 25 ft to 12 ft 6 in to permit a proposed covered patio addition

Gross Land Area: .41 acres

Location: 10821 South Winston Avenue East

Lot 3, Block 1 Stonebriar Estates

**Zoning:**  
 Existing Zoning: RS-1/PUD-675  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Existing Neighborhood  
 Growth and Stability Map: Stability

**Staff Recommendation:**  
 Staff recommends **approval**.

**Staff Data:**  
 TRS: 8328  
 CZM: 56  
 Atlas: 2677

**City Council District:** 8  
*Councilor Name:* Phil Lakin

**County Commission District:** 3  
*Commissioner Name:* Ron Peters

**SECTION I:** PUD-675-3 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to reduce required rear yard setback from 25 ft to 12 ft 6 in to permit a proposed covered patio addition.

The applicant had originally requested the rear yard setback be reduced to 17 ft, however, upon examination of the drawings provided by the applicant, staff has determined the request should have been for a greater encroachment. The information provided by the applicant shows the encroachment into the rear yard would be 12'-4", thus the revised request for a reduced rear yard setback of 12 ft 6 in to permit the proposed addition as shown on the applicant plans provided.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."*

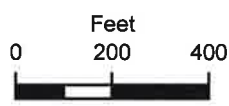
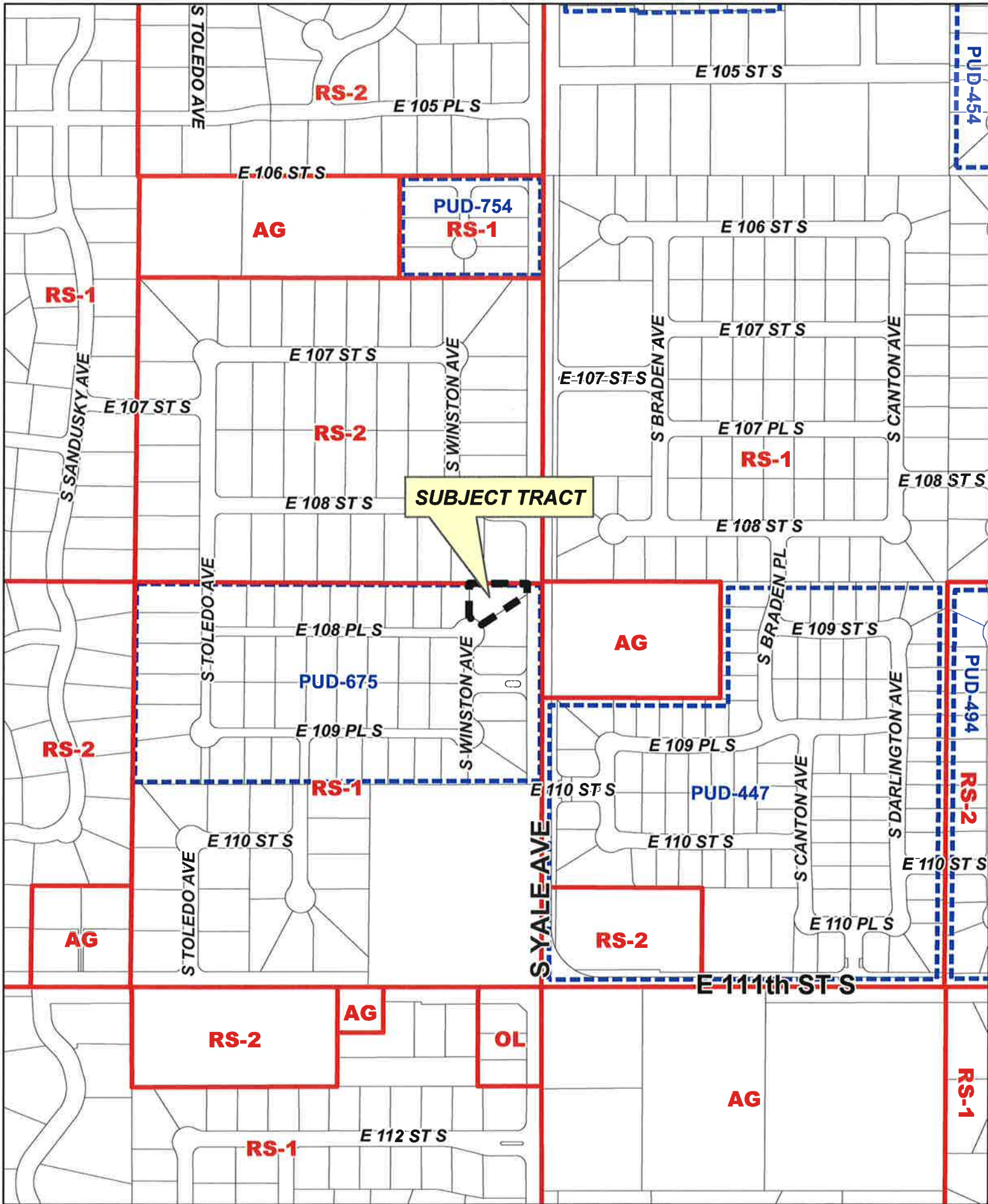
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-675 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Patio Addition Plan  
Applicant Patio Addition Rendering

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce required rear yard setback from 25 ft to 12 ft 6 in to permit a proposed covered patio addition.



**PUD-675-3**

18-13 28

**13.3**







0 200 400  
Feet



Subject  
Tract

**PUD-675-3**

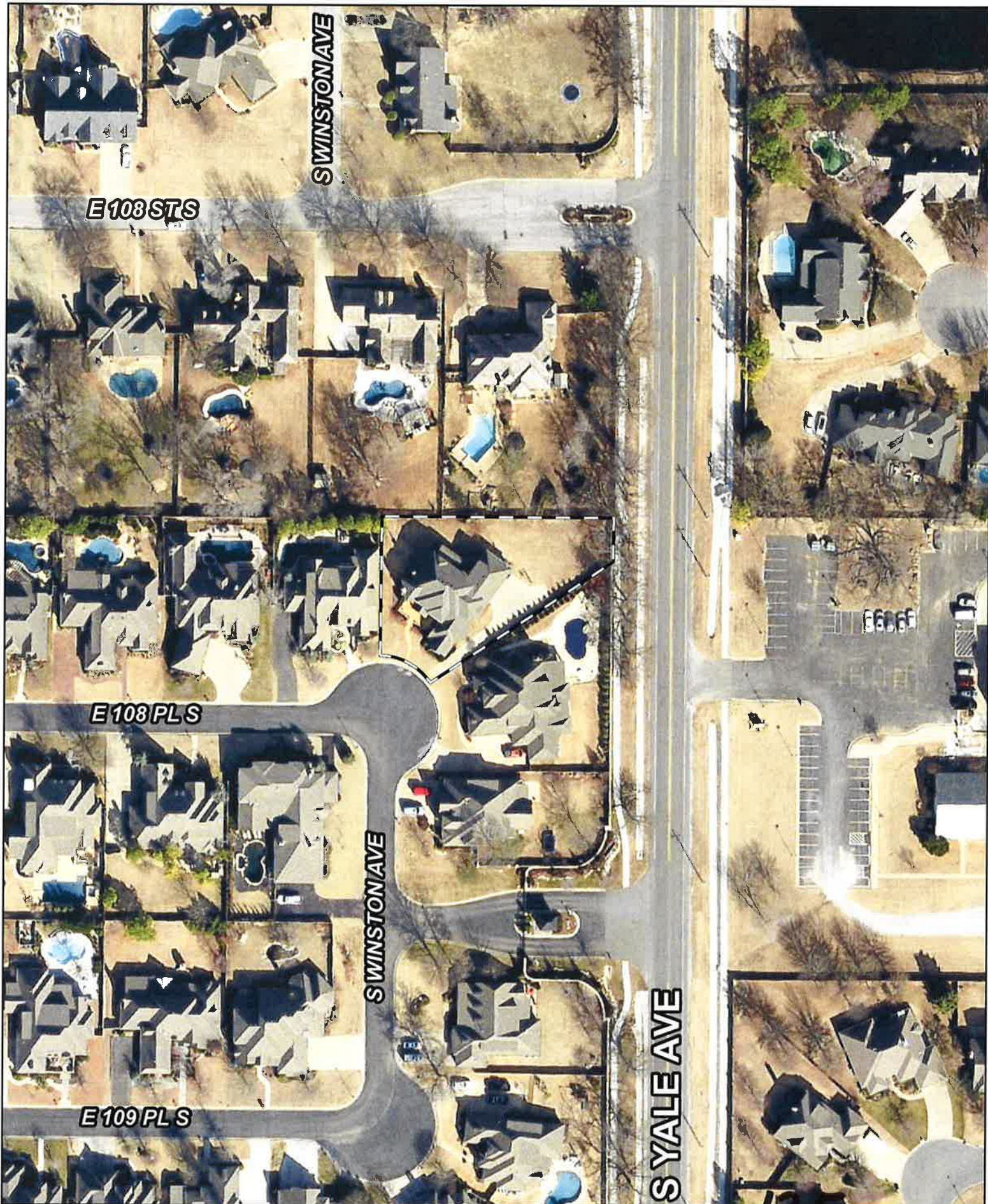
18-13 28

**13.4**  
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016







Subject  
Tract

**PUD-675-3**

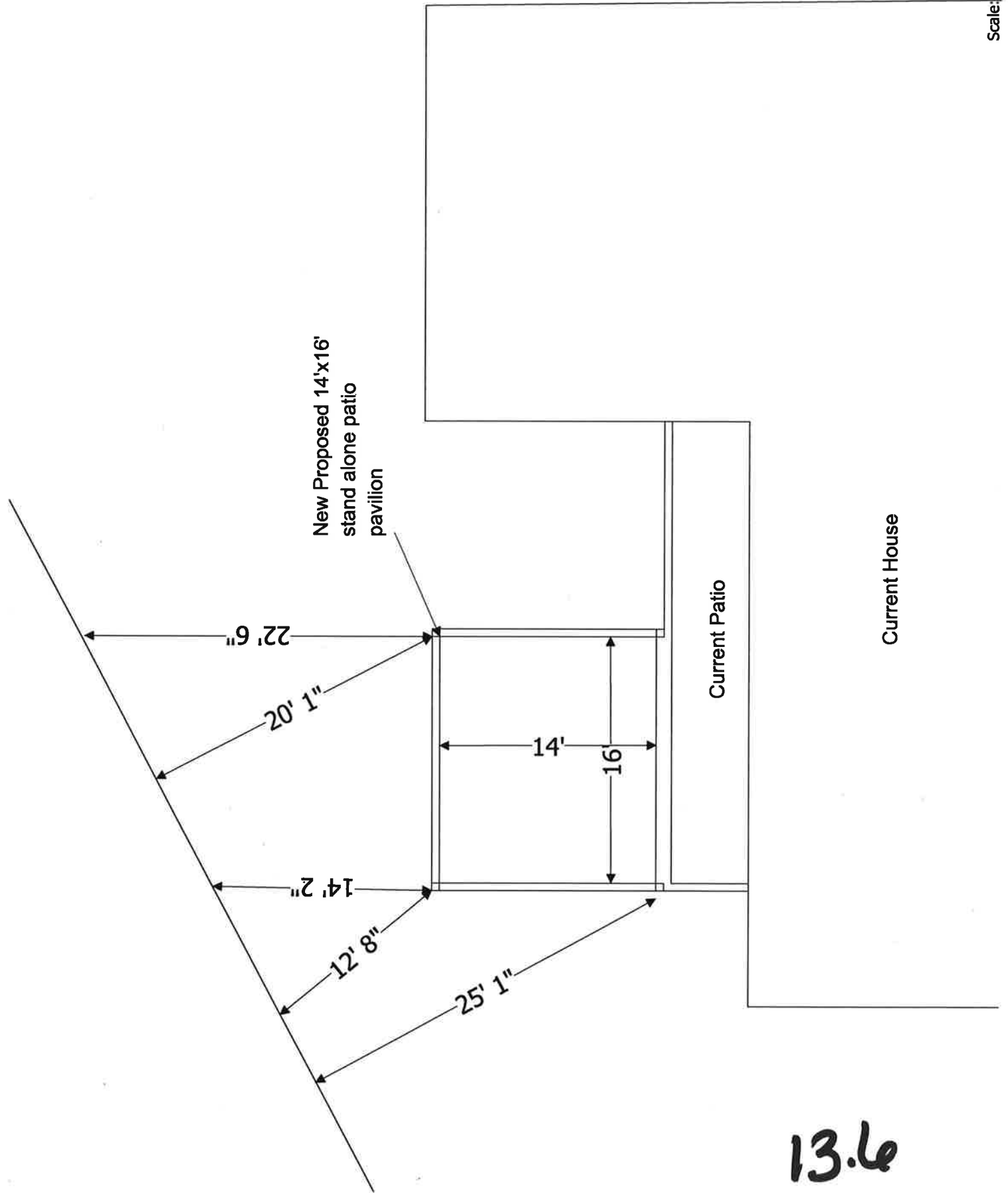
18-13 28

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Aerial Photo Date: February 2016

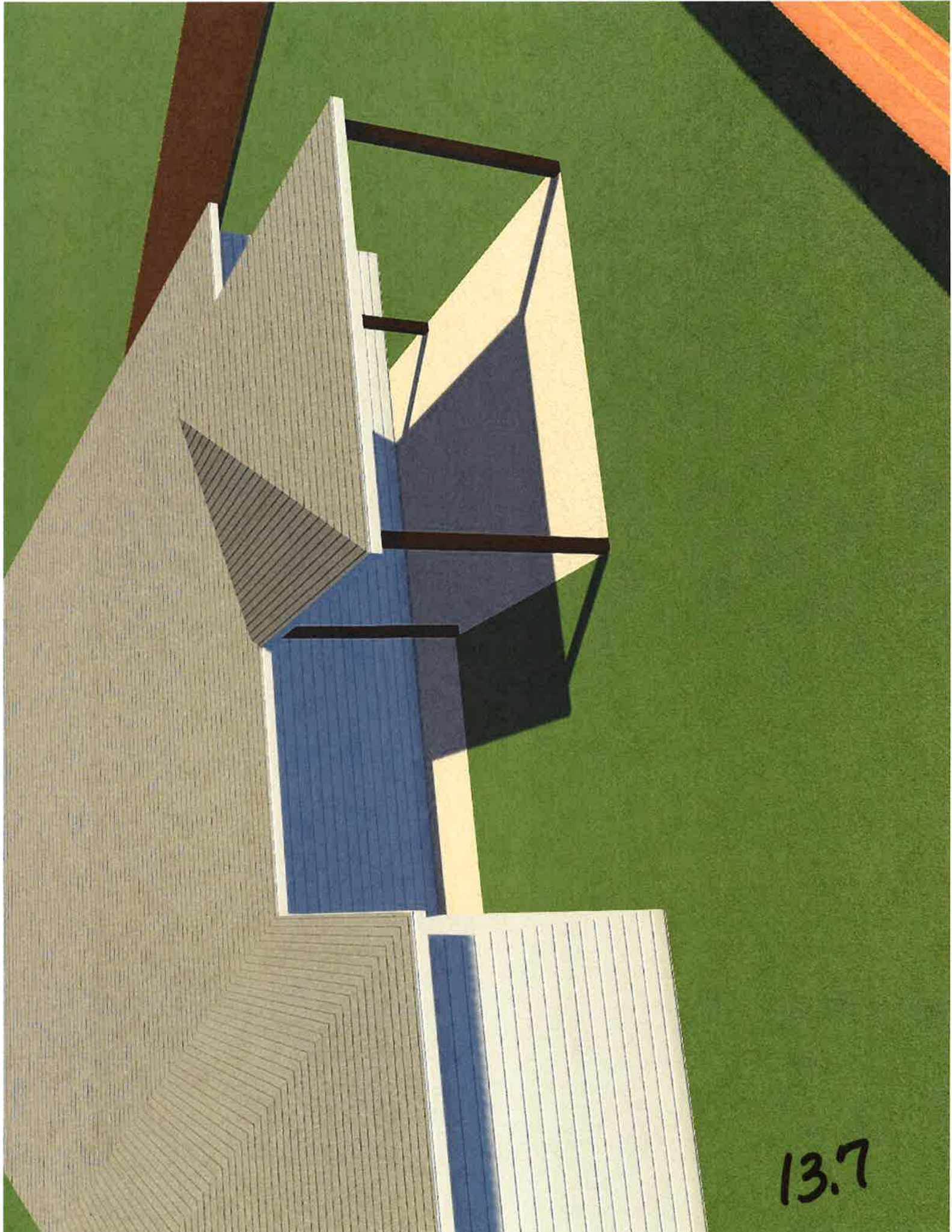






Scale: 0.13 in. per ft.

13.6



13.7

**Lot-Split and Waiver of Subdivision Regulations**

**July 6, 2016**

**LS-20882**

**K.S. Collins/Collins Land Survey, (6311) (AG) (County)**

**South of the southeast corner of East 191<sup>st</sup> Street South and South Sheridan Road**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into three tracts. Tracts One and Three of the resulting tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code. Tract Two received a Variance on June 21, 2016 from the Tulsa County Board of Adjustment. The Variance was to decrease the average lot width from 150 feet (the approximate average lot width is 105.58 for tract two).

