

**AGENDA**  
**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Meeting No. 2733**  
**November 2, 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:**

**Worksession Report:**

**Director's Report:**

1. Minutes of October 19, 2016, Meeting No. 2732

**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. **LC-821** (Lot-Combination) (CD 9) – Location: East of the Southeast corner of South Madison Avenue and East 37th Street South
3. **LC-822** (Lot-Combination) (County) – Location: East of the Northeast corner of North Memorial Drive and East 86th Street North (related to LS-20928)
4. **LS-20928** (Lot-Split) (County) – Location: East of the Northeast corner of North Memorial Drive and East 86th Street North (related to LC-822)
5. **LC-823** (Lot-Combination) (County) – Location: East of the Northeast corner of North Memorial Drive and East 86th Street North (related to LS-20929)
6. **LS-20929** (Lot-Split) (County) – Location: East of the Northeast corner of North Memorial Drive and East 86th Street North (related to LC-823)
7. **LC-824** (Lot-Combination) (CD 9) – Location: East of the Northeast corner of South Columbia Avenue and East 45th Place South
8. **LC-825** (Lot-Combination) (CD 2) – Location: Southeast corner of East 81st Street South and South Lewis Avenue (related to LS-20932)
9. **LS-20932** (Lot-Split) (CD 2) – Location: East of the Southeast corner of East 81st Street South and South Lewis Avenue (related to LC-825)
10. **LS-20925** (Lot-Split) (CD 8) – Location: West of the Northwest corner of South Yale Avenue and East 74th Street South
11. **LS-20926** (Lot-Split) (CD 6) – Location: North of the Northeast corner of East 11st Street South and South Garnett Road
12. **LS-20927** (Lot-Split) (CD 4) – Location: South of the Southeast corner of South Evanston Avenue and East 27th Street South

13. **LS-20931** (Lot-Split) (CD 1) – Location: South of the Southeast corner of North Peoria Avenue and East Reading Street
14. **PUD-707-2 JR Donelson** (CD 8) Location: Southeast corner of East 109th Street South and South 74th East Avenue, **PUD Minor Amendment** to allow single-family dwelling use and accessory uses by right in R districts (Continued from 10/05/2016)
15. **PUD-766-7 Cedar Creek Consulting** (CD 9) Location: North of the Northwest corner of East 50th Street and South Yale Avenue, **PUD Minor Amendment** to increase the maximum building height from 55 feet to 82 feet.

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

### **PUBLIC HEARINGS:**

16. **LS-20930** (Lot-Split) (County) – Location: East of the Northeast corner of East 161st Street South and South Lewis Avenue
17. **CO-3 Andrew Shank** (CD 9) Location: West of the Northwest corner of East Skelly Drive and South Harvard Avenue requesting a **Corridor Development Plan** to convert an existing sign to a digital display
18. **Z-7361 Lou Reynolds** (CD 9) Location: West of the southwest corner of South Peoria Avenue and East 37th Place requesting rezoning from **RS-3 to PK** (Continued from 10/05/2016)
19. **Z-7362 JR Donelson** (CD 8) Location: North of the Northwest corner of East 101st Street and South 74th East Avenue requesting rezoning from **RS-1 to RS-3** (Continued from 10/05/2016) (**Applicant has withdrawn October 21, 2016**)
20. **Breeze Farms (revised) Phase 1** - Preliminary Plat, North of northeast corner of South Lewis Avenue and East 171st Street South (County)

### **Other Business**

21. **ZCA-2** Discuss amending City of Tulsa Zoning Code Section 30.010-I 2 c (9) (Minor amendments of Planned Unit Developments) and Section 55.090-F 3 (Maximum width of residential driveways in RE and RS Districts).

### **22. 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.

**Case Number:** PUD-707-2  
**Minor Amendment**

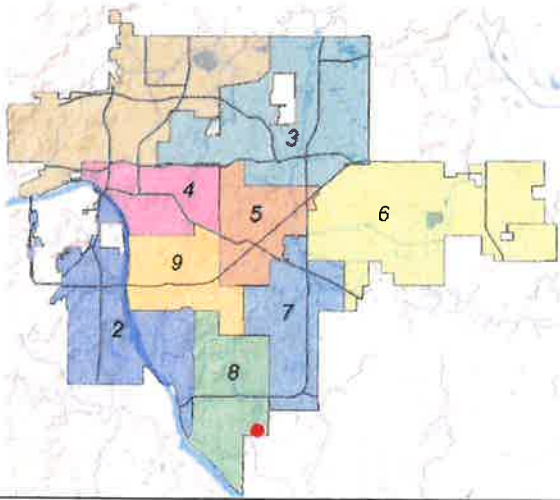
**Hearing Date:** November 2, 2016  
**(continued from October 5, 2016)**

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: JR Donelson

Property Owner: Home Ventures Inc.

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



**Applicant Proposal:**

Concept summary: PUD minor amendment to allow single-family dwelling use and accessory uses by right in R districts.

Gross Land Area: .61 acres

Location: Southeast corner of East 109<sup>th</sup> Street South and South 74<sup>th</sup> East Avenue

Reserve Area D, Ravens Crossing

**Zoning:**  
Existing Zoning: RS-3/PUD-707  
Proposed Zoning: No Change

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

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

**Staff Data:**  
TRS: 8326  
CZM: 56  
Atlas: NA

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

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

**SECTION I:** PUD-707-2 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to allow single-family dwelling use and accessory uses by right in R districts in Reserve Area D.

The applicant is requesting proposed amendment to the reserve area in order to permit a possible tennis court to be shared by the home owners in Blocks 9 and 10 as well as a possible additional single-family home.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(15) of the City of Tulsa Zoning Code.*

*"Changes in an approved use to another use may be permitted provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties."*

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-707 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 Minor Amendment Text  
Applicant Plat  
Letter from Ravenwood HOA

With considerations listed above, staff recommends **approval** of the minor amendment request to allow single-family dwelling use and accessory uses by right in R districts in Reserve Area D.









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 Subject Tract

**PUD-707-2**

18-13 26

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

Aerial Photo Date: February 2016



14.4





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Subject  
Tract

**PUD-707-2**

18-13 26

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

Aerial Photo Date: February 2016



14.5

# **RAVENS CROSSING**

Planned Unit Development Number 707  
City of Tulsa, Tulsa County, Oklahoma

## **MINOR AMENDMENT NO. 2**

**(Area D – Single Family Use)**

JR Donelson, Inc.  
12820 So. Memorial Dr., Office 100  
Bixby, Oklahoma 74008  
918-394-3030  
Email: [jrdon@tulsacoxmail.com](mailto:jrdon@tulsacoxmail.com)

September 9, 2016

1.

14.6



Ravens Crossing  
Planned Unit Development Number 707 – Minor Amendment No. 2

*Introduction*

Planned Unit Development (PUD) Number 707 was approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) on September 1, 2004, and by the Tulsa City Council on October 7, 2004. PUD 707 covers 37.25 acres, more or less, located north and east of the intersection of East 111<sup>th</sup> Street and South Memorial Drive, in Tulsa. PUD 707 is divided into four development areas, including Development Area A (Light Office Use), Development Area B (Duplex Use and Stormwater Detention), Development Area C (Single Family Use and public streets), and Development Area D (Single Family Use with private streets).