The Technical Advisory Committee met on May 5, 2016 and had the following comments. A 50' right-of-way Easement is needed along South Sheridan Road.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

14.1



AG

AG

E 191st ST S

SUBJECT TRACT

AG

S SHERIDAN RD

AG

1

3

2

LEGEND

 Bixby Corporate Limits



LS-20882

16-13 11

14.2







0 Feet 250 500



Subject  
Tract

**LS-20882**

16-13 11

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

Aerial Photo Date: February 2016







Tulsa Metropolitan Area  
Planning Commission

**Case :** Plat Waiver Z-7343

**Hearing Date:** July 6, 2016

**Case Report Prepared by:**

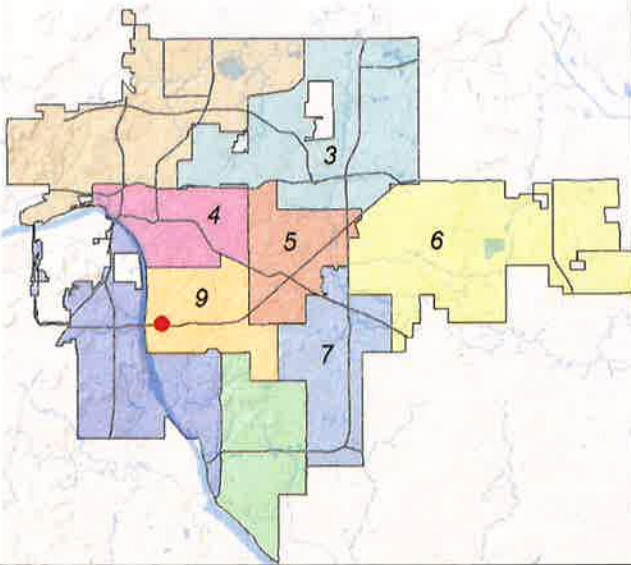
Diane Fernandez

**Owner and Applicant Information:**

*Applicant:* Nathan Cross

*Owner:* Oklahoma Central Credit Union

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:** Plat Waiver

*Location:* North and west of the northwest corner of East 51<sup>st</sup> Street South and South Peoria Avenue

**Zoning:** CH ( with Optional Development Plan, pending)

**Staff Recommendation:**  
Staff recommends Approval.

**Exhibits:** Site Plan

**City Council District:** 9

*Councilor Name:* G.T. Bynum

**County Commission District:** 2

*Commissioner Name:* Karen Keith

## PLAT WAIVER

July 6, 2016

**Z-7343 – North and west of the northwest corner of East 51<sup>st</sup> Street South and South Peoria Avenue (CD 9)**

The platting requirement is being triggered by a rezoning to CH with an optional development plan (pending).

**Staff provides the following information from TAC for their May 19, 2016 meeting:**

**ZONING:** TMAPC Staff: The property has been previously platted..

**STREETS:** A 25 foot corner radius is required at intersection of Newport and Skelly. Sidewalks are required along streets.

**SEWER:** A 17.5 foot perimeter utility easement is required..

**WATER:** A 6 inch waterline exists along South Newport Avenue and a 12 inch exists along East 51<sup>st</sup> Street South for water service connections.

**STORMWATER:** the property is located in a City regulatory flood plain and will require delineation of an easement on the site plan. The site may also require on-site detention. The subject property is located within the Perryman Ditch – City of Tulsa Regulatory floodplain (panel 46). The site plan should include the delineated floodplain boundaries. All development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances. Title 11 A and Title 51. Any proposed changes to the floodplain boundaries would require floodplain map revisions.

**FIRE:** No comments.

**UTILITIES:** No comments.

Staff can recommend **APPROVAL** of the plat waiver for the previously platted property.

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

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

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

15.2

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

\*Corner clip radius required.

\*\* Overland drainage easement may be required upon further review of site plan.



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CO-1

**Hearing Date:** July 6, 2016

**Case Report Prepared by:**

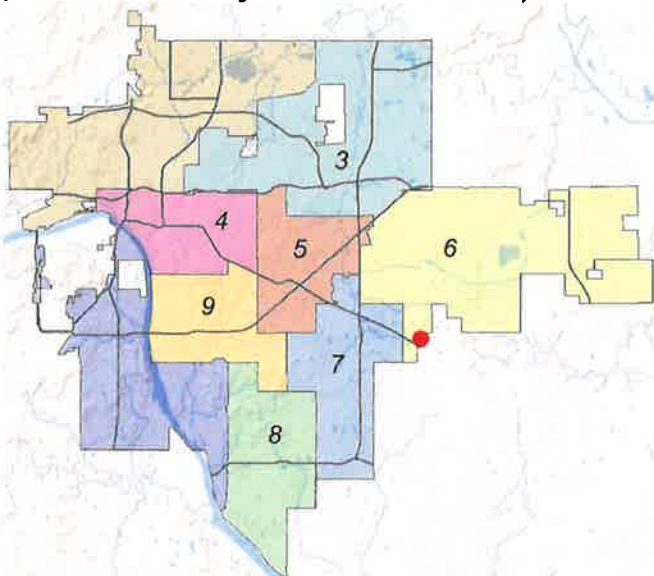
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Property Owner:* FIRST STUART CORP AND

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Mixed-Use

*Concept summary:* Corridor development plan to support a planned multifamily project with provisions to allow a Town Center style project.

*Tract Size:* 74.73 ± acres

*Location:* West of southwest corner of S. 145<sup>th</sup> E. Ave. and E. 51<sup>st</sup> St.

**Zoning:**

*Existing Zoning:* CO

*Proposed Zoning:* CO-1

**Comprehensive Plan:**

*Land Use Map:* Town Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

The concept plans provided by the applicant do not represent the Town Center vision outlined in the comprehensive plan however the text outlined in the staff report allows the higher density development for the remainder of the development plan.

**Staff Data:**

TRS: 9433

CZM: 49

Atlas: 174

**City Council District:** 6

*Councilor Name:* Connie Dodson

**County Commission District:** 1

*Commissioner Name:* John Smaligo

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## SECTION I: CO-1

Staff Comment: The applicant's development concept included below, indicates that the corridor collector street will be built in phases. City Planning and City Engineering support staff recommendation that the corridor collector street from the west edge of West Fargo Street to the East 51<sup>st</sup> Street will be constructed as one project. Phasing of the corridor collector street is not recommended by Staff.

The applicant has stated that a fee in lieu of detention is not required. The fee is not a consideration of the corridor development plan. The appropriateness of that statement will be determined during the IDP process at the City of Tulsa.

### APPLICANTS DEVELOPMENT CONCEPT:

The Project is comprised of approximately 74 acres of land and is located between East 51<sup>st</sup> Street South and the Broken Arrow Expressway.

More particularly, the Project is bounded on the north by East 51<sup>st</sup> Street, the east by an apartment complex and a car dealership in the City of Broken Arrow, the south by the Broken Arrow Expressway and the west by raw land that is heavily impacted by storm water and flood plain.

An Aerial Photograph with the Project boundary depicted is attached hereto as Exhibit "A".

The Project is planned with three (3) development areas. Such development areas have been named Development Area "A", Development Area "B" and Development Area "C".

A Conceptual Site Plan and Circulation Plan for the Project is attached hereto as Exhibit "B".

Development Area "A" contains approximately 24.74 (net) acres and is planned as a 375<sup>1</sup> unit three (3) story garden apartment project.

Development Area "B" contains approximately 38.96 (net) acres. Because Development Area "B" is not currently being planned for development, this Corridor Development Plan proposes, through the use of a map (attached hereto as Exhibit "B") a Conceptual Corridor Development Plan for Development Area "B".

Development Area "C" contains approximately 10.77 (net) acres and is planned as a detention facility and open space for all of the Project. Initially, Development Area "C" will be developed to detain storm water from Development Area "A". Development Area "C" has the capacity and will ultimately be developed to detain storm water for all of the Project. Development Area "C" will be conveyed to a property owners association that will be responsible for the maintenance thereof.

The Development Standards for Development Area "A", Development Area "B" and Development Area "C" are in Section II, below.

Initially, access to Development Area "A" will be from two (2) points on East 51<sup>st</sup> Street South. Upon the development of Development Area "B", a corridor collector street will be built to connect East 51<sup>st</sup> Street South to West Fargo Street in the City of Broken Arrow.

A Cross-Section showing the right-of-way width, paving width, as well as the sidewalks and landscaping within the right-of-way is shown on Exhibit "B-1" attached hereto.

Such corridor collector street may, with the approval of the City, be built in phases, as it is unlikely all of Development Area "B" will be developed at the same time.

<sup>1</sup> Development Area "A" has the lot area to allow over a thousand apartment units, but Development Area "A", like other parts of the Project, is challenged by storm water and related topography such that approximately 55.5% of the Project is not readily developable.

Because the construction of such corridor collector street will occur after the development of Development Area "A", at the time of platting Development Area "A", the portion of such corridor collector street that is adjacent to and abuts Development Area "A" will be dedicated, but such corridor collector street adjacent Development Area "A" will be built later, as a part of the development of Development Area "B".

Development Area "A" will have at least one (1) vehicular access point upon such corridor collector street. Finally, Development Area "A" will have at least one (1) pedestrian access point on the east boundary of Development Area "A" and the south boundary of Development Area "A" into Development Area "B".

With respect to any street connections between the Project and the land to the west of the Project, such connections will be addressed during the platting and development of the southerly portion of Development Area "B".

The Project is located within an "Area of Growth" and is designed in the Land Use Plan Category as "Town Center", thus the Project is consistent with and complies with the Comprehensive Plan. The Project has been zoned CO – Corridor District since 1981 (Ordinance No. 15052; Z-5527), and the Project complies with the CO District as demonstrated through and as modified by this Corridor Development Plan.

Storm water from the Project will be detained within Development Area "C", as a result fee in lieu of detention is not anticipated for the Project.

The Existing Topography and FEMA Floodplain Map for the Project is attached hereto as Exhibit "C".

Water, sanitary sewer, electric, gas, telephone and cable television are either currently available to the Project or can be readily extended as needed.

The Drainage Plan for the Project is shown on the Existing and Proposed Utility Plan attached hereto as Exhibit "D".

Existing Soils are depicted on Exhibit "E" attached hereto.

The Legal Description for the Project is attached hereto as Exhibit "F".

The Legal Description for Development Area "A" is attached hereto as Exhibit "G".

The Legal Description for Development Area "B" is attached hereto as Exhibit "H".

The Legal Description for Development Area "C" is attached hereto as Exhibit "I".

## **SECTION II: CO-1 DEVELOPMENT STANDARDS:**

Staff Comment: Generally the development standards that have been included in the following document allow the Town Center development anticipated in the Comprehensive Plan and support the corridor collector street system that is illustrated in the Major Street and Highway Plan. The development plan does not require a Town Center development pattern. Staff, at several levels within the City, agrees that the first phase of the project should incorporate the entire corridor collector street for the 74 acre parcel from East 51<sup>st</sup> Street South to the stub street from Broken Arrow at the southeast end of the project. However, the proposal as outlined in the development plan anticipates that Development Area A will be constructed without any participation in the construction of the corridor collector street.

14.3



## **DEVELOPMENT AREA "A"**

**GROSS AREA:** 25.62 Acres

### **PERMITTED USES:**

Residential, limited to Patio House, Townhouse, Cottage House development, Multi Unit House and Apartments with uses customarily accessory to the allowed principal uses.

**MINIMUM LOT AREA PER DWELING UNIT:** 1,000 SF

**MINIMUM LOT SIZE:** 5,000 SF

**MAXIMUM BUILDING HEIGHT:** 75 Feet

### **MINIMUM BUILDING PERIMETER SETBACKS:**

From East 51 <sup>st</sup> Street	25 FT
East boundary of Development Area "A"	
From corridor collector street frontage along east boundary of Development Area "A"	10 FT
From east boundary of Development Area "A" that is not adjacent to East 51 <sup>st</sup> Street	10 FT
From south boundary of Development Area "A"	25 FT
From west boundary of Development Area "A"	25 FT
From internal boundaries	10 FT

**MINIMUM OFF-STREET PARKING SPACES (APARTMENTS\*):** 1.5 per dwelling unit\*\*

\* Otherwise, parking shall be as provided in the Tulsa Zoning Code.

\*\* Parking space ratio required for dwelling units without regard to the number of bedrooms.

**MINIMUM BICYCLE PARKING SPACES:** As provided in the Tulsa Zoning Code.

### **OTHER LOT AND BUILDING REGULATIONS:**

As established within the RM-3 District.

### **SIGNS:**

All signs shall meet the standards of the Tulsa Zoning Code for R and AG districts except as further defined below:

#### **Ground Signs:**

##### East 51<sup>st</sup> Street:

One (1) ground sign shall be permitted at each vehicular entrance on East 51<sup>st</sup> Street. The maximum aggregate area of multiple signs may not exceed 150 SF of display surface area and

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20 FT in height. A single sign may not exceed 150 square feet of display surface area and 20 feet in height.

#### Corridor Collector Street

One (1) ground sign shall be permitted at each vehicular entrance from the corridor collector street. The maximum aggregate area of multiple signs may not exceed 100 SF of display surface area. A single sign may not exceed 100 SF of display surface area and 15 FT in height.

Wall signs are prohibited.

#### **LANDSCAPING:**

Landscaping for the Project shall, at a minimum, comply with the landscaping standards of the Tulsa Zoning Code. Final landscaping design and standards shall be determined upon Detail Site Plan and Detail Landscape Plan approval.

In addition to the landscape requirements of the Zoning Code street trees will be installed and maintained along the length of the corridor collector street with a maximum spacing of 50 feet in the street right of way and on both sides of the street. Those trees will be installed as part of the street construction project.

#### **LIGHTING:**

Lighting for the Project shall comply with applicable City of Tulsa standards. Final lighting design and standards shall be determined upon Detail Site Plan and Detail Landscape Plan approval.

#### **TRASH, MECHANICAL AND EQUIPMENT AREAS:**

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchise utility providers), including building-mounted, shall be screened from public view in such a manner that such areas cannot be seen by persons standing at ground level.

Trash dumpsters shall be screened by masonry construction with steel frame doors. The door shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity to the gate frame.

#### **DEVELOPMENT AREA "B"**

#### **GROSS AREA:**

39.60 Acres

#### **PERMITTED USE CATEGORIES:**

Residential, limited to Patio House, Townhouse, Cottage House development, Multi Unit House and Apartments, Public, Civic and Institutional, limited to College or University, Day Care, Fraternal Organization, Government Service, Hospital, Library or Cultural Exhibit, Natural Resource Preservation, Postal Services, Religious Assembly, Safety Service, School, Wireless Communication Facility, Commercial, limited to Small and Large Indoor Assembly and Entertainment, Broadcast or Recording Studio, Commercial Service, Financial Services, Funeral or Mortuary Service, Lodging, Office, Restaurants and Bars, Retail Sales, Studio, Artist or Instructional Service, Trade School, Vehicle Sales and Service, Wholesale, Distribution and Storage except outdoor storage is prohibited, Agricultural, Other, but limited to Drive-in or Drive-through Facility (as a component of an allowed use) and uses customarily accessory to the allowed principal uses.

14.5

<b>MINIMUM LOT AREA PER DWELING UNIT:</b>	1,000 SF
<b>MINIMUM LOT SIZE:</b>	5,000 SF
<b>MAXIMUM BUILDING HEIGHT:</b>	75 feet

**MINIMUM BUILDING PERIMETER SETBACKS:**

From East 51 <sup>st</sup> Street	25 FT
From east boundary of Development Area "B"	
From corridor collector street frontage along Development Area "B"	10 FT
From east boundary of Development Area "B" that	
is not adjacent to or abutting the corridor collector street	10 FT
From south boundary of Development Area "B"	25 FT
From west boundary of Development Area "B"	25 FT
From internal boundaries	10 FT

**MINIMUM OFF-STREET PARKING SPACES (APARTMENTS\*): 1.5 per dwelling unit\*\***

\* Otherwise, parking shall be as provided in the Tulsa Zoning Code.

\*\* Parking space ratio required for dwelling units without regard to the number of bedrooms.

**MINIMUM BICYCLE PARKING SPACES:** As provided in the Tulsa Zoning Code.

**SIGNS:**

All signs shall meet the standards and sign budget of the Tulsa Zoning Code for commercial districts except as further defined below:

**Ground Signs:**

East 51<sup>st</sup> Street:

One (1) ground sign shall be permitted at each vehicular entrance on East 51<sup>st</sup> Street. The maximum aggregate area of multiple signs may not exceed 150 SF of display surface area and 20 FT in height. A single sign may not exceed 150 square feet of display surface area and 20 feet in height.

Corridor Collector Street:

One (1) monument sign shall be permitted at each vehicular entrance from the corridor collector street. The maximum aggregate area of multiple signs may not exceed 100 SF of display surface area. A single sign may not exceed 100 SF of display surface area and 15 FT in height.

Broken Arrow Expressway:

One (1) ground sign shall be permitted along the Broken Arrow Expressway with a maximum of 300 SF of display surface area and 30 FT in height.