*Summary of the Minor Amendment*

This Minor Amendment to PUD 707 contains changes that only affect Development Area D. All of the changes are authorized by City of Tulsa Zoning Code. The changes are summarized as follows:

A. Amended Standards:

The Development Standards for Reserve Areas shall be amended to read as follows:

IV. DEVELOPMENT STANDARDS FOR RESERVE AREAS.

A. Identification of Reserve Areas

2. The reserve areas identified on the Plat shall be used for the following respective purposes:

- c. Reserve Area D: Tennis court and related facilities for use by owners in Blocks 9 and 10 and their respective guests, and Single – family residential dwellings and all accessory uses permitted by right for all R Districts of the City of Tulsa Zoning Code.

B. Development, Ownership and Maintenance of Reserve Areas.

2. The Owner shall convey ownership of each of the reserve areas to the following respective Owner' Associations:

- b. Reserve Area D shall be conveyed to the Owners' Association for Blocks 9 and 10 (the Single Family Development Area with private streets). In the event of a lot split of Reserve D, the area containing the existing parking lot in Reserve Area D shall be conveyed to the Owner's Association for Blocks 9 and 10.

*Exhibits*

Attached to this Minor Amendment to PUD 707 are the following exhibits:

The filed plat of Ravens Crossing with the Restrictive Covenants and Deed of Dedication.

*Scope of Amendment*

Except as amended herein along with the Minor Amendment No. 1, PUD 707 shall remain in full force and effect.

PROPERTY LINE DATA

ID	REGIONS
L1	S 15° 50' 02" W
L2	N 65° 23' 46" E
L3	N 00° 00' 14" W
L4	S 65° 43' 40" W
L5	N 65° 43' 40" E
L6	N 75° 26' 08" W
L7	N 00° 00' 08" W
L8	N 43° 57' 14" W
L9	N 48° 02' 46" E
L10	S 48° 52' 14" E
L14	N 00° 01' 24" E
L16	N 00° 00' 14" W
L17	N 00° 00' 14" W

STATE OF OREGON }  
COUNTY OF TULSA }

1. Forfeiture of the County Clerk, in and for the County and State of Oklahoma, more or less, to the County and State of Oklahoma, more or less, as hereby certified that the foregoing is a true and correct copy of a file instrument now on file in my office.

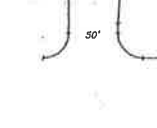
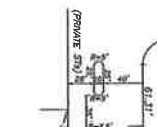
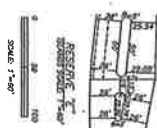
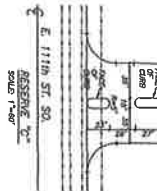
Given this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 Economic Affairs, Tulsa County Clerk

\_\_\_\_\_  
 Deputy

**BENCHMARK:**  
CITY OF TULSA DATA, "X" CENTER OF  
N. 40°/44.° OF CULVERT 0° 3' ±, 1-  
W. OF E. 111th ST. 50. AND SO.  
MEMORIAL. ELEV. 653.61 NAVD83

This plot meets the Oklahoma minimum standards for the Practice of Land Surveying as established by the Oklahoma State Board of Registration for Professional Engineers and Surveyors.

Address shown on this plot was accurate of the time this plot was filed. Addresses are subject to change and should never be relied on in place of legal descriptions.



LEGEND

U/F	UTILITY EXISTENT
ONE	OVERHEAD DRAINAGE EXISTENT
BL	BUILDING LINE
LMA	LIMITS OF NO ACCESS
AD	ACCESS OPENING
W/K	WALKWAY
P.S.O.	PUBLIC SERVICE CO. / NEP
WL	WATER LINE
BOX	BOX
DR	DRIVE
POB	POINT OF BEGINNING
579	STREETS
FT	FINISH FLOOR

ADDRESS

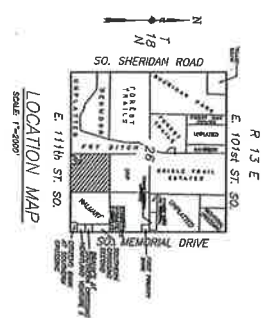
I hereby certify that all real estate taxes involved in this plan have been paid or authorized by the current tax rolls. Security as required has been provided in the amount of \$ \_\_\_\_\_ per third receipt on \_\_\_\_\_ to be applied to 20 \_\_\_\_\_ taxes. This certificate is NOT to be construed as payment of 20 \_\_\_\_\_ taxes in full but is only in effect that this plan may be filed on record. 20 \_\_\_\_\_ receipt shall be the amount of the security deposit.

**RECEIVED**

SEP 15 2005

T. J. Aronson  
F. R. C. Smith

PAVING CROSSING  
8/24/2005  
FILE: PAVCROSS1.DWG  
SHEET 1 OF 3



LOCATION MAP

SCALE: 1"=2000'

[illegible]

PLAT NO.  
5910





RE: Letter Agreement ("Letter Agreement") between Park Place Office Suites, LLC ('Park') and/or Home Ventures Inc. and Estate of Ravenwood Homeowner Association ('Ravenwood') covenant changes and lot split for Reserve Area D. ("Premesis")

### LETTER AGREEMENT

This letter will serve as the agreement between Park/Home Ventures Inc. and Ravenwood with respect to the following provisions:

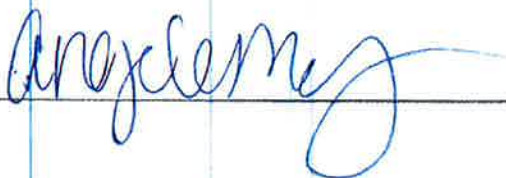
1. Ravenwood will consent and not object to the minor amendment changing the covenants to allow for single family housing on Reserve Area "D";
2. Ravenwood will consent and not object to the lot split of Reserve Area D to allow for north area of lot to be built for single family housing and south area to remain Reserve Area D;
3. Park shall deed the remaining south parking lot area of the original Reserve Area D to Ravenwood.
4. After approval of the minor amendment and lot split, Park or Home Ventures Inc. shall pay \$12,000 to Ravenwood. Said payment shall be paid upon the sale of the lot and shall be listed on the closing statement of said sale.
5. Ravenwood may complete the gate automation of the north and south gates contained in Reserve E prior to conveyance of Reserve E to Ravenwood.

Park Place Office Suites, LLC./Home Ventures Inc. and the Estate of Ravenwood Home Owner Association have agreed to all terms above by signing below.

AGREED:

Park Place Office Suites, LLC/Home Ventures Inc.