**LANDSCAPING:**

Landscaping for the Project shall, at a minimum, comply with the landscaping standards of the Tulsa Zoning Code. Final landscaping design and standards shall be determined upon Detail Site Plan and Detail Landscape Plan approval.

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## **LIGHTING:**

Lighting for the Project shall comply with applicable City of Tulsa standards. Final lighting design and standards shall be determined upon Detail Site Plan and Detail Landscape Plan approval.

## **TRASH, MECHANICAL AND EQUIPMENT AREAS:**

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchise utility providers), including building-mounted, shall be screened from public view in such a manner that such areas cannot be seen by persons standing at ground level.

Trash dumpsters shall be screened by masonry construction with steel frame doors. The door shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity to the gate frame.

## **OTHER LOT AND BUILDING REGULATIONS:**

As established within the CG District.

## **DEVELOPMENT AREA "C"**

### **GROSS AREA:**

10.77 Acres

### **PERMITTED USES:**

Storm Water Drainage, Storm Water Detention Facilities, Water Features, Open Spaces, Sidewalks, Trails and Landscaping.

## **GENERAL PROVISIONS:**

### **A. VEHICULAR ACCESS AND CIRCULATION PHASING REQUIREMENTS:**

As a part of the development of the Project, a corridor collector street will be constructed connecting East 51<sup>st</sup> Street South to West Fargo Street from the City of Broken Arrow.

Depending on the timing of development within the Project, such corridor collector street may be constructed in phases, as provided below. However, the right of way for such corridor collector street will be dedicated simultaneously with the filing of the first plat within the Project.

If, as initially planned, Development Area A is the first portion of the Project to be developed, Development Area A and Development Area C will be platted in a single plat.

Development Area "A" will have at least one (1) access point upon such corridor collector street.

Also, Development Area "A" will have at least one (1) pedestrian access point on the east boundary of Development Area "A" and the south boundary of Development Area "A" into Development Area "B".

The location of such pedestrian access points from Development Area "A" into Development Area "B" will be determined at the time of the development of Development Area "B".

16.7

No collector street construction is required for Development Area A however the street right of way will be dedicated for the entire length of the corridor collector from 51 to the Fargo Street dead end at the south east corner of the site.

A final plat will not be released for the north portion of Development Area B until a corridor collector street is constructed from the south boundary of Development area A to East 51<sup>st</sup> Street South.

A final plat will not be released and a building permit will not be issued for the any part of the south portion of Development area B until the full corridor collector street is constructed from the west end of Fargo to East 51<sup>st</sup> Street South and a public street is constructed from the corridor collector street to the west boundary of the Development Area.

Restrictive covenants, in favor of the City, will be imposed against the Project providing that the corridor collector street will be constructed as provided above.

See the Site Plan for Development Area "A" and Conceptual Site Plan for Remainder of Project and Circulation Plan attached hereto as Exhibit "B" for more specificity about access and circulation.

Also see Exhibit "B-1" for more specificity about the proposed corridor collector street and related improvements.

#### **B. SCHEDULE OF DEVELOPMENT:**

Development of the Project is expected to be in phases and begin in the Fall of 2016, with Development Area "A" being developed first. Such first phase of development in the Project will be platted to include all of Development Area "A" and all of Development Area "C". Such plat will also include that portion of Development Area "B" that is adjacent to and abuts Development Area "A" with such portion of Development Area "B" being then platted for corridor collector street purposes with the construction of such street to be deferred until Development Area "B" is developed. Development of any Development Area may only begin after approval of a Detail Site Plan and the platting of such Development Area in accordance with the Development Standards of such Development Area.

#### **DETAILED STAFF RECOMMENDATION:**

Staff started discussion regarding this project in January of 2015. Staffs primary concern was that the proposal did not implement significant components of the Town Center Vision or purpose statement of a Corridor Development Plan. The Corridor Development Plan outlined above has been prepared to allow and encourage high-intensity, multi-use development however this Plan does not require development to meet the general characteristics of a Town Center and;

This site is a green field site and the Corridor Development Plan meets the following purposes required in the Corridor District:

- 1) Accommodates intensive uses and development near high-capacity thoroughfares;
- 2) Allows for a wide range of lifestyles and housing types close to employment, recreational shopping, and cultural facilities;
- 3) Maximizes the interrelationship between land use and transportation and in particular encourages development patterns compatible with the evolution of transit;

16.8

- 4) Provides direct, safe and convenient non-motorized travel routes within the boundaries of the development site, as well as connections to abutting properties;
- 5) Maximizes use of higher capacity segments within the city's overall transportation network;
- 6) Accommodates a more productive use of land consistent with the public objectives and standards of accessibility and land use compatibility; and
- 7) Maintains the traffic carrying capacity of the city's transportation network by encouraging access from internal streets or private drives.

The proposed corridor development meets the Supplemental Review and Approval Criteria as follows:

- 1) The proposed corridor development plan will be compatible with the existing and expected development of surrounding areas;
- 2) The proposed corridor development provides some unified treatment of the development possibilities of the project site;
- 3) Provisions have been made for proper access, circulation, and functional relationships of uses; and
- 4) The proposed corridor development is consistent with the stated purposes of the Tulsa Zoning Code; therefore

**Staff recommends Approval of CO-1 as outlined in Section II above.**

### **SECTION III: Supporting Documentation**

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The proposal for CO-1 allows development that is consistent with the Town Center vision of the Comprehensive Plan. A few details have not been integrated into the proposed Corridor Development Plan to support walking, short drives or bike access to the amenities that could be blended creating a town center neighborhood. The apartment use is an acceptable use and detailed implementation of the site plan can help implement a Town Center development.*

#### Land Use Vision:

##### *Land Use Plan map designation: Town Center*

Town Centers are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

##### *Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area 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 in 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.

Transportation Vision:

*Major Street and Highway Plan:* A collector street is anticipated in this parcel. The collector street can allow on-street parking and provide alternative means of connectivity. The town center encourages on street parking and buildings placed to create a comfortable pedestrian environment.

The collector street will ultimately tie into West Fargo Street in Broken Arrow. The street right of way in Broken Arrow has been provided and the pavement surface has also been constructed. Some redevelopment of the existing car dealership pavement system will be required as outlined in a license agreement provided to the City of Broken Arrow.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The site is vacant and has been historically used for grazing cattle and horses. The site development is limited by a floodplain in the center of the property. Staff supports significant increase in density for multifamily, office, and commercial uses to support the town center development that could be centered at this locations. Staff supports creating a green space opportunity in the floodplain area to satisfy appropriate green space needs for a town center density at this location.

Topography:

The Project Topography is shown on the Existing Topography and FEMA Flood Plain Map for the Project attached hereto as Exhibit "C". The site falls generally from east to west.

The site topography falls from approximately 736 feet above mean sea level at the highest point to approximately 715 feet above mean seal level at the lowest point.

Soils:

The USDA Web Soil Survey was used to identify the soil types and possible constraints to development. Soils on the site include Okemah-Parsons-Pharaoh complex (41%), Apperson silty clay loam (24.3%), Dennis-Radley complex (22.3%) and Dennis and Catoosa silt loam and Catoosa-Shidler-Rock outcrop complex for the balance, which soil types are shown on Exhibit "E", Existing Soils, attached hereto. Soils shall be stabilized within the areas of building, street and parking lot construction in accordance with geotechnical report recommendations.

16.10

**Environmental Considerations:** The floodplain at this site will significantly affect site development on this property and property west of this site. Land west of this site will require access so street stubs to the west near the Broken Arrow Expressway will be required.

**Streets:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 51 <sup>st</sup> Street	Secondary Arterial	100 feet	2

**Utilities:**

**Water:** The Project will be served by City of Tulsa water using mains located on site or by necessary extensions.

**Sanitary Sewer:** The Project will be served by City of Tulsa sanitary sewer using mains located on site or by necessary extensions.

**Other Utilities:** The Project has access to electric, natural gas and communication services by virtue of lines located on site or otherwise will be served by line extension as necessary.

The existing and proposed utilities are shown on Exhibit "D" – Existing and Proposed Utility Plan attached hereto.

**Drainage:** The proposed and existing drainage is shown on Exhibit "D" – Existing and Proposed Utility Plan attached hereto.

**Surrounding Properties:**

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RM-1	Town Center	Growth	Vacant
East	(Broken Arrow Multi Family)	(Broken Arrow) Level 3 transition area, supports multi family, and neighborhood mixed use districts and Regional Employment/Commercial	NA	Multi Family, Mini Storage and auto dealership
South (across expressway)	CH IL (south of expressway)	(Broken Arrow) Regional Employment/ Commercial	NA	Single family residential
West	AG / CO	Employment Center	Area of Growth	Vacant

**SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11825 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**BOA-16601 March 8, 1994:** The Board of Adjustment approved a Variance to relocate 2 existing non-conforming signs within 1200' of each other on the same side of the freeway corridor; subject to the nonconforming status remaining the same (removal in January 1995); finding that the State is requesting that the signs be relocated; and finding that moving the signs' 25' to the north and complying with the 10' setback requirements will not cause substantial detriment, on property located at 13601 E. Broken Arrow Expressway and also known as the subject property

***Surrounding Property:***

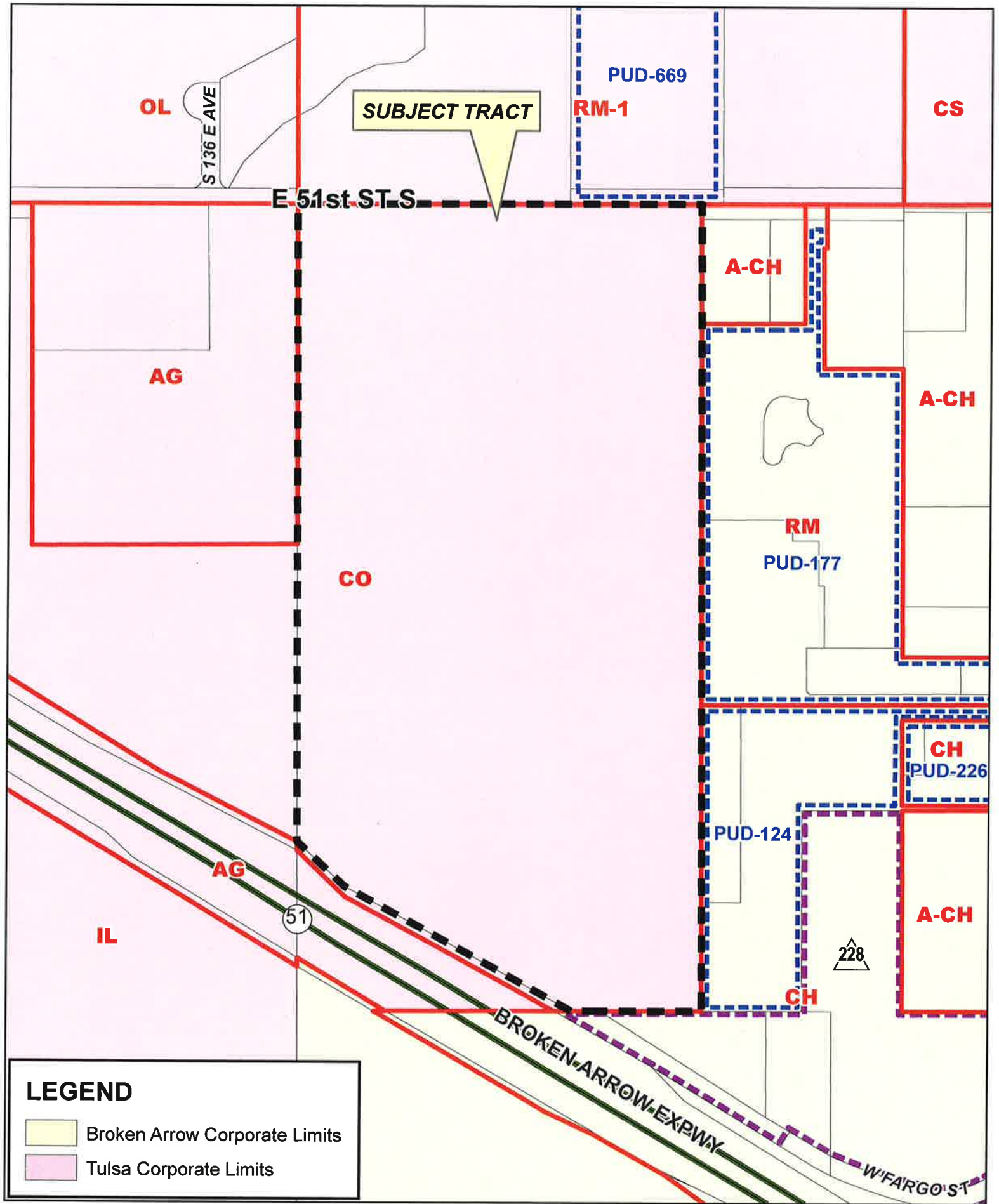
**PUD-669 February 2003:** All concurred in approval of a proposed Planned Unit Development on an 11.19± acre tract of land for a 180-unit multifamily development on property located west of the northwest corner of East 51<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue and abutting north across E. 51<sup>st</sup> St.

**BOA-21146:** The Board of Adjustment approved a Special Exception to permit a multi-family dwelling use (Use Unit 8) in the OL district (Section 601) to permit an adjoining proposed multi-family dwelling development's leasing office/resident clubhouse, outdoor pool area, and mail kiosk and signage, with the condition that sidewalks be included along any an all public right-of-ways in the development. It is noted there ar no multifamily units in the OL portion of the project; this will return for a subdivision plat; per conceptual plan 3.7, on property located east of the northeast corner of E. 51<sup>st</sup> St. and S. 129<sup>th</sup> E. Ave. and northeast of subject property.

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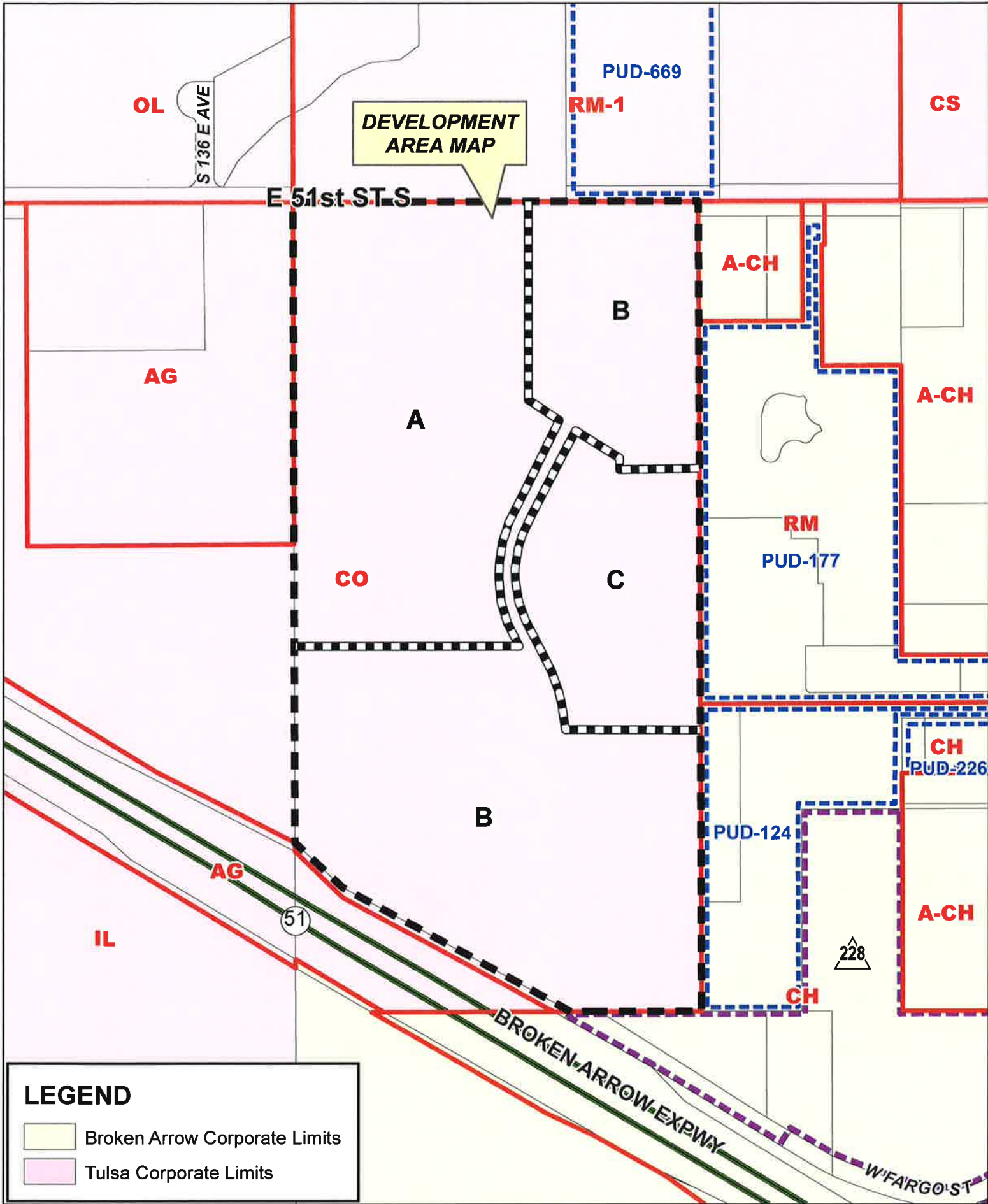
16.12





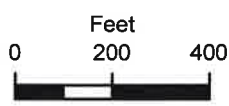
**CO-1**  
19-14 33





**LEGEND**

-  Broken Arrow Corporate Limits
-  Tulsa Corporate Limits



**CO-1**

19-14 33

16.14







S 136 E AVE

E 51st ST S

51

BROKEN ARROW EXPWY

W FARGO ST

1615

0 200 400  
Feet



Subject  
Tract

CO-1

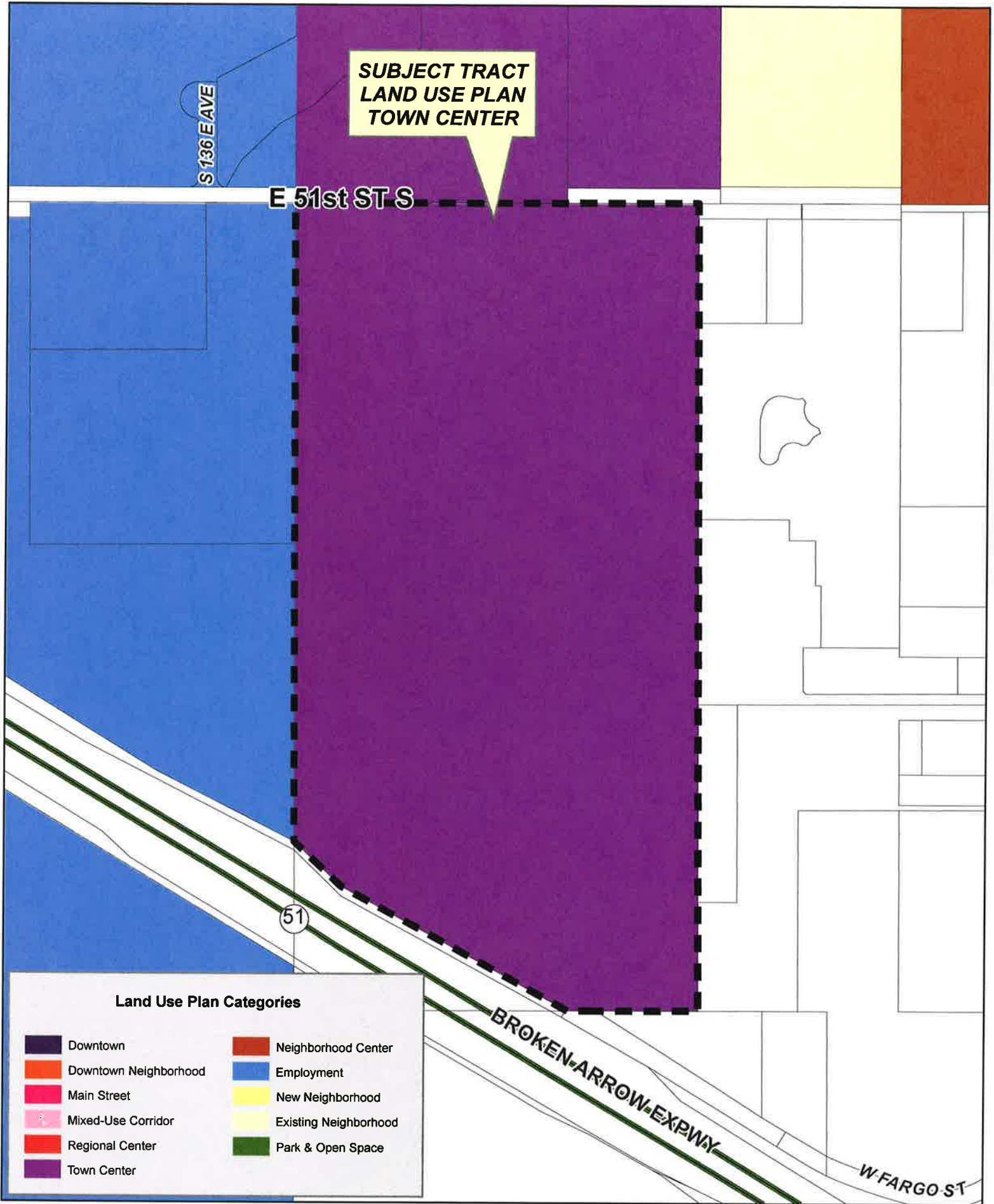
19-14 33

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

Aerial Photo Date: February 2016







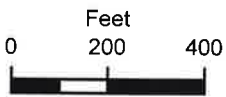
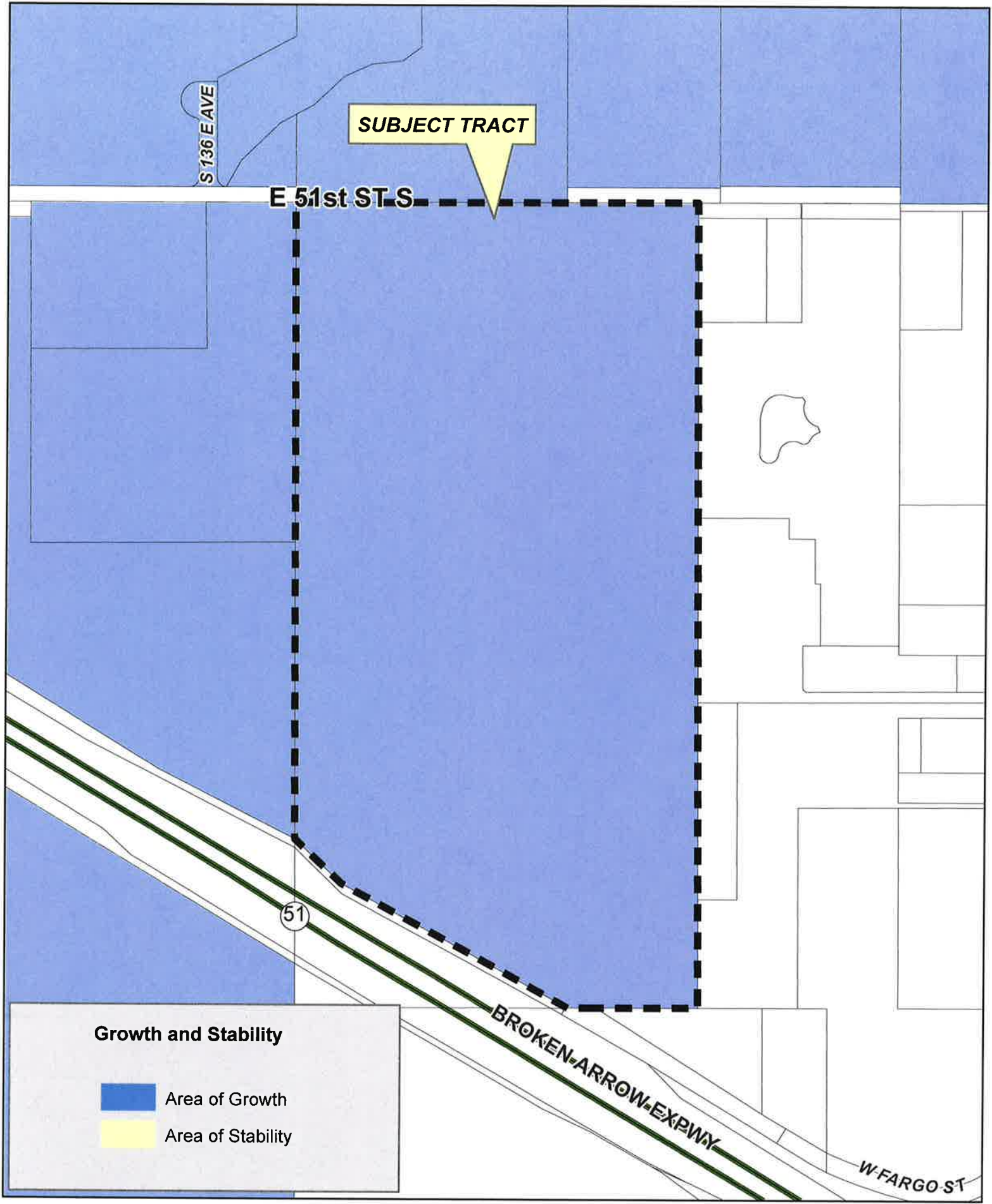
Feet  
0 200 400

**CO-1**

19-14 33

16.14





CO-1  
19-14 33





**Exhibit "A" -- Aerial Photography and Boundary Depiction**



16.18



**Exhibit "B" -- Site Plan for Development Area "A" and  
Conceptual Site Plan for Remainder of Project and  
Circulation Plan**



16.19

# Stuart Project

## EXHIBIT B-1

### PROPOSED COLLECTOR STREET SECTION

# Collector Street Concept





**Exhibit "C" -- Existing Topography and  
FEMA Floodplain Map**

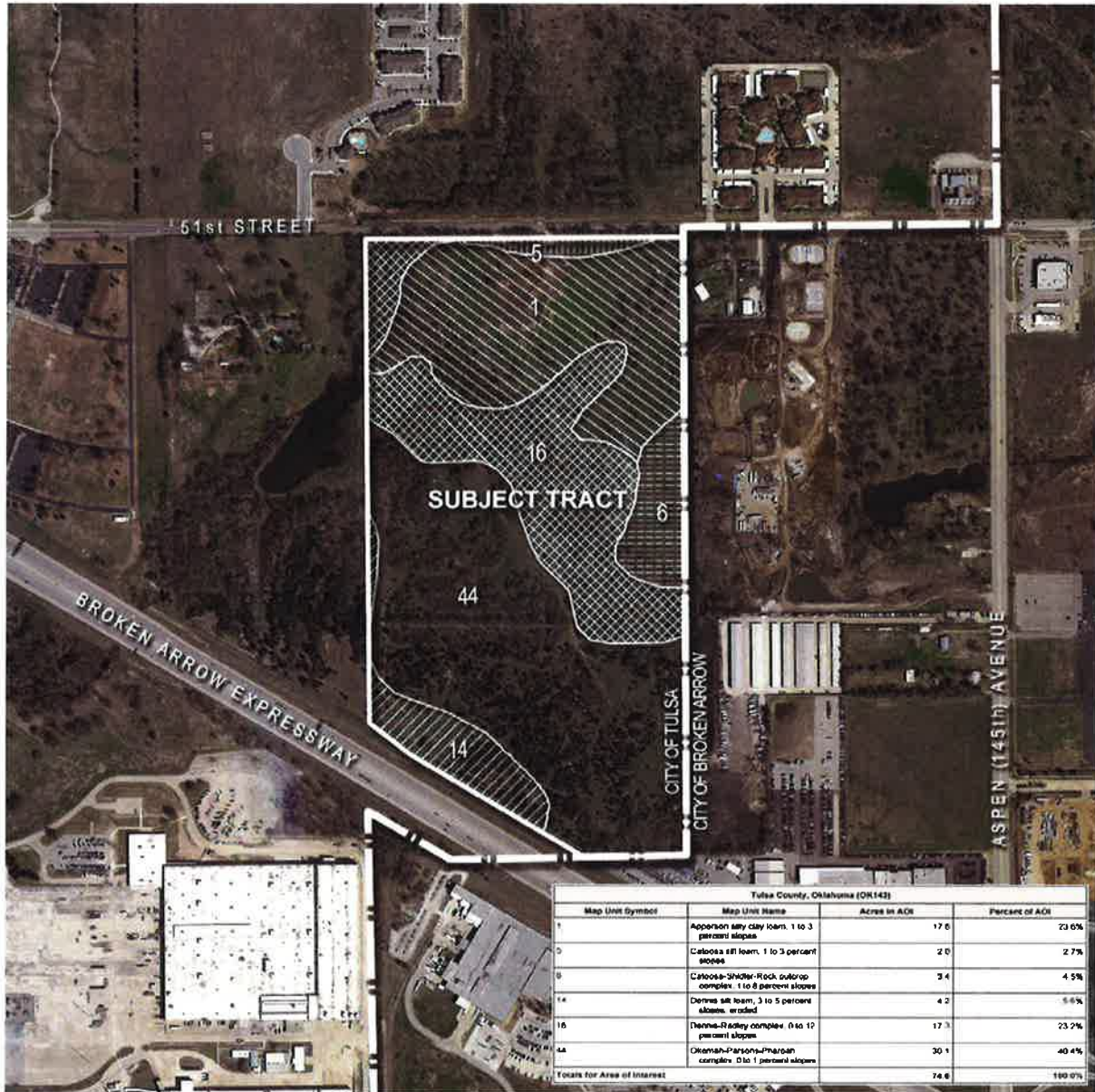




**Exhibit "D" -- Existing and Proposed Utility Plan**

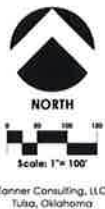


## Exhibit "E" -- Existing Soils



16.23





# Stuart Tract CORRIDOR SITE PLAN

PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, OF THE INDIAN MERIDIAN, AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

## SITE PLAN METRICS \*

TOTAL TRACT SIZE:	72.85 ACRES **
MULTI-FAMILY:	354 UNITS
COMMERCIAL:	
DEVELOPMENT AREA B (SOUTH)	243,622 SQUARE FEET
DEVELOPMENT AREA B (NORTH)	202,716 SQUARE FEET
OFFICE:	425,955 SQUARE FEET

\* ALL DIMENSIONS AND AREAS SHOWN HEREON ARE APPROXIMATE

## Collector Street Concept



EAST 51ST STREET SOUTH

W. OMAHA ST.

DEVELOPMENT AREA "A"

MULTIFAMILY RESIDENCES  
FLOODPLAIN TO REMAIN OPEN SPACE AMENITY  
24.74 ACRES

DEVELOPMENT AREA "B"

DEVELOPMENT AREA "C"

FLOODPLAIN / DETENTION RESERVE  
(FINAL DESIGN AT FINAL ENGINEERING PHASE)

DEVELOPMENT AREA "B"

RETAIL

COMMERCIAL RETAIL

15.92 ACRES

FIVE STORY  
RETAIL FIRST FLOOR  
OFFICE 2-5 FLOORS

RETAIL

COMMERCIAL RETAIL

4.62 ACRES

TWO STORY  
RETAIL FIRST FLOOR  
OFFICE 2ND FLOOR

3.91 ACRES

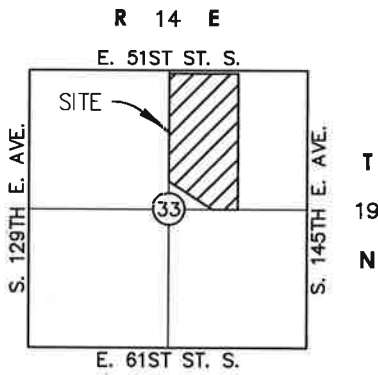
BROKEN ARROW EXPRESSWAY

W. FARGO ST.

CITY OF BROKEN ARROW

16.24





Location Map

# Exhibit "F"

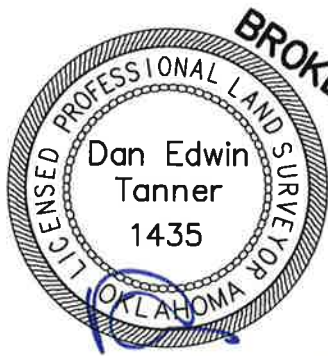
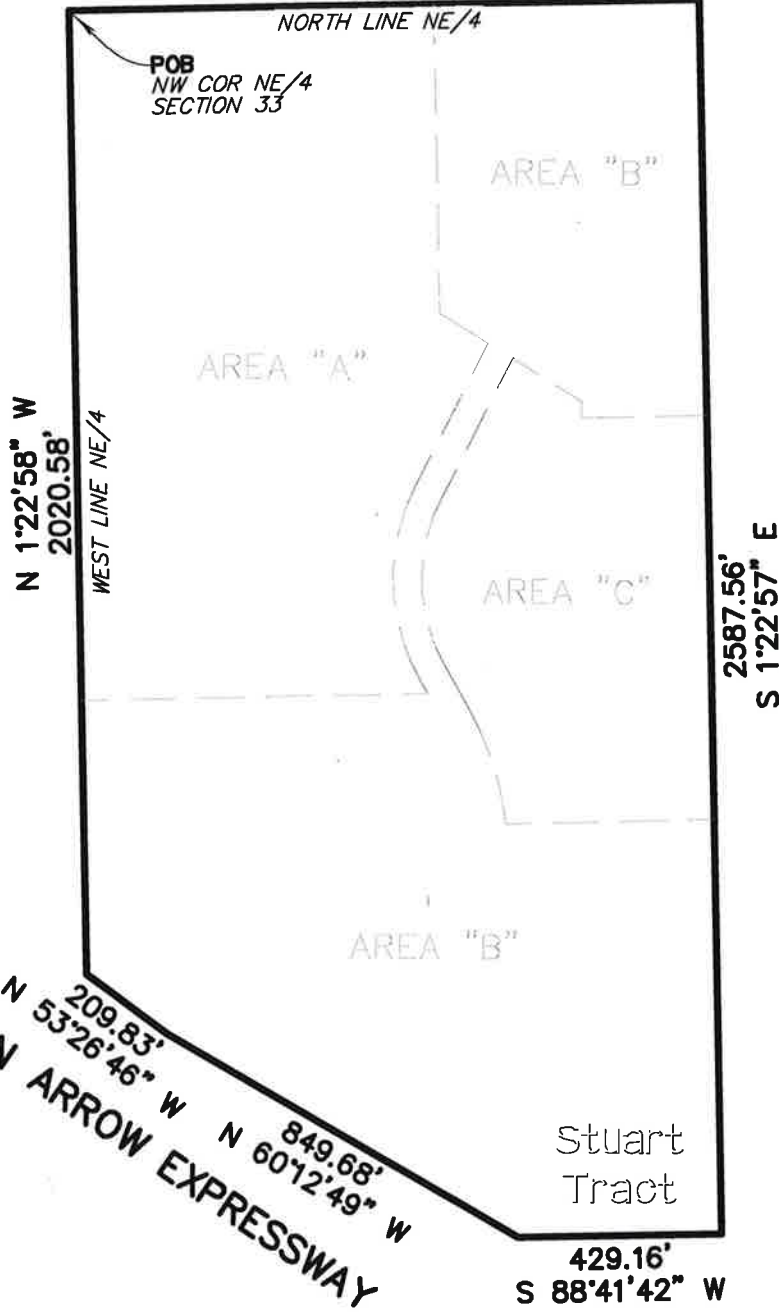
## STUART TRACT