Estate of Ravenwood Home Owner Association



Angy Lemay



**Case Number:** PUD-766-7  
**Minor Amendment**

**Hearing Date:** November 2, 2016

**Case Report Prepared by:**  
Jay Hoyt

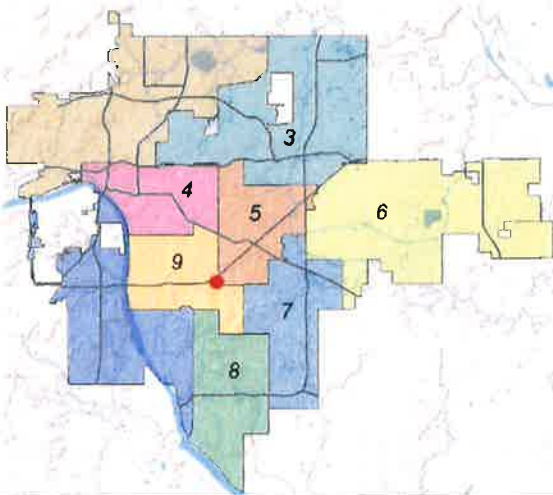
**Owner and Applicant Information:**

Applicant: Cedar Creek Consulting

Property Owner: Sunny Investment Properties, LLC

**Location Map:**

(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to increase the maximum building height.

Gross Land Area: 1.5 acres

Location: North of NW/c South Yale Ave and East 50<sup>th</sup> St South

Part of Lot 8, 51 Yale

**Zoning:**

Existing Zoning: CH/PUD-766

Proposed Zoning: No Change

**Comprehensive Plan:**

Land Use Map: Town Center

Growth and Stability Map: Growth

**Staff Recommendation:**

Staff recommends **approval**.

**Staff Data:**

TRS: 9328

CZM: 47

Atlas: 468

**City Council District: 9**

Councilor Name: G.T. Bynum

**County Commission District: 3**

Commissioner Name: Ron Peters

**SECTION I:** PUD-766-7 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to increase the maximum building height.

Currently, the development standards limit the height on Lot 8 to 4 stories, not to exceed 55 ft. The applicant is proposing to revise this to 6 stories, not to exceed 82 feet, in order to permit the construction of a proposed hotel, illustrated in the attached site plan and building elevations.

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:

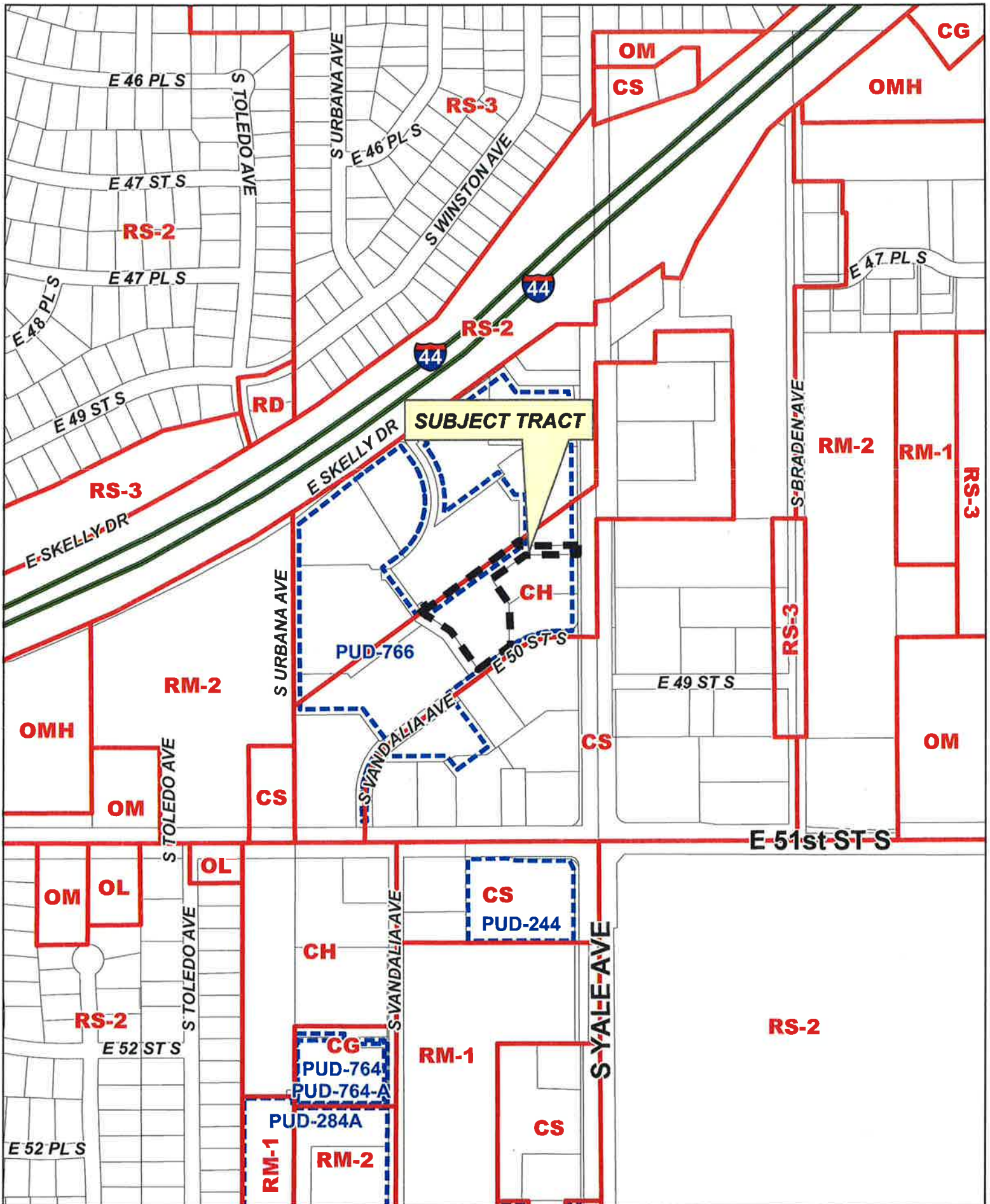
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-766 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Site Plan  
Applicant Exterior Elevations

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the maximum building height from 4 stories, not to exceed 55 ft, to 6 stories, not to exceed 82 feet.





**PUD-766-7**

19-13 28

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Subject Tract

**PUD-766-7**

19-13 28

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

Aerial Photo Date: February 2016



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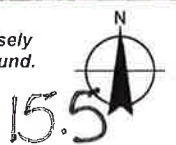
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**PUD-766-7**

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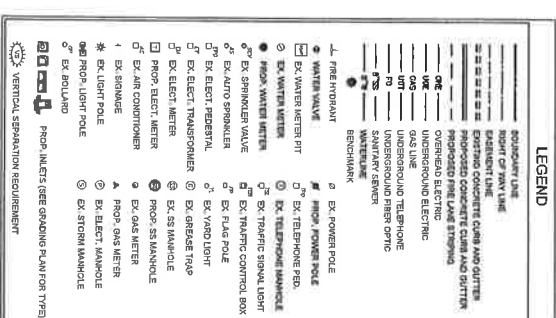
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Aerial Photo Date: February 2016





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A. CONTRACTOR SHALL REFER TO THE CONSTRUCTION SPECIFICATIONS, PERMITS, ETC. FOR THE EXACT SPECIFICATIONS, CONSTRUCTION DRAWINGS, STORM WATER POLLUTION AND GEOTECHNICAL REPORT.

B. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OF CHICAGO'S ORDINANCES AND ORDINANCES, AND WHERE APPLICABLE, ORDINANCES AND ORDINANCES, AND GOVERNING PERMITTING AUTHORITY HAVING JURISDICTION.

C. CONTRACTOR IS RESPONSIBLE FOR THEIR OWN HORIZONTAL AND VERTICAL CONTROL, REFERENCE POINTS AND CONSTRUCTION STAKES AS NECESSARY TO THE PROJECT.

D. THE CONTRACTOR SHALL FURNISH ANY EXISTING ELEVATION/PROPERTY LINE/UTILITY INFORMATION PRIOR TO COMMENCEMENT OF WORK.

E. ALL WORK NOT CLASSIFIED AS A CONTRACT PAY ITEM SHALL BE INCLUDED IN THE LUMP PRICE BID FOR ITEMS WHICH ARE CLASSIFIED FOR PAYMENT.

F. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL AND MECHANICAL SPECIFICATIONS REGARDING THE TYPE AND DIMENSIONS OF CURB, BUT FORCES, PRECAST BUILDING DIMENSIONS, EXACT BUILDING UTILITY MATERIALS, AND DOWNSIDE OF LOCAL STREET/CONCRETE/PAVEMENT.

G. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB (C) UNLESS OTHERWISE NOTED.

H. PAVING LOT SURF SHALL BE 6" WIDE AND WHITE COLOR STONE/CONCRETE SHALL STRENGTH AND FINISH SHALL BE SUFFICIENT.

I. UNLESS OTHERWISE NOTED, ALL ROAD SHALL BE 5'.

J. UNLESS OTHERWISE NOTED, ALL ROAD SHALL BE 5'.

K. BUILDING DIMENSIONS ARE TO OUTSIDE OF FASION, UNLESS OTHERWISE SHOWN.

L. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR THE EXACT LOCATION OF THE UTILITY LOCATIONS OF ALL UTILITY, EMBARKMENT, CONCRETE, AND CONCRETE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO AVOID INTERFERENCE WITH ANY OTHER UTILITY LOCATIONS, AS WELL AS COOPERATED WITH ANY UTILITY COMPANIES FOR ANY REQUIRED LOCATION AND SPECIFICATIONS.

M. REFER TO ARCHITECTURAL PLANS FOR SITE LIGHTING AND SIGNAGE. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SHEET FOR REFERENCE TO THE CITY OF CHICAGO'S ORDINANCES AND ORDINANCES, AND GOVERNING PERMITTING AUTHORITY HAVING JURISDICTION.

N. CHECK ARCHITECTURAL PLANS FOR EXACT DOWNPOUT LOCATION.

O. CONTRACTOR SHALL REFER TO LANDSCAPE AND RESTORATION PLAN FOR LOCATION AND CONSTRUCTION DETAILS OF LANDSCAPING AND RESTORATION.

**LOT INFORMATION:**  
 ZONE: C-1 COMMERCIAL  
 LOT AREA: 10,000 SQ. FT.  
 LOT DEED: 1-46-00000 (00000000)  
 BUILDING SIZE: 54,100 SF (100 SF FIRST FLOOR)  
 ALLOTMENT SURROUNDING HEIGHT: 30 FEET  
 MAXIMUM BUILDING HEIGHT: 30 FEET  
 BUILDING LAYOUT COVERED: 14,125

**PARKING REQUIREMENTS:**  
REQUIRED:  
 TOTAL REQUIRED PARKING: 14 P.S.  
 TOTAL PROVIDED PARKING: 14 P.S.  
WARRANTY:  
 MINIMUM GARAGEMENTS: 14 P.S.  
 PROVIDED: 4 P.S.

**DIFFERENTIAL SURFACE AREA:**  
 TOTAL OVERALL AREA: 65,200 SF  
 TOTAL IMPAVED AREA: 10,000 SF  
 PHOTONED IMPAVED SURFACE AREA: 97,400 SF (74,700)  
 TOTAL UNPAVED AREA: 40,125 SF (27,225)

**LANDSCAPE:**  
 TOTAL OVERALL AREA: 65,200 SF  
 TOTAL IMPAVED AREA: 65,200 SF (10,000)  
 PROPOSED LANDSCAPE AREA: 1,200 SF (15,140)

LEGAL DESCRIPTION  
LOT EIGHT (8), BLOCK ONE (1), 51 VALE, AN ADDITION IN TULSA COUNTY  
STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF









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

**November 2, 2016**

**LS-20930**

**Jake Rowland, (7320) (AG) (County)**

**East of the Northeast corner of East 161<sup>st</sup> Street South and South Lewis Ave.**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will meet the Bulk and Area requirements of the City of Tulsa Zoning Code.

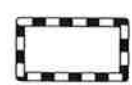
The Technical Advisory Committee met on October 20, 2016 and had the following comment. The County Engineer requests a Right-of-Way dedication to total 50' along East 161<sup>st</sup> Street South.

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.