### PROJECT AREA OVERALL



### EAST 51st STREET SOUTH

N 88°43'13" E  
1321.69'



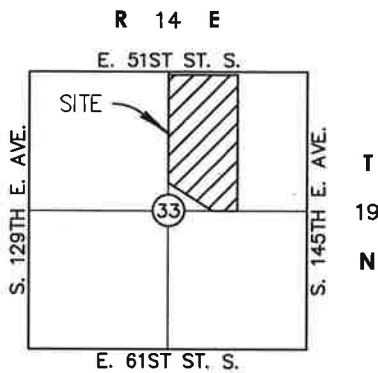
#### LEGEND

POB POINT OF BEGINNING

4/07/2016 14092\_EXHIBIT F

**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

16.25



Location Map

# Exhibit "G"

## STUART TRACT

### DEVELOPMENT AREA "A"

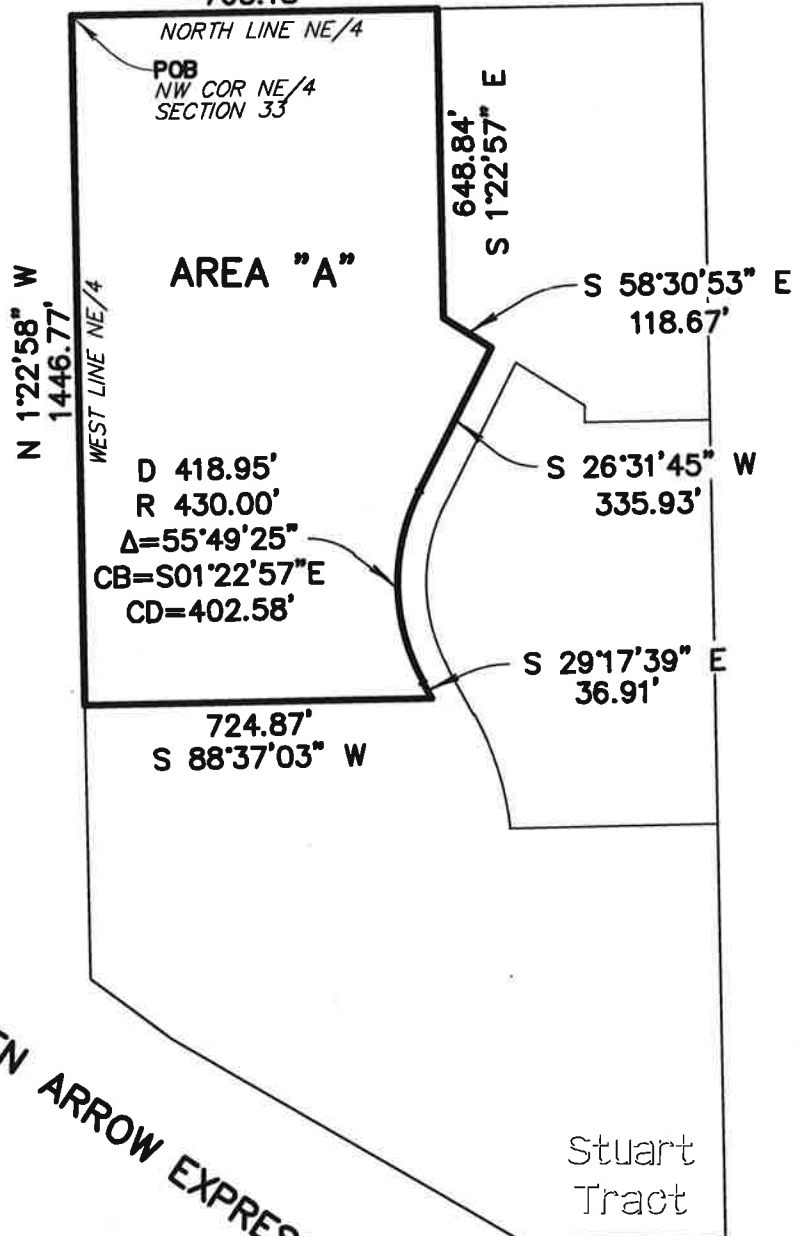


NORTH

DRAWING NOT TO SCALE

### EAST 51st STREET SOUTH

N 88°43'42" E  
765.18'



4.7.2016

BROKEN ARROW EXPRESSWAY

#### LEGEND

CB	CHORD BEARING
CD	CHORD DISTANCE
D	DELTA
L	LENGTH
POB	POINT OF BEGINNING
R	RADIUS

4/06/2016 14092\_EXHIBIT G

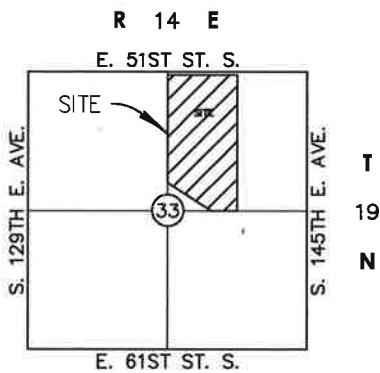
**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

16.26

**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

16.27





Location Map

# Exhibit "I"

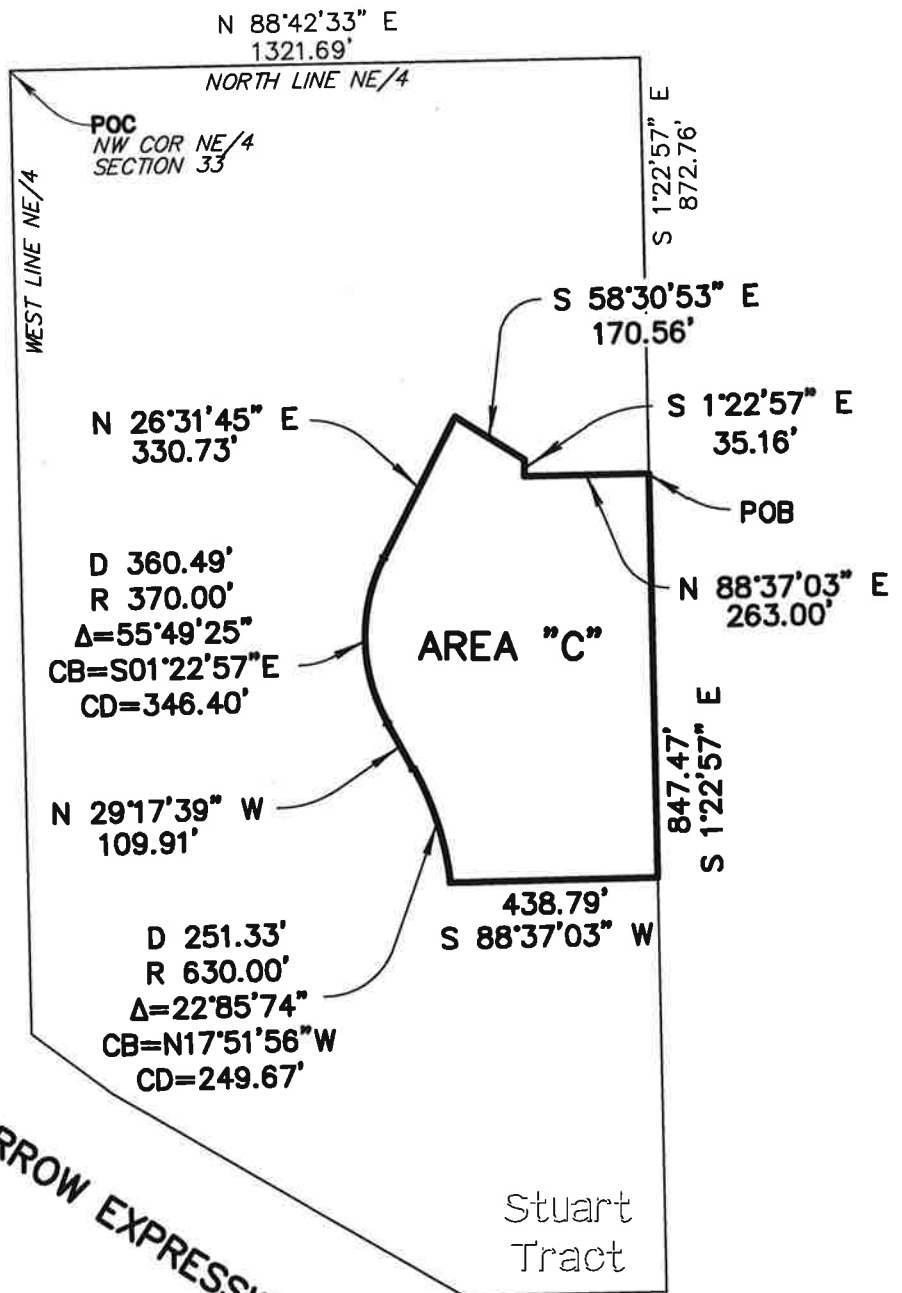
## STUART TRACT

### DEVELOPMENT AREA "C"



NORTH  
DRAWING NOT TO SCALE

## EAST 51st STREET SOUTH



4.7.2016

BROKEN ARROW EXPRESSWAY

### LEGEND

CB	CHORD BEARING
CD	CHORD DISTANCE
D	DELTA
L	LENGTH
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R	RADIUS

4/06/2016 14092\_EXHIBIT I

**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

16.24



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7331**

**Hearing Date: July 6, 2016**

- Applicant requested continuance from April 20<sup>th</sup> to May 18<sup>th</sup>
- Applicant and neighbor agreed to a continuance from May 18<sup>th</sup> to June 1<sup>st</sup> to discuss optional development plan.
- Applicant requested continuance from June 1<sup>st</sup> to June 15<sup>th</sup>.
- Applicant requested continuance from June 15<sup>th</sup> to July 6<sup>th</sup>.

**Case Report Prepared by:**

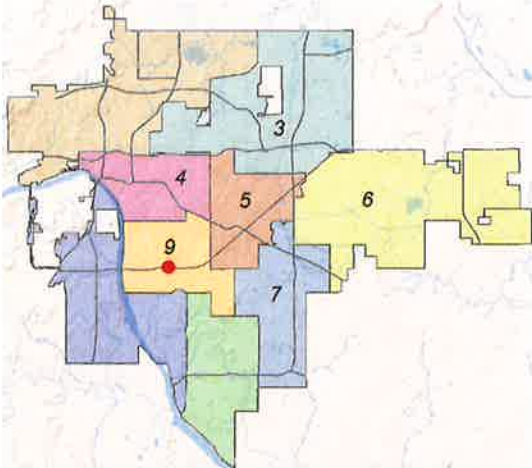
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Dr. S. Lee Hays (represented by Lou Reynolds at Planning Commission Meeting)

*Property Owner:* 4940 LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Chiropractic offices

*Concept summary:* OL Rezoning request to support medical office building construction.

*Tract Size:* 0.93 ± acres

*Location:* North of the northwest corner of S. Columbia Ave and Skelly Dr.

**Zoning:**

*Existing Zoning:* RS-1

*Proposed Zoning:* OL

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval for Z-7331 requesting OL zoning.**

**Staff Data:**

TRS: 9329

CZM: 47

Atlas: 471

**City Council District: 9**

*Councilor Name:* G.T. Bynum

**County Commission District: 2**

*Commissioner Name:* Karen Keith

17.1

## SECTION I: Z-7331

### DEVELOPMENT CONCEPT:

OM zoning was the original request from the applicant and the Notice of Public Hearing was published requesting OM. After discussion with staff the request was amended to OL zoning which will be more compatible with the single family residential development north and west of the site. OL zoning satisfies the need for the anticipated Chiropractic office.

### EXHIBITS:

INCOG Case map  
INCOG Aerial (small scale)  
INCOG Aerial (large scale)  
Tulsa Comprehensive Plan Land Use Map  
Tulsa Comprehensive Plan Areas of Stability and Growth Map  
Applicant Exhibits: None

### DETAILED STAFF RECOMMENDATION:

Z-7331 requesting OL zoning is consistent with the Mixed-Use land use designation of the Comprehensive Plan and;

OL zoning is compatible with the existing proximate properties and;

At this location OL zoning is an appropriate buffer from the single family residential property north of the site to the I-44 corridor and;

OL zoning is compatible with the anticipated future redevelopment opportunities in this area therefore;

**Staff recommends Approval of Z-7331 to rezone property from RS-1 to OL.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: OL zoning is consistent with the Mixed Use Corridor vision of the Comprehensive Plan however in this instance the I-44 frontage will not include windows, store fronts or on-street parking.*

### Land Use Vision:

*Land Use Plan map designation: Mixed-Use Corridor*

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses



include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area 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 in 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.

Transportation Vision:

*Major Street and Highway Plan:* None that affect the site.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is vacant with wooded edges. The building orientation could be toward Columbia Ave.; however the building front of the other buildings along this corridor are all facing I-44. The proposed building should face the expressway. East of Columbia Ave. an existing but vacant office building faces I-44 however surface parking and existing driveways enter and exit to Columbia Ave.*

*See Images on following page:*

*The following image is looking northwest toward the property from the intersection of Skelly Drive at the intersection with South Columbia Ave.*



The following image is from the northeast corner of the subject property looking south.



Environmental Considerations: No known environmental constraints affect the site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Columbia Avenue	none	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-1	Existing Neighborhood	Area of Stability	Single family residential
East	OM	Mixed-Use Corridor	Area of Growth	Vacant Office Building
South (south of I-44)	RS-2	Mixed-Use Corridor	Area of Growth	Single family residential
West	RS-3	Mixed-Use Corridor	Area of Growth	Residential duplex

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**Z-6690/ PUD-622 November 1999:** Staff and TMAPC concurred in approval of a request for *rezoning* a 1± acre tract of land from RS-1 to RT with a *Planned Unit Development*, for a townhouse development, on property located south of the southwest corner of E. 49<sup>th</sup> St. S. and S. Columbia Ave. and also known as the subject property. City Council **denied** the requests.

**Z-6552 August 1996:** Request to rezone the subject tract from RS-1 to OM. Staff recommended denial of OM and OL in the alternative. On appeal, City Council **denied** the requests for either category.