0 Feet 200 400



Subject Tract

**LS-20930**

17-13 20

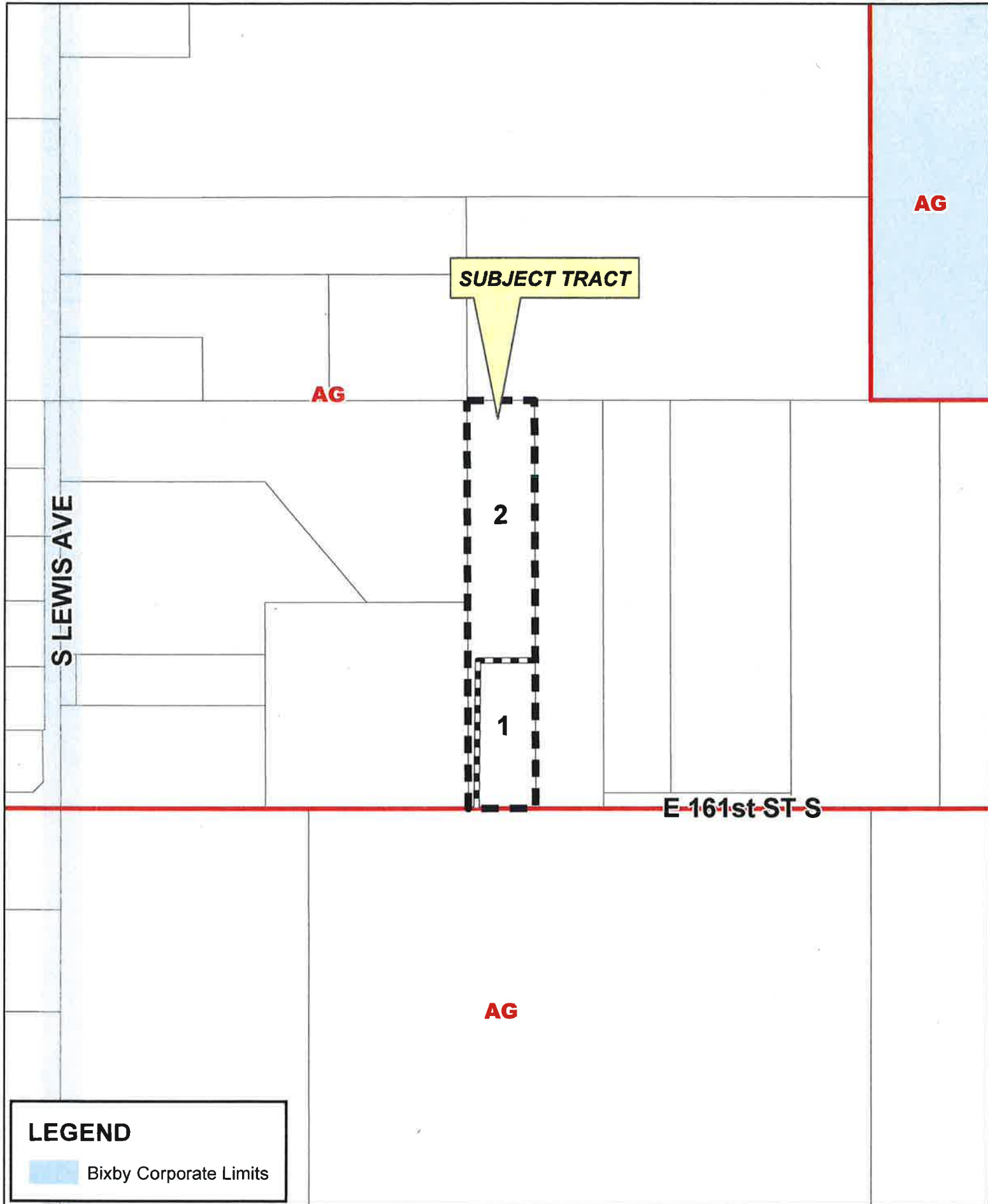
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Aerial Photo Date: February 2016

16.2

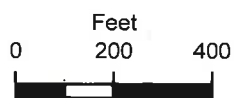






**LEGEND**

 Bixby Corporate Limits



**LS-20930**

17-13 20

16.3





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CO-3

**Hearing Date:** November 2, 2016

**Case Report Prepared by:**

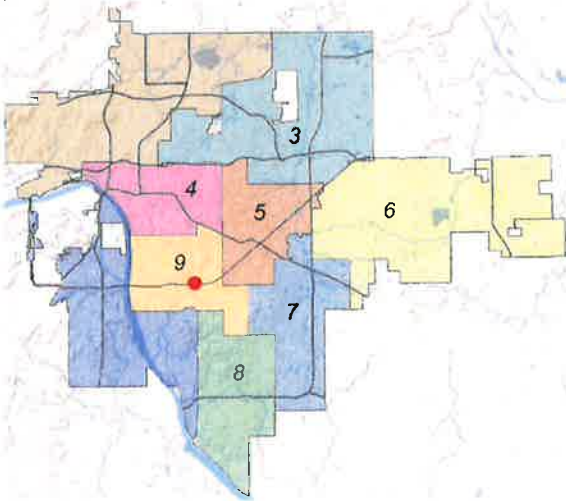
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Andrew Shank

*Property Owner:* TRADEWINDS EAST MOTOR  
HOTEL

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



**Applicant Proposal:**

*Present Use:* Hotel

*Proposed Use:*

No immediate use changes except to convert  
an existing sign to a digital display.

*Concept summary:*

Major Amendment of previous Corridor Site  
Plan to meet current zoning code standards  
including a new digital outdoor advertising sign.

*Tract Size:* 3.14 ± acres

*Location:* West of northwest corner of E. Skelly Dr.  
and S. Harvard Ave.

**Zoning:**

*Existing Zoning:* CO

*Proposed Zoning:* CO-3

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9329

CZM: 47

Atlas: 470

**City Council District:** 9

*Councilor Name:* G.T. Bynum

**County Commission District:** 3

*Commissioner Name:* Ron Peters

17.1

## SECTION I: CO-3

### APPLICANTS DEVELOPMENT CONCEPT:

The Applicant requests a Major Amendment to the Corridor Site Plan in order to digitize the existing outdoor advertising sign (the "Sign") in the Project and raise the same to a maximum height of sixty feet (60 FT) to accommodate the difference in grade from the base of the sign to the road surface of I-44. The Sign is located on the southwest corner of the Property as depicted on the Survey attached hereto as Exhibit "B". The ground elevation of the Sign is sixteen and one-half feet (16.5 FT) below the road surface of I-44 as shown on Exhibit "C" prepared by professional land surveyor, Andy Fritz. Additionally, the existing development standards have been updated to conform with the language of the Tulsa Zoning Code (as of 01/01/2016). No changes are anticipated except for the height and digitization of an existing outdoor advertising sign as described herein.

#### Staff Comment:

*The applicant has requested a 60' tall sign which is 12.5' taller than the existing signage. The signage in the area has been limited to 50 feet during Corridor Development Plan decisions immediately east of this zoning request.*

### 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:
  - Outdoor Advertising sign exhibit

## SECTION II CO-3 DEVELOPMENT STANDARDS:

- A. LAND AREA:**
- |        |               |         |
|--------|---------------|---------|
| GROSS: | 154,647.90 SF | 3.55 AC |
|--------|---------------|---------|
- B. PERMITTED USES:**  
Only the following Use Subcategories as identified in the Tulsa Zoning Code shall be permitted:
- Lodging, Hotel/motel
  - Restaurants and Bars
  - Office (Plasma centers are prohibited); and customary Accessory Uses
- C. MAXIMUM FLOOR AREA RATIO:** 2.0
- E. MAXIMUM LAND COVERAGE OF A BUILDING:** 75%
- F. MAXIMUM BUILDING HEIGHT:** 80 feet from the finished first floor elevation.
- G. OFF-STREET PARKING:** 110 spaces for Lodging, Hotel/motel uses, all other use as required in the Tulsa Zoning Code for uses in a CH district.
- H. MINIMUM BUILDING SETBACKS:**

17.2



From the North boundary (E. 49th Street ROW line)	25 FT
From the West boundary (Oklahoma DEQ Office)	25 FT
From the East boundary (QuikTrip)	0 FT
From the South boundary (Skelly Drive ROW line)	15 FT*
From internal lot lines	0 FT

\*Excluding any canopy.

#### **I. LANDSCAPED AREA; SCREENING:**

Any new building or remodel in the Project will meet or exceed the landscaping requirements as set forth in the City of Tulsa Zoning Code in effect at the time of Detailed Site Plan review or as amended through an Alternative Landscape Compliance Plan process.

#### **J. SIGNS:**

##### **Ground Signs:**

One (1) ground sign will be permitted with a maximum of 340 SF of display surface area and 50 FT in height and shall be lit by constant light.

##### **Wall Signs:**

Wall signs shall not exceed an aggregate display surface area of 2 SF per lineal foot of the building wall to which the sign is affixed.

North facing wall signs are prohibited except that non illuminated signage may be installed with a maximum aggregate display surface area of less than 32 square feet.

##### **Outdoor Advertising Signs:**

- One (1) outdoor advertising sign will be permitted along South Skelly Drive within the Freeway Sign Corridor with a maximum of 672 SF of display surface area and 50 FT in height measured from the base of the structure at current ground level. The outdoor advertising sign may contain digital technology, including without limitation an LED display surface area conveying changeable copy.
- The Sign shall be separated a minimum distance of 1,200 FT from any other outdoor advertising sign on the same side of the freeway.
- The Sign shall be separated a minimum distance of 150 FT from any public park, as measured in a straight line from the nearest point on the Sign structure to the nearest point on the property of the park.
- The Sign shall not be located within 200 FT of an R district, or designated residential development area, as measured in a straight line from the nearest point on the Sign structure to the nearest point of an R district or residential development area boundary line.
- The Sign shall not contain more than two (2) sign faces.
- The illumination of the face of the Sign shall not exceed 70 foot-candles.

7. The Sign shall not contain any flashing, blinking or traveling lights or reflective glitter.
8. The Sign shall be oriented to be primarily visible from the adjacent freeway.
9. The Sign shall not be supported by more than one post or column.
10. The Sign shall not be converted to any other type of sign without first obtaining a permit from the City of Tulsa.
11. The Sign shall have a minimum dwell time of at least eight (8) seconds and shall not contain any movement, animation, audio, video, pyrotechnics or other special effects.
12. The transition or change from one message to another on the Sign shall occur in one second or less and involve no animation or special effects.
13. The Sign shall not be located within 50 FT of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.
14. The Sign shall not be located within or within 20 FT of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.
15. The Sign shall be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.
16. The Sign shall be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.
17. The maximum brightness level of the dynamic display of the Sign shall not exceed 6,500 NITS during daylight hours or 500 NITS between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service.
18. The foregoing minimum dwell time and maximum illuminative brightness levels shall be subject to future modification and regulation in the exercise of the City's police powers and no vested right shall ever be created in these conditions.

**Signs – Miscellaneous:**

Signs not visible from a public street, including without limitation, way finding, directional, and informational signs, will be permitted without requiring Detail Sign Plan approval.

Except as outlined above, sign standards shall conform to the guidelines identified in Chapter 60, Signs, of the Tulsa Zoning Code.

**K. LIGHTING:**



Lighting for the Project will comply with all applicable City of Tulsa Standards.

**L. TRASH AND MECHANICAL EQUIPMENT AREAS:**

All trash and mechanical areas (excluding utility service pedestals, transforms and equipment provided by franchise utility providers) shall be screened from the public view of a person standing at ground level adjacent thereto. A fabric mesh with a minimum opacity of 95% shall be allowed on enclosure doors.

**III. GENERAL PROVISIONS**

**A. ACCESS AND CIRCULATION**

The Project has access onto East Skelly Drive at two (2) locations. It has two (2) shared access drives to the East with QuikTrip, one (1) onto East 49<sup>th</sup> Street and one (1) onto South Harvard Avenue.

**B. PEDESTRIAN ACCESS**

Sidewalks will be constructed along the East 49<sup>th</sup> Street frontage, along Skelly Drive as part of any building remodel or building permit project.

**C. SITE PLAN REVIEW**

No new building permit shall be issued and no new building or new development may occur within the Project until a subdivision plat incorporating the approved development plan has been approved and filed of record in the Tulsa County Clerk's Office. For the purposes of this Corridor Development Plan the digitization and raising of the existing outdoor advertising sign is not considered new development.

**DETAILED STAFF RECOMMENDATION:**

Staff has carefully reviewed this proposal, conducted site visits and finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Zoning Code.

Staff finds Corridor Development Plan CO-3 to be:

- 1) In harmony with the existing development patterns surrounding the site.
- 2) Not in complete harmony with the development pattern as defined by the Comprehensive Plan. The proposed plan provides incremental improvements for pedestrian connections and provisions for bicycle traffic. The recent public infrastructure project improved highway and street vehicular patterns but have created significant obstacles toward implementing the multimodal street system identified in the plan.
- 3) Provides a unified treatment of the development possibilities of the site;
- 4) Consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

**Staff recommends Approval of CO-3 as outlined in Section II above.**

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

**Land Use Vision:**

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

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

*Staff Comment: Many details of this proposal do not meet the Mixed Use Corridor Development pattern identified in the Comprehensive Plan. This existing site provides parking on the side and behind the building but there is no proposed opportunity for providing windows and storefront along the sidewalk as mentioned in the Comprehensive Plan vision for this Mixed Use Corridor.*

*The Corridor Development Plan removes obstructions in the building setback standards so future development can occur closer to the street.*

*New sidewalk construction along East Skelly Drive and East 49<sup>th</sup> Street will improve pedestrian connectivity in this area.*

*While the existing building does not meet all of the goals of the Mixed Use Corridor the Corridor Plan does provide opportunities for incremental improvements to improve pedestrian and alternative modes of transportation and the landscape and lighting requirements identified in the development plan will require updates as the property evolves over time.*

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

The Comprehensive Plan designates the entire property that is subject of this Corridor Development Plan application as an "Area of Growth".

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

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



Staff Comment: This Corridor Development plan is primarily prepared for installation of a digital outdoor advertising sign however additional provisions have been included that support future re-development or expansion of this property. New economic activity in the area will benefit existing residents and businesses. An important I-44 project has recently been completed which completely changed traffic movement in this area and provided safe pedestrian zones at the intersection of Harvard and I-44. Additional vehicular capacity in this area was the primary focus of those recent improvements. ODOT and City of Tulsa infrastructure improvements provide a refreshed core for this Area of Growth but will not meet the goals of the Mixed Use Corridor regarding transit options and parallel parking for the foreseeable future.

Transportation Vision:

*Major Street and Highway Plan:* Reconstruction of the street infrastructure in this area supports a much higher level of vehicular traffic that currently exists. There are no additional improvements that are shown in the transportation vision that would affect redevelopment of this 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: CO-3 is being used as the 2 story Trade Winds Motor Hotel.

REFER TO STREET VIEW SNIPPET ON FOLLOWING PAGE:

*View shown is from east bound traffic lane on I-44 looking at the existing outdoor advertising sign.*

*Applicant's exhibit illustrates the existing sign as 47.5 feet tall from the base of the sign.*



Environmental Considerations: None that affect current redevelopment plans or future development opportunities.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Skelly Drive	Residential Collector Highway Frontage Road	NA	One way west bound 2 lanes

Utilities:

The subject tract has municipal water and sewer available.