***Surrounding Property:***

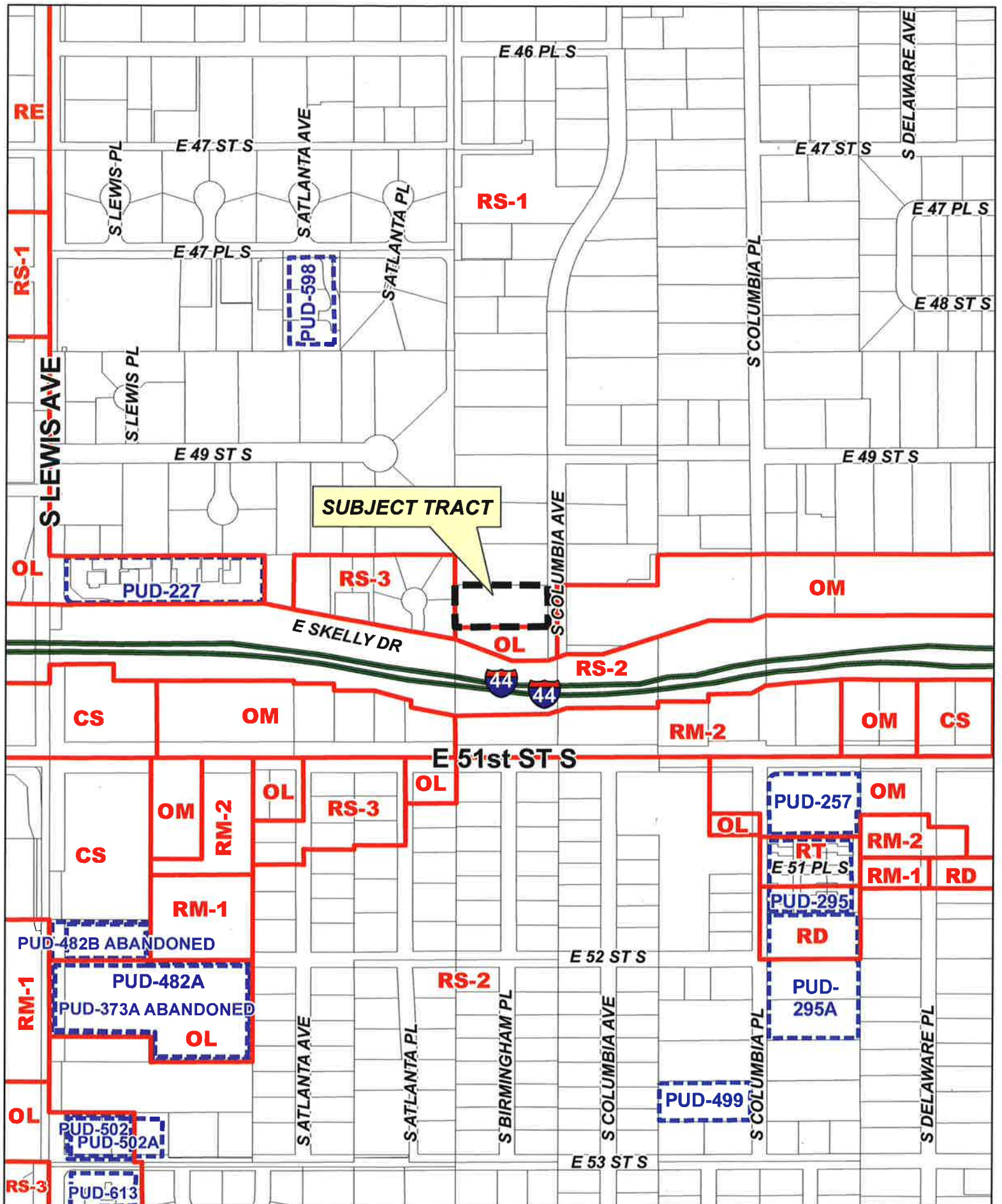
**BOA-13513 April 1985:** The Board of Adjustment **approved** a *Variance* to permit a second story to an existing structure in an OL zoned district on property located on the northwest corner of I-44 Expressway and S. Columbia Avenue and abutting the subject tract on the south.

5/18/2016 1:30 PM

17.5

REVISED 6/30/2016





0 100 200 400  
Feet

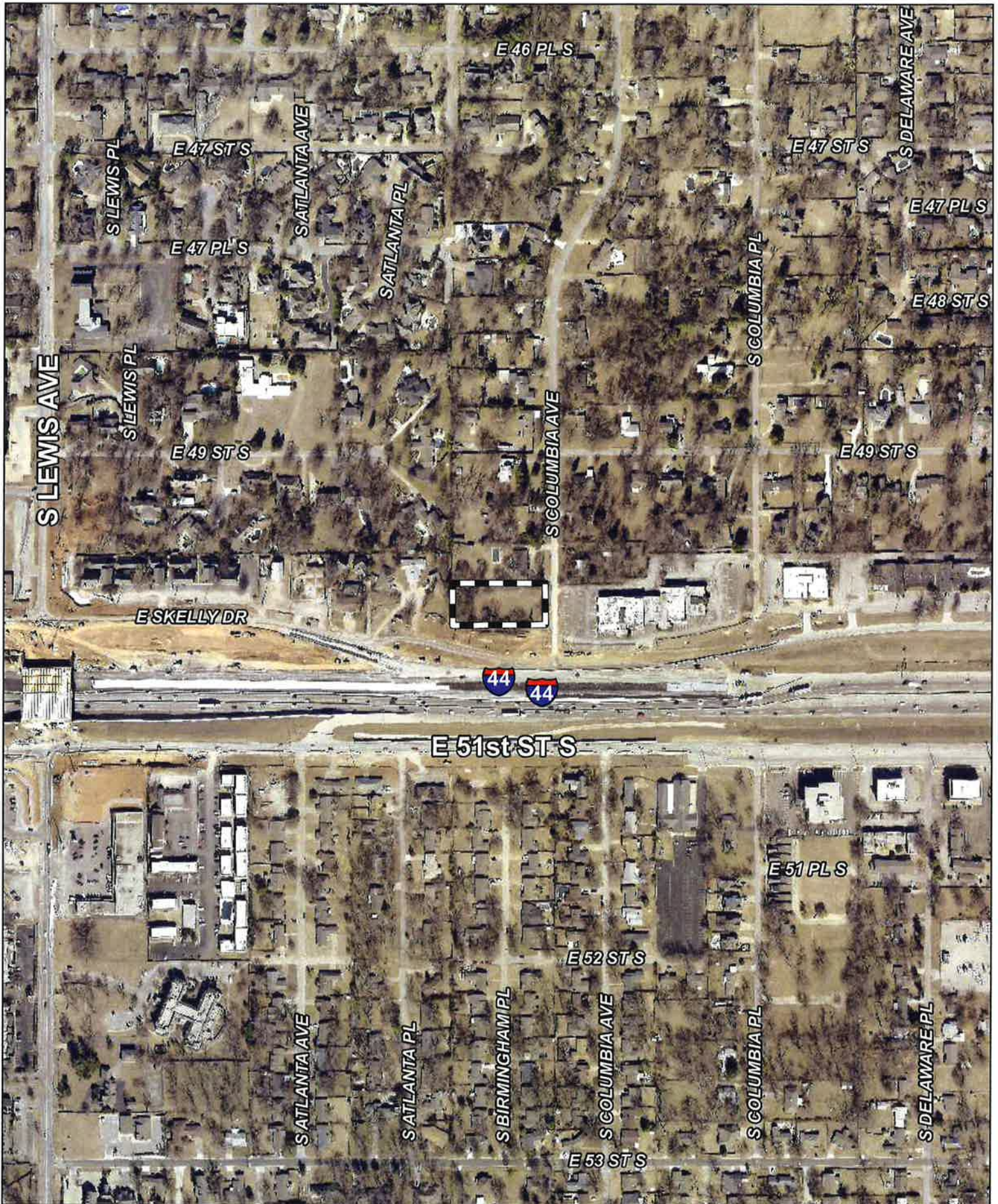
Z-7331

19-13 29

17.4







0 200 400  
Feet



Subject  
Tract

**Z-7331**

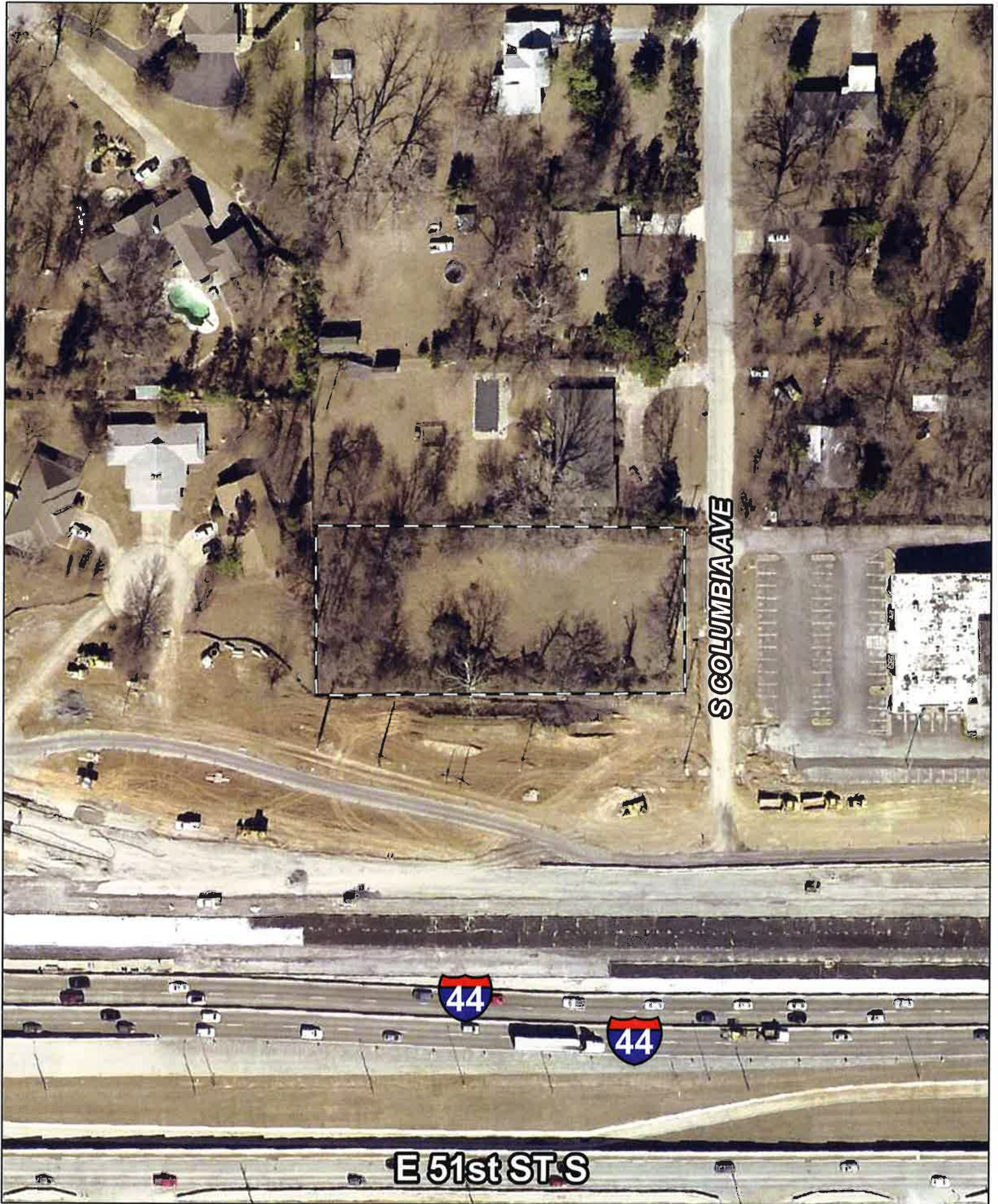
19-13 29

Note: Graphic overlays may not p  
align with physical features on the

Aerial Photo Date: March 20







Feet  
0 50 100



Subject  
Tract

**Z-7331**

19-13 29

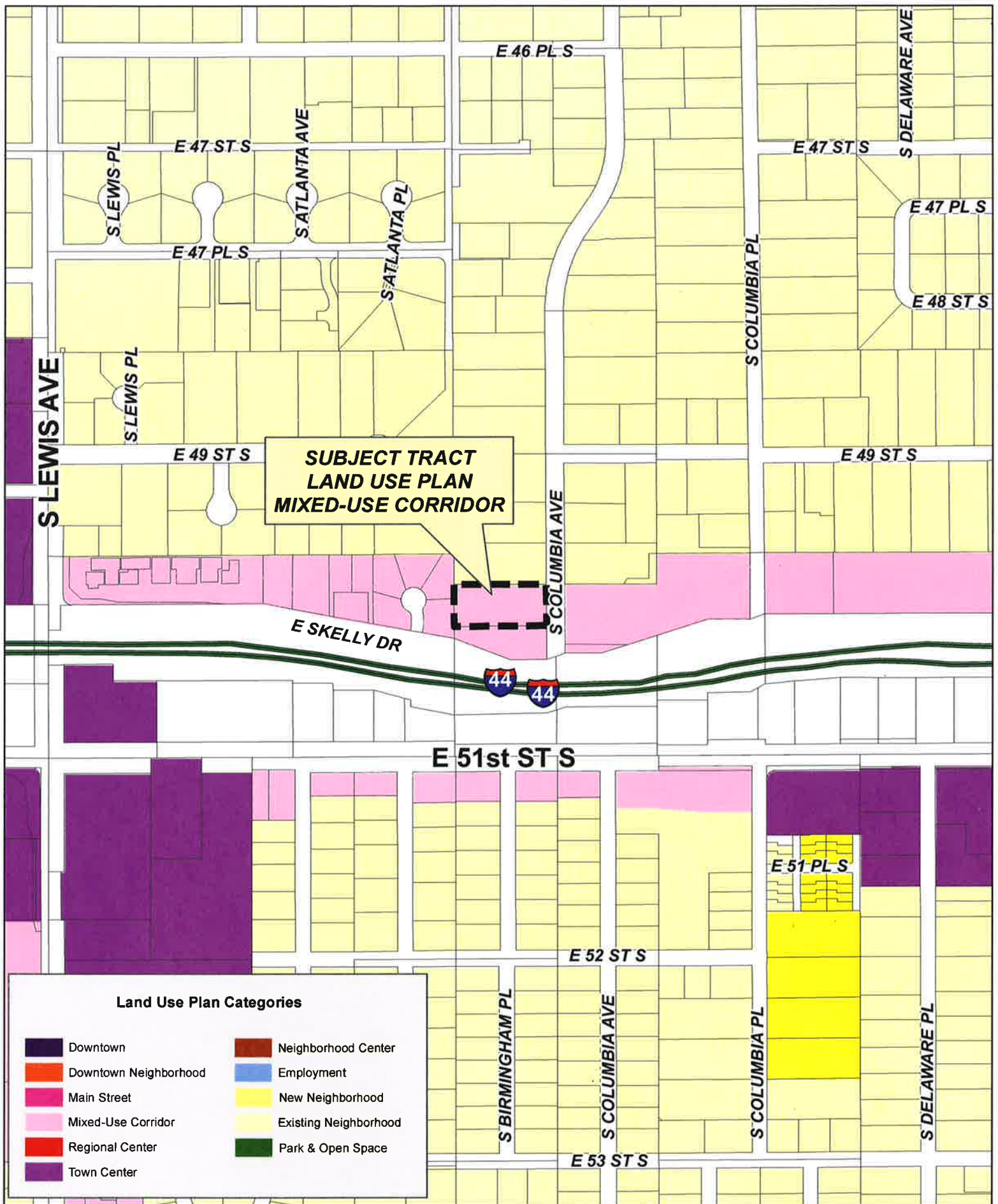
Note: Graphic overlays may not precisely  
align with physical features on the ground

Aerial Photo Date: March 2014



**17.8**

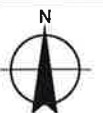


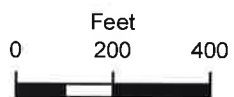
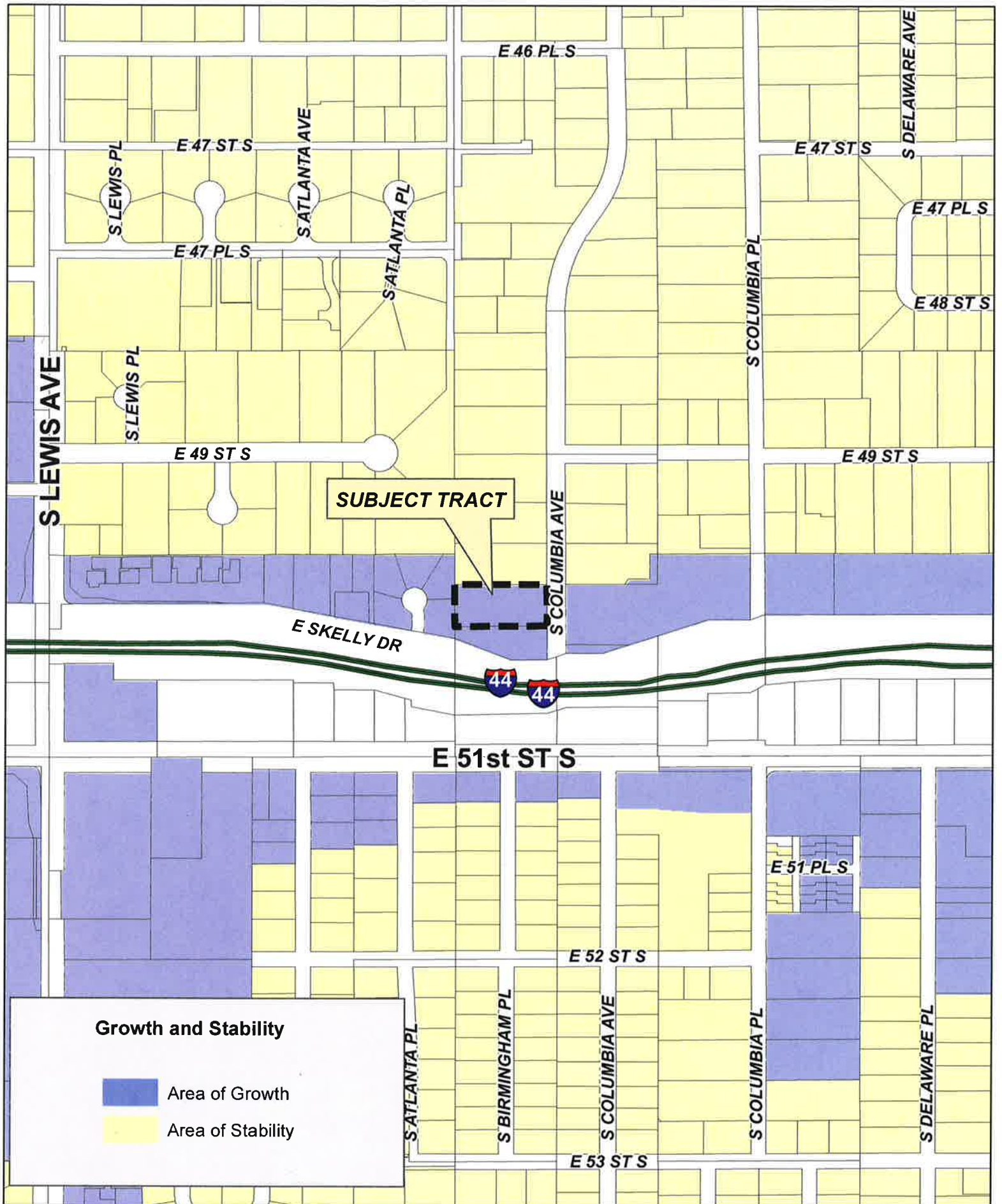


**Z-7331**

19-13 29

17.9





**Z-7331**

19-13 29

**17.10**



**Sawyer, Kim**

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, June 01, 2016 11:11 AM  
**To:** Sawyer, Kim  
**Subject:** FW: Z-7331 (Continuance request from June 1st to June 15th)

Kim,

Please forward this request to the Planning Commission.