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	PK	Mixed Use Corridor	Growth	Vacant
East	CO	Mixed Use Corridor	Growth	Two story hotel with accessory restaurant and bar
South	I-44	NA, Town Center south of I-44	Growth	Commercial
West	OM	Mixed Use Corridor	Growth	7 Story Office Building

**SECTION IV: Relevant Zoning History**



**ZONING ORDINANCE:** Ordinance number 15130 dated August 31, 1981, established zoning for the subject property.

***Subject Property:***

**BOA-22090 June 14, 2016:** The Board of Adjustment **accepted** a *Verification of the spacing requirement* for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 60.080-F.5) and a *Verification of the spacing requirement* for a dynamic display outdoor advertising sign of 1,200 ft. from any other dynamic display outdoor advertising sign facing the same traveled way (Section 60.100), as shown on page 13.7 of agenda packet, on property located at 3141 E. Skelly Dr. S., and also known as the subject property.

**BOA-20953 August 25, 2009:** The Board of Adjustment **approved** a *Variance* of the setback requirement for a 50 ft. tall ground sign from an abutting street from 25 ft. to 17 ft. in a CO district; with condition for no LED technology, digital or flashing, finding that of necessity this sign has to be moved because of the realignment of I-44, on property located at 3141 E. Skelly Dr. S., and also known as the subject property.

**Z-5412-SP-2 February 2009:** A request for a *Corridor Development Plan* a 3.54± acre tract of land to allow for a digital outdoor advertising sign Use Unit 21, was **withdrawn** by applicant, on property located west of northwest corner East Skelly Drive and South Harvard Avenue and also known as a part of subject property.

**BOA-20785 October 14, 2008:** The Board of Adjustment **accepted** a *Verification of the spacing requirement* for a digital outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.G.9), based upon the facts in this matter as they presently exist, subject to the action of the Board being void should another outdoor advertising sign be constructed prior to this sign, on property located at 3141 E. Skelly Dr. S., and also known as the subject property.

**Z-5412 February 1981:** A request for rezoning a 7.5± acre tract of land from RS-3/RM-1/CS to CG/CH/PUD (PUD-238) or CO with the intent to expand the existing motel, on property located on the southwest corner of South Harvard Avenue and East 49<sup>th</sup> Street, and also known as a part of the subject property. Staff recommended that Corridor was the best zoning for the area and all others concurred and approved for CO zoning less the north 10 feet and PK zoning on Lots 1, 2, and 3 Block 1, Trade Winds; less the north 10 feet.

**Z-5412-SP-1 November 1987:** All concurred in **approval** of a request for a Corridor Sign Plan to replace a ground sign, for an existing motel development, which was constructed when the property was zoned CS, on property located west of the northwest corner of South Harvard Avenue and I-44 Skelly Bypass Frontage Road and also known as the subject property.

***Surrounding Property:***

**Z-7221/ Z-7221-SP-1 May 2013:** All concurred in approval of a request for rezoning and a Corridor Development Plan on a 4± acre tract of land from RS-2/CS to CO for a convenience store (QT), on property located northwest corner of I-44 Highway and South Harvard Avenue.

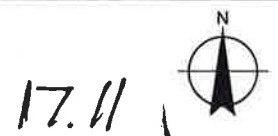
**Z-7192 March 2012:** All concurred in approval of a request for rezoning a 2± acre tract of land from OM to CS for retail/commercial uses on property located northwest corner of 49<sup>th</sup> Street South and South Harvard Avenue, and is north across E. 49<sup>th</sup> St. of subject property.

**Z-7138 September 2009:** All concurred in approval of a request for rezoning a 1250± square foot tract of land from RS-3 to PK for parking and access on property located west of southwest corner of East 49<sup>th</sup> Street and South Harvard Avenue and abutting north so subject property.

**BOA-15839 September 24, 1991:** The Board of Adjustment approved a Variance to permit three wall signs which exceed the permitted display surface area by a total of 29.5 sq. ft.; subject to the internal illumination of the awning being less than 25 foot candles measured at a two foot distance; finding that similar variances have been granted to other businesses in the Tulsa Area, on property located at 4970 South Harvard Avenue and abutting east of subject property.

11/2/2016 1:30 PM





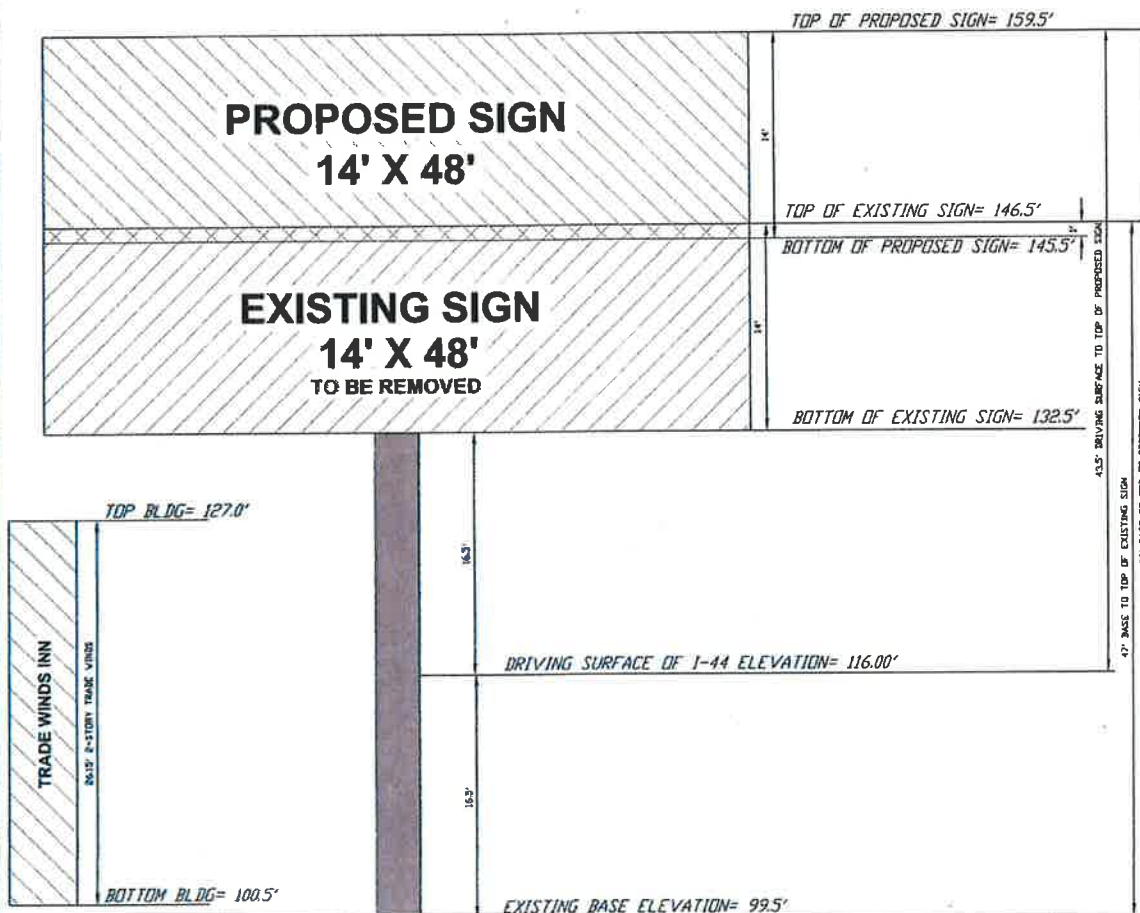
# TRADE WINDS SIGN EXHIBIT "C"