Thanks

**INCOG**

C. Dwayne Wilkerson  
Assistant Director Land Development Services

2 West Second Street  
Suite 800  
Tulsa, OK 74103

918-579-9475  
[dwilkerson@incog.org](mailto:dwilkerson@incog.org)

---

**From:** R. Louis Reynolds [<mailto:LReynolds@ellerdetrich.com>]  
**Sent:** Tuesday, May 31, 2016 5:07 PM  
**To:** Wilkerson, Dwayne  
**Cc:** Gary Maddux ([gmaddux@barberbartz.com](mailto:gmaddux@barberbartz.com))  
**Subject:** Z-7331

Dear Dwayne: The applicant and neighbor, Gary Maddux, need additional time to work out some terms for a conditional development plan. As a result, Mr. Maddux and I respectfully request that the TMAPC continue the hearing on this case to June 15, 2016 from June 1, 2016. Let me know if you have any questions. Best regards, Lou Reynolds

**R. Louis Reynolds**

**Eller&Detrich**

2727 E. 21st Street, Ste 200  
Tulsa, Oklahoma 74114-3533

(918) 747-8900 phone  
(866) 547-8900 toll free  
(918) 392-9407 e-fax  
[rlreynolds@EllerDetrich.com](mailto:rlreynolds@EllerDetrich.com)

 [www.EllerDetrich.com](http://www.EllerDetrich.com)

---

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**FILE COPY**



## Wilkerson, Dwayne

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, June 15, 2016 11:54 AM  
**To:** 'R. Louis Reynolds'  
**Cc:** Sawyer, Kim; Miller, Susan; 'Michael Covey'  
**Subject:** RE: Z-7331

Mr. Reynolds,

I will forward your request to the Planning Commission for their consideration.

### INCOG

C. Dwayne Wilkerson  
Assistant Director Land Development Services

2 West Second Street  
Suite 800  
Tulsa, OK 74103

918-579-9475  
[dwilkerson@incog.org](mailto:dwilkerson@incog.org)

---

**From:** R. Louis Reynolds [<mailto:LReynolds@ellerdetrich.com>]  
**Sent:** Wednesday, June 15, 2016 11:36 AM  
**To:** Wilkerson, Dwayne  
**Subject:** Z-7331

Dear Dwayne: The Applicant, Dr. Hays, and his neighbor, Gary Maddux, need additional time to work out some terms for a conditional development plan. The Applicant has engaged a landscape architect to prepare a plan for the parties to agree on. This process has taken more time than anticipated but appears to be headed in an agreeable direction. As a result, Mr. Maddux and I respectfully request that the TMAPC continue the hearing on this case to July 6, 2016 from June 15, 2016. Let me know if you have any questions. Best regards, Lou Reynolds

## R. Louis Reynolds

Eller&Detrich

2727 E. 21st Street, Ste 200  
Tulsa, Oklahoma 74114-3533

(918) 747-8900 phone  
(866) 547-8900 toll free  
(918) 392-9407 e-fax  
[rlreynolds@EllerDetrich.com](mailto:rlreynolds@EllerDetrich.com)

 [www.EllerDetrich.com](http://www.EllerDetrich.com)

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Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7340 with Optional  
Development Plan

**Hearing Date:** July 6, 2016

Continued from June 1<sup>st</sup> 2016 meeting. The  
Optional Development Plan was not part of the  
original application.

**Case Report Prepared by:**

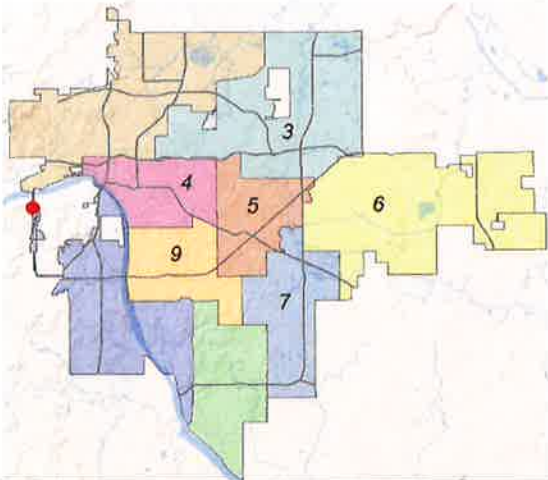
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* F. Darren Francisco

*Property Owner:* FRANCISCO, F DARREN & LANA  
JO

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Truck yard

*Proposed Use:* Truck yard

*Concept summary:* Rezone existing lot from RS-3 to  
IL for the existing storage lot.

*Tract Size:* 2.07 ± acres

*Location:* North of the northwest corner of S. 57<sup>th</sup>  
W. Ave. and W. 22<sup>nd</sup> St. S.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:*  
IL w/Optional Development Plan

**Comprehensive Plan:**

*This site is not included in the current  
Comprehensive plan however; the previous  
comprehensive plan Vision 2000 illustrates this  
area as a low intensity development area.*

**Staff Recommendation:**

**Staff recommends denial.**

The requested zoning is not harmonious with the  
surrounding property west of S. 57<sup>th</sup> West Ave., not  
consistent with the Vision 2000 comprehensive plan  
for low intensity development and not consistent  
with the anticipated future development pattern in  
this area.

**Staff Data:**

TRS: 9217

CZM: 35

Atlas: 330/ 261

**City Council District:** 2

*Councilor Name:* Jeannie Cue

**County Commission District:** 2

*Commissioner Name:* Karen Keith

18.1



## **SECTION I: Z-7340**

### **DEVELOPMENT CONCEPT:**

The rezoning request will support a trucking and delivery company that is currently operating on the site. An optional development plan has been included in the request to further limit uses and define development standards beyond the minimum development standards required in the Tulsa Zoning Code.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map from District 9 map of the Vision 2000 plan.
- Applicant Correspondence:
  - Photographs of existing site
  - Optional Development Plan as submitted by applicant.
- Neighborhood Correspondence:

(Staff note): The following Optional Development Plan standards have been developed after the original public hearing on June 1, 2016.

## **SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:**

### **Permitted Uses:**

The following uses are the only uses allowed in the Development Plan Area:

- 1) Trucking and transportation terminal with a maximum size of 10,000 sf.
- 2) Equipment and materials storage, outdoor

### **Lighting:**

The lighting shall meet the standards of the Tulsa Zoning Code and shall be pointed down and away from the adjacent property lines.

### **Fencing:**

Install a wood privacy fence surrounding the development area. The wood fence shall be a minimum 6' height along the south, west and north. The fence shall have a cap detail the post shall be metal with a maximum spacing of 8 feet. Fencing with a "dog ear" top is prohibited.

Fencing on the east side of the site shall be a maximum height of 6 feet and placed a minimum of 25 feet west of the planned street right of way on South 57<sup>th</sup> West Avenue.

### **Surfacing:**

All vehicular and outdoor storage areas shall be paved with asphalt or concrete. Gravel surfaces for any reason are prohibited.

### **Landscaping:**

In addition to the landscape standards required in the Tulsa Zoning Code, a double row of evergreen trees will be planted and maintained along the entire frontage of the property between the fence and the right of way for South 57<sup>th</sup> West Avenue. The trees shall be installed and maintained at a maximum spacing of not more than 25 feet except at the drive entrance where the trees must be placed within 25 feet of the drive.

18.2

A minimum 25 foot wide landscape area is required adjacent to the south, west and north development area boundaries. For each 750 square feet of landscape area a minimum of one tree shall be installed and maintained. The minimum height at planting shall not be less than 10 feet tall.

**Vehicular Access:**

All vehicular traffic will access the property from South 57<sup>th</sup> West Avenue. Only one access point is allowed and must be at least 75 feet from the south property line and at least 75 feet from the north property line.

**Signage:**

One monument sign with a display surface area not exceeding 84 square feet is allowed with a maximum height of 12 feet.

Wall signage is prohibited on all structures except on the east facing wall.

Signage may not be illuminated from internal or external sources.

**Subdivision Plat:**

The rezoning request will require a plat waiver or plat waiver.

**DETAILED STAFF RECOMMENDATION:**

The proposed zoning map amendment is not consistent with the policy of the previously approved comprehensive plan and;

Z-7340 requesting light industrial zoning with or without an Optional Development Plan is not compatible with the existing surrounding property on the north, west and south and;

The proposed Gilcrease Expressway will remove the industrial uses east of South 57<sup>th</sup> West Avenue and help stabilize the area as a residential neighborhood and;

The existing facility was constructed without appropriate zoning approval when it was in the county. At that time the use was not consistent with the provisions of the land use designations identified in Vision 2000 Comprehensive Plan therefore;

**Staff recommends Denial of Z-7340 to rezone property from RS-3 to IL with or without an Optional Development Plan.**

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: This area of Tulsa was annexed in 2012 after adoption of the Tulsa Comprehensive Plan. The Comprehensive Plan has not been updated to include this area. The only Comprehensive plan reference is the Vision 2000 plan. Part of the staff analysis includes references to that plan.*

*The area was assigned RS-3 zoning in 2014 after the property was annexed by the City of Tulsa. RS-3 zoning is consistent with the previously approved county zoning on the parcel. Aerial photo imagery illustrates that in 2013 the trees and vegetation were cleared from the site and gravel was placed on this property which had been previously zoned residential in the*

County. The property included in the request has never been zoned or included in a comprehensive plan that would support the requested zoning change.

#### Land Use Vision:

District 9: The vision 2000 plan illustrates this area as a Low Intensity Development area which does not include any non residential uses and a maximum of 6 dwelling units per acre.

Refer to the snippet below from the Vision Plan for detailed goals and objectives of the residential are of the plan.

#### **4.3 Residential Areas**

##### **4.3.1 GOALS**

4.3.1.1 The stabilizing of residential neighborhoods.

4.3.1.2 The provision of a variety of residential styles and intensities from farms to multifamily.

4.3.1.3 The provision of quality neighborhoods with all of the needed services and facilities.

##### **4.3.2 OBJECTIVES**

4.3.2.1 The public streets and facilities in the residential areas of District 9 should be given a high level of maintenance attention for the stabilizing influence that would result.

4.3.2.2 Existing residential neighborhoods should be given every possible public sector assistance toward stability of quality and property values on an individual, volunteer basis.

4.3.2.3 The enforcement of existing regulations and the correction of zoning discrepancies for the improvement of existing neighborhoods.

#### Transportation Vision:

*Major Street and Highway Plan:* This area was annexed in anticipation of the Gilcrease Expressway expansion.

*Trail System Master Plan Considerations:* None



Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: See following images.

Aerial Imagery shown on the next page is dated February 4, 2013 and shows the site as a heavily wooded site. At that time the site was zoned RS in Tulsa County.



Aerial Imagery dated November 26, 2013 shows the site as a gravel parking lot:



Environmental Considerations: The existing site is surrounded on three sides with residential uses. The existing gravel lot creates a dust nuisance to the surrounding residential properties on the north, west and south. At this time there are no other known environmental considerations.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 57 <sup>th</sup> West Avenue	Residential Collector	60	2

Utilities:

The subject tract has municipal water available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	NA	NA	Single Family Residential
West	RS (County)	NA	NA	Residential
South	RS-3	NA	NA	Residential
East	IL	NA	NA	Gravel Storage Lot

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 23084 dated April 23, 2014, established zoning for the subject property.

#### ***Subject Property:***

**Z-7253 April 2014:** All concurred in **approval** of a request for *rezoning* 77± acres of land from AG to RS-3/IL/IM to establish the previous zoning for property that was recently annexed into the City of Tulsa as AG, on property located in the Berryhill Annexation area and includes the subject property.

#### ***Surrounding Property:***

**CBOA-323 January 21, 1983:** The Board of Adjustment **upheld** the decision of the Building Inspector which **denied** the appeal of the Building Inspectors decision, to permit a dog kennel in an RS district, and to allow the applicant 120 days in which to dispense with the present operation, on property located at 5729 W. 22<sup>nd</sup> St. and located northwest of subject property.

**CBOA-308 December 17, 1982:** The Board of Adjustment **denied** a *Variance* to operate a dog training and boarding kennel, on property located at 5729 W. 22<sup>nd</sup> St. and located northwest of subject property.

7/6/2016 1:30 PM



Vision 2000 Land Use Map

# DISTRICT 9

Approximate location Z-7340

INTENSITIES



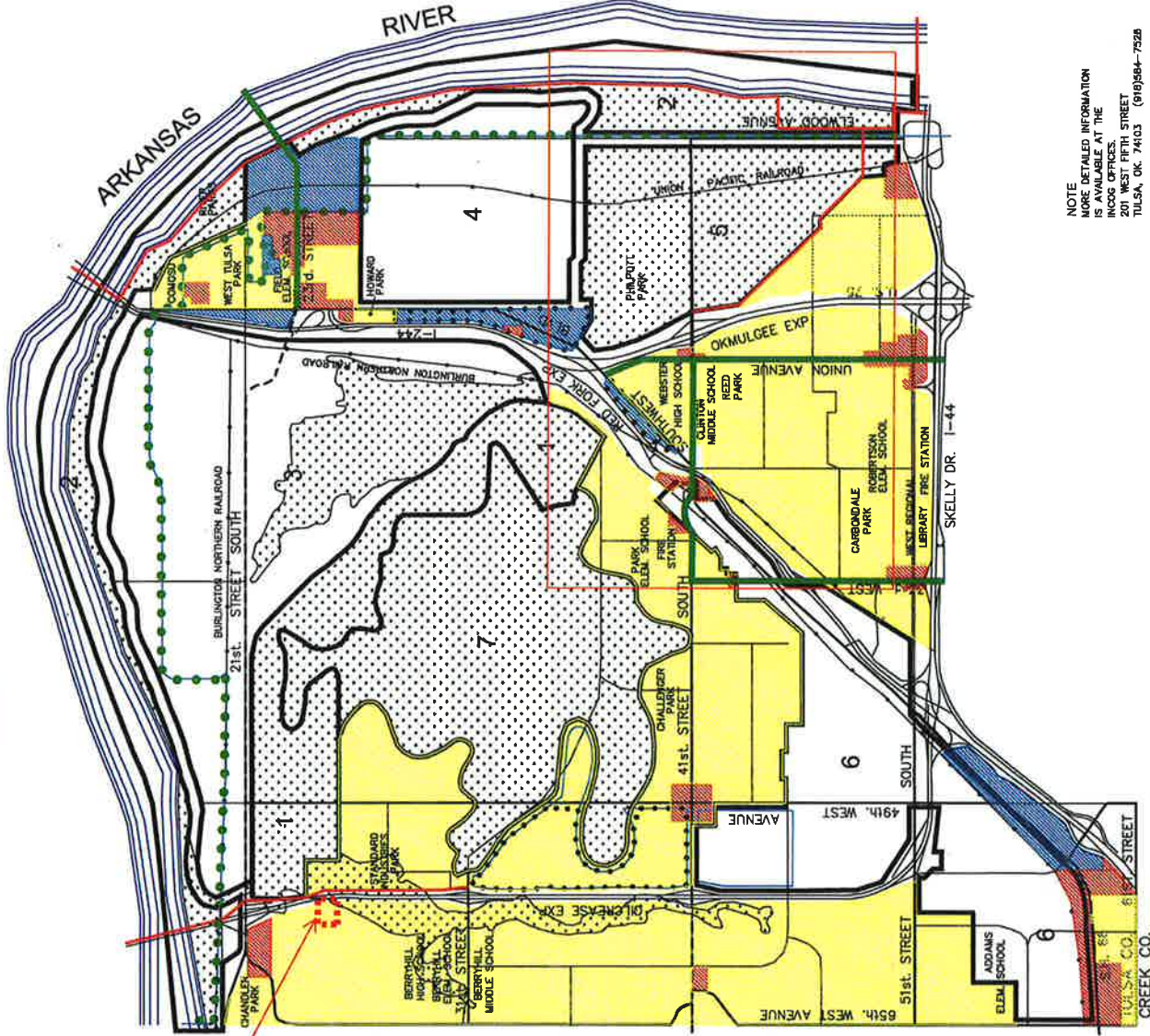
- DEVELOPMENT SENSITIVE
- SPECIAL DISTRICT
- CORRIDOR
- ARKANSAS RIVER CORRIDOR
- TRAILS

TRANSPORTATION

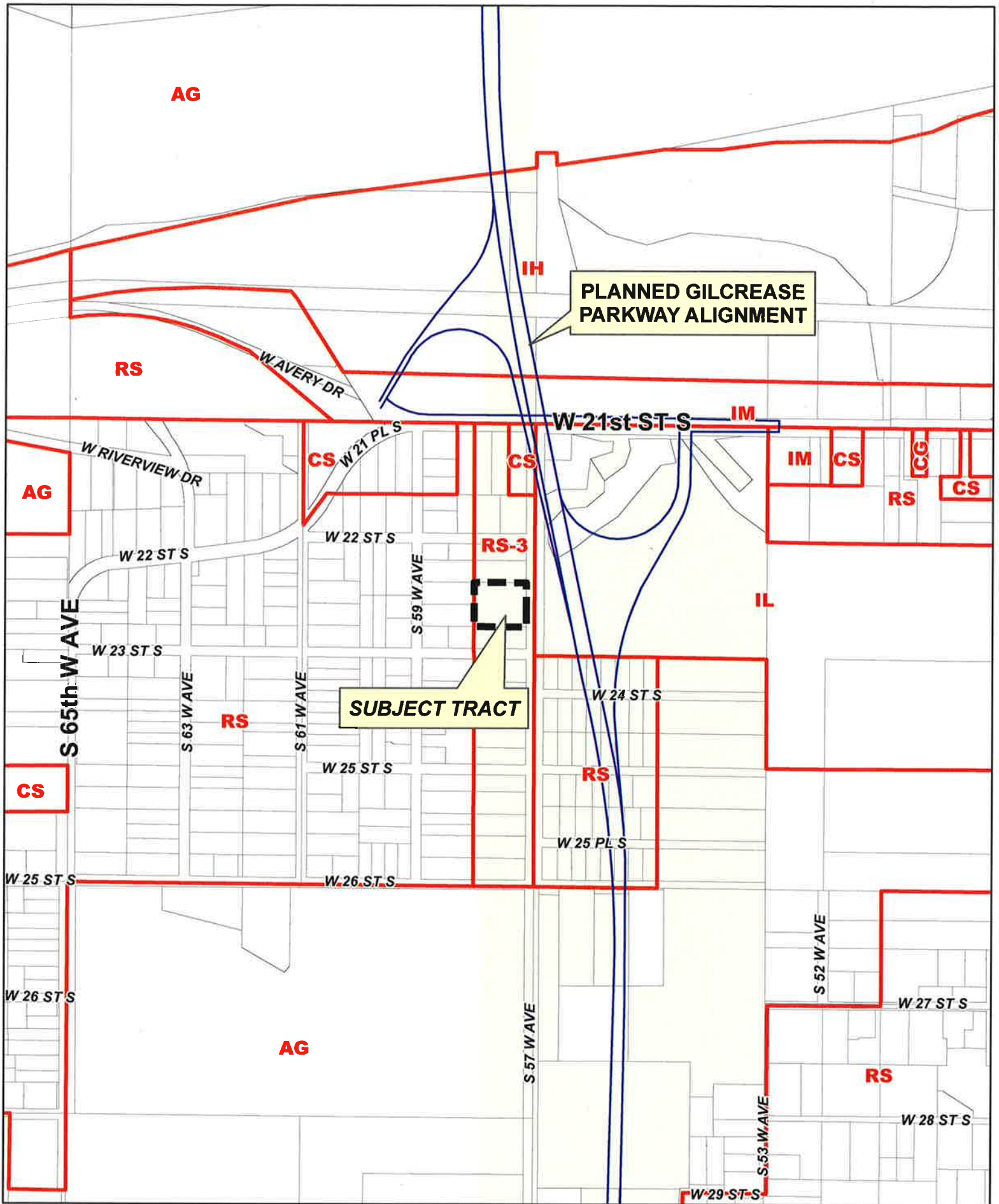
- FREEWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL
- COLLECTOR
- URBAN ARTERIAL



January 2007



NOTE  
MORE DETAILED INFORMATION  
IS AVAILABLE AT THE  
INCOG OFFICES  
201 WEST FIFTH STREET  
TULSA, OK 74103 (918)564-7528



**Z-7340**

19-12 17

**LEGEND**

- Planned Gilcrease Parkway Alignment
- Tulsa Corporate Limits











W22STS

S57WAVE

W23STS

0 50 100  
Feet



Subject  
Tract

**Z-7340**

19-12 17

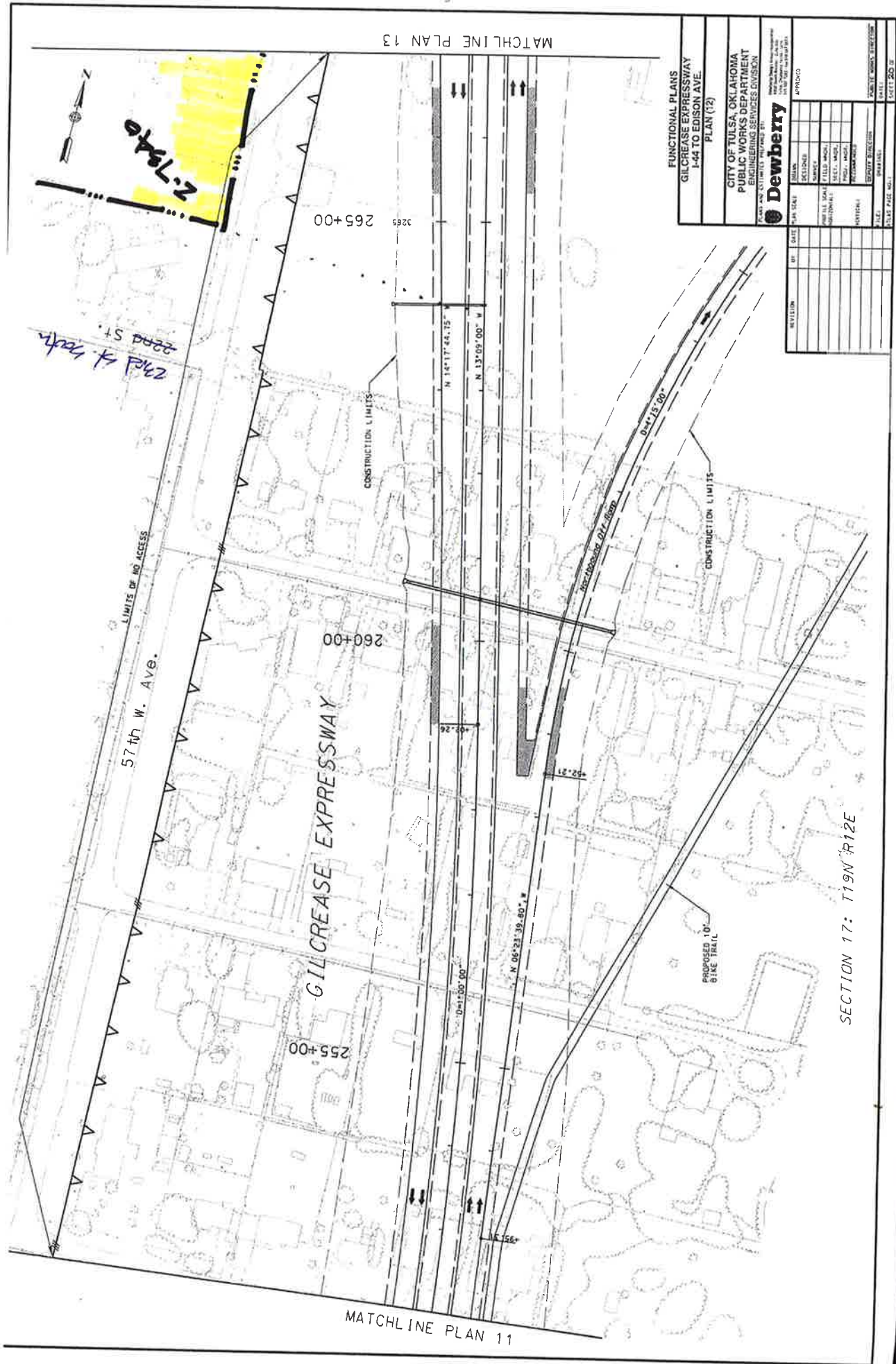
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016



18.11





**FUNCTIONAL PLANS**  
 GILCREASE EXPRESSWAY  
 I-44 TO EDISON AVE.  
 PLAN (12)

**CITY OF TULSA, OKLAHOMA**  
 PUBLIC WORKS DEPARTMENT  
 ENGINEERING SERVICES DIVISION

**Dewberry**

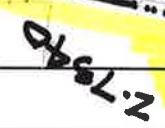
PLANS AND SPECIFICATIONS PREPARED BY:

DESIGNER	DATE	BY	DATE	BY	DATE	BY	DATE	BY	DATE
DESIGNED									
CHECKED									
APPROVED									

DATE: 11/26/2023  
 TIME: 10:00 AM  
 PROJECT: 1812

SECTION 17: T19N R12E

1812







Z-7340 Rezoning request from RS-3 to IL with Optional Development Plan:

## APPLICANT CORRESPONDENCE:

18.15

**CHUCK LANGE**  
ZONING OFFICIAL  
PLANS EXAMINER

TEL (918)596-9688  
clange@cityoftulsa.org



## **DEVELOPMENT SERVICES**

175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103

### **ZONING CLEARANCE PLAN REVIEW**

**LOD Number: 934507-1**

**April 18, 2016**

**F DARREN FRANCISCO**  
**AEROSTAR DELIVERY LLC**  
**2127 S 59 AV W**  
**TULSA, OK 74107**

**Phone: (918)629-2619**  
**Fax: (918)447-6846**

**APPLICATION NO: 8494** (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)  
**Location: 2240 S 057 AV W**  
**Description: CHANGE OF USE FROM RESIDENTIAL TO LIGHT INDUSTRIAL**

#### **INFORMATION ABOUT SUBMITTING REVISIONS**

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

##### **REVISIONS NEED TO INCLUDE THE FOLLOWING:**

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

**SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.**

#### **IMPORTANT INFORMATION**

1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 W. 2<sup>nd</sup> ST., 8<sup>th</sup> FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
3. A COPY OF A "RECORD SEARCH" **[X] IS [ ] IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

18.14



## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT  
[WWW.CITYOFTULSA-BOA.ORG](http://WWW.CITYOFTULSA-BOA.ORG)

Application No. 8494

2240 S 057 AV W

April 18, 2016

**Note:** Please direct all questions concerning zoning changes, TMAPC application forms and fees to an **INCOG** representative at **584-7526**. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

**Sec.35.060-B:** This property is located in an RS-3 zoning district. The current use is designated Wholesale, Distribution & Storage/Trucking & Transportation Terminal Use. This not a permitted use in an RS-3 zoned district.

**Review comment:** To allow this use at this location the property will require rezoning to a CG, CH, IL, IM or IH district.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

A hard copy of this letter is available upon request by the applicant.

## END – ZONING CODE REVIEW

**NOTE:** THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.



8181





18.19





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18.23





18.21









18.26





18.27





18.28





18.29



Z-7340 Rezoning request from RS-3 to IL with Optional Development Plan:

## NEIGHBORHOOD CORRESPONDENCE:

18.30



From: [Johnnie Blaylock](#)  
To: [Wilkerson, Dwayne](#)  
Subject: Fwd: Z-7340 Rezoning to IL  
Date: Tuesday, June 07, 2016 10:23:45 AM

---

----- Forwarded message -----

<[jbbigblock@gmail.com](mailto:jbbigblock@gmail.com)>

Date: Jun 6, 2016 3:29 AM

Subject: Z-7340 Rezoning to IL

> Hello, I would like to set the record straight on the Floyd Francisco rezoning petition. Z-7340

From the start, he has misled everyone who listened. He stated he bought the property in early 2011 at the hearing. "he actually bought it October 1st, 2011" October is not early.

He stated that the house was removed in 2008, another misleading statement.

> The house was removed after Oct. 21, 2011 by him. On Oct. 5, 2011 he took a picture of the old garage with a caption, "Future home of Aerostar Delivery. Property has been obtained." The first few weeks I heard banging and clanging on the property and went to inspect. I found some guys over there beating and ripping the tin off of the old two story barn. I ask them who gave them permission to do this, and they said the man who just bought the property. I was not aware of it being sold. My Uncle always looked after the place and when I moved back to the family Home I looked after it, since it was next to mine. A few days Later it began.

> On Oct 20, 2011 the demolition had begun. They started clearing out the trees. The second day, Oct 21, 2011 they knocked the front porch off of the house that was "removed" in 2008?

> So from October 20, 2011 to Nov 2, 2011 they had the land cleared and the house down, shoved to the back of the property in a giant pile of rubble and trees. Then came the Gravel 800

Tons. On November 17, 2011. The new parking lot.

On March 22, 2012 He burnt the pile.

I am still wondering what he did about the 200 tires that were in the basement of that house.

I don't remember ever seeing a Demolition permit.

As far as his statements about drug use in that house from transients and the like, I have only caught one person over there since 2004 and it was an old man walking in the rain trying to get dry. I am wondering how he would know about any of that because He lives two blocks away.

His friend Wayne Binger lives on the next block and again I am wondering how He would know as well, if there were problems with that place. I live next door and any animals that came at night came up the creek bed which is 30 feet East, of my North driveway. Again I never complained about the animals on that property next to my house. I figured when they cleared the property, that I would see all kinds of stuff come out of there, I didn't notice one rat, opossum, skunk, raccoon, or snake.

Wayne Binger who spoke on his behalf has an interest in his parking lot. He is in the tree business. He is a contractor who has a Giant Crane

Truck, a Giant Bucket Truck, and another Big Truck with a boxed bed and a tree limb chipper behind it, and He now parks them on Floyd Francisco's lot as well.

>

> In Summary: He knew what the zoning was before, during, and after.

> We talked about it, and they explained it to us.

> Do you really think that a Man his age, did not know about all the permits and permission He would need to do what he has done.

> He has gotten this far basically by luck.

> It's obvious that He misled the Board to establish the fact that he was already there before the Annexation. At the Hearing He started to go into how he feels that the Annexation was rigged by pulling in land owners with a large amount of acreage so they would have more votes, but He shut up.

> He broke every rule that there is basically on everything he has done so far.

> I hope these pictures, that HE TOOK HIMSELF, will shed some light on His "Dishonesty" and "REFUSAL" to seek permits from the City for His Trucking company.

> People come before you every week for permission to do these kinds of things, before they do them.

>

> To grant Him permission on His rezoning at this point would be a REWARD for his DECEIT, and illegal actions. He should be fined.

>

> 2208 S 57TH WEST AVE has never been an Auto Shop. My Grandfather was a Geophysical/Industrial spray painter and He and My Great Grandfather built The Little Shop/garage in 1947 and He painted in it. He died in 1974 and now it's just a garage. As far as these businesses in Berryhill, they are just people who live here and happen to be contractors, who do their work away from their homes. I guess Except for 2240 South 57th West Ave. The Illegal Aerostar Trucking Company that never got permission from anyone because He knew that they would not have given him permission.

>

> I finally spoke to the couple who live at 5707 WEST 23RD STREET, and they said they were moving out because they can't handle all the noise and dust anymore because of all the trucks and trailers coming in at all hours of the day and night. Aron Austin, and Kathy Barnes. Kathy told me that The drivers have rammed the fence several times causing holes where her dog gets out. She also told me that Her and Floyd Francisco has been into it several times and He never put a fence up like he promised. She said that She has called the city several times and complained and nothing ever came about.

>

> COMPLAINTS BEING MADE: The City never added the 300' annexed fence line addresses to the code enforcement data base until the last week of MARCH OF 2016. That is why you don't know of all the calls and complaints of 2240 S 57th Ave.

> No complaints were never filed because His address did not show up in the city's "Hansen" system. It said no files found for this address.

>

> The 3 property's that boarder His are and will be the most effected by this business, and we say NO. I believe I heard INCOG'S recommendation was also a NO.

>

> Again respectfully we would like for you to decline this Rezoning to IL.

>



Richard C. Gardner Real Estate LLC

5618 S. Mingo Rd. Tulsa, OK 74146

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Planning Commission

INCOG

2 W. 2<sup>nd</sup> St. #800

Tulsa, OK 74103

**Application # Z7348**

To Whom It May Concern:

We would like to pull our application for re-zoning. We have been advised by our attorney that this is not the best choice for our property after all. Please take my property off of the docket.

Thank you for your immediate attention to this matter.

Thank you to everyone that assisted us in this process.

Sincerely,



Richard C. Gardner, Owner

3000 Executive Center

3015 E. Skelly Dr. Tulsa OK 74105

19.1