PROPERTY ADDRESS: 3314 E. SKELLY DRIVE, TULSA, OK  
SURVEYOR'S CLIENT: TRADE WINDS INN

PARENT TRACT LEGAL DESCRIPTION: LOT FOUR (4), BLOCK ONE (1), TRADE WINDS ADDITION, A RESUBDIVISION OF LOTS 4, 5 AND 6, AND PART OF LOTS 14, 16 AND 17 BLOCK 2, VILLA GROVE SUBDIVISION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.



PROFILE DRAWING SCALE 1" = 10'  
VIEW PERSPECTIVE IS FROM THE WEST LINE OF THE SUBJECT PROPERTY LOOKING TO THE EAST.



## SURVEYOR'S NOTES:

- DRIVING SURFACE ELEVATION ON I-44 IS GIVEN AT A POINT ON THE ROADWAY THAT IS PERPENDICULAR TO THE EXISTING SIGN.
- REFER TO ALTA SURVEY BY FRITZ LAND SURVEYING, LLC DATED JULY 15, 2016 FOR HORIZONTAL POSITIONING OF RELATED SITE FEATURES.
- ELEVATIONS PROVIDED ARE LOCAL ELEVATIONS FOR THE PURPOSE OF SHOWING THE ELEVATION DIFFERENTIALS OF THE EXISTING & PROPOSED SIGNS TO THE HIGHWAY DRIVING SURFACE AND THE EXISTING TRADE WINDS INN BUILDING.

## SURVEYOR'S STATEMENT

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS EXHIBIT IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY (SEPTEMBER 21, 2016). THIS EXHIBIT IS INTENDED TO BE USED FOR REVIEW BY THE OWNER & CITY OFFICIALS TO SHOW THE RELATIONSHIP OF THE PROPOSED SIGN TO THE EXISTING CONDITIONS.

WITNESS MY HAND AND SEAL THIS  
23rd DAY OF SEPTEMBER, 2016.

PREPARED BY:

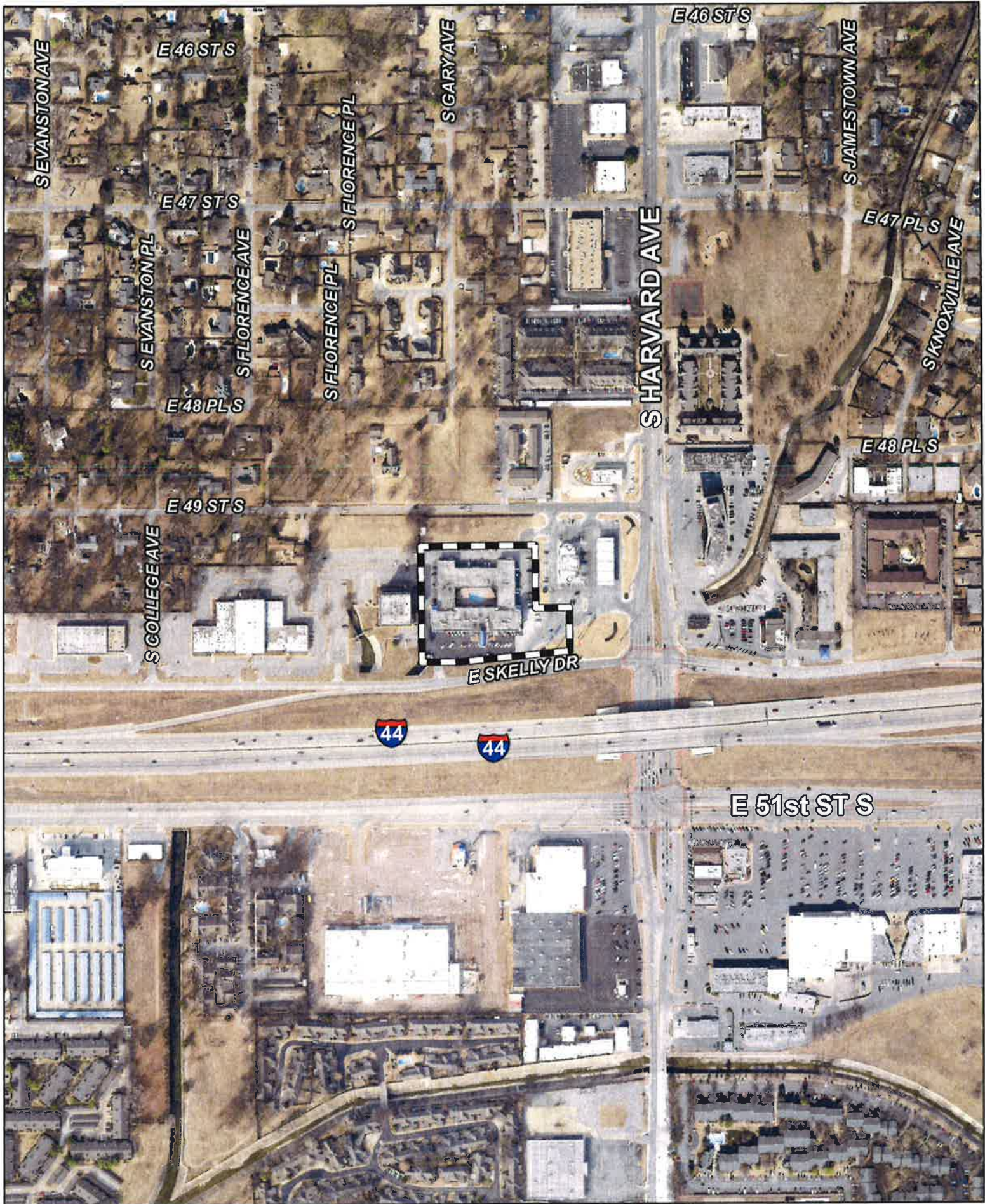
**FRITZ LAND SURVEYING, LLC**  
2017 W. 91st STREET  
TULSA, OK 74132  
PH: 918.231.0575  
FRITZLANDSURVEYING@GMAIL.COM  
FLS# 16442

ANDY FRITZ, PLS  
OK LIC. 1694



17.12





0 Feet 200 400



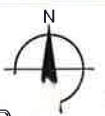
Subject  
Tract

**CO-3**

19-13 29

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

Aerial Photo Date: February 2011



17.13





0 Feet 50 100



Subject Tract

CO-3

19-13 29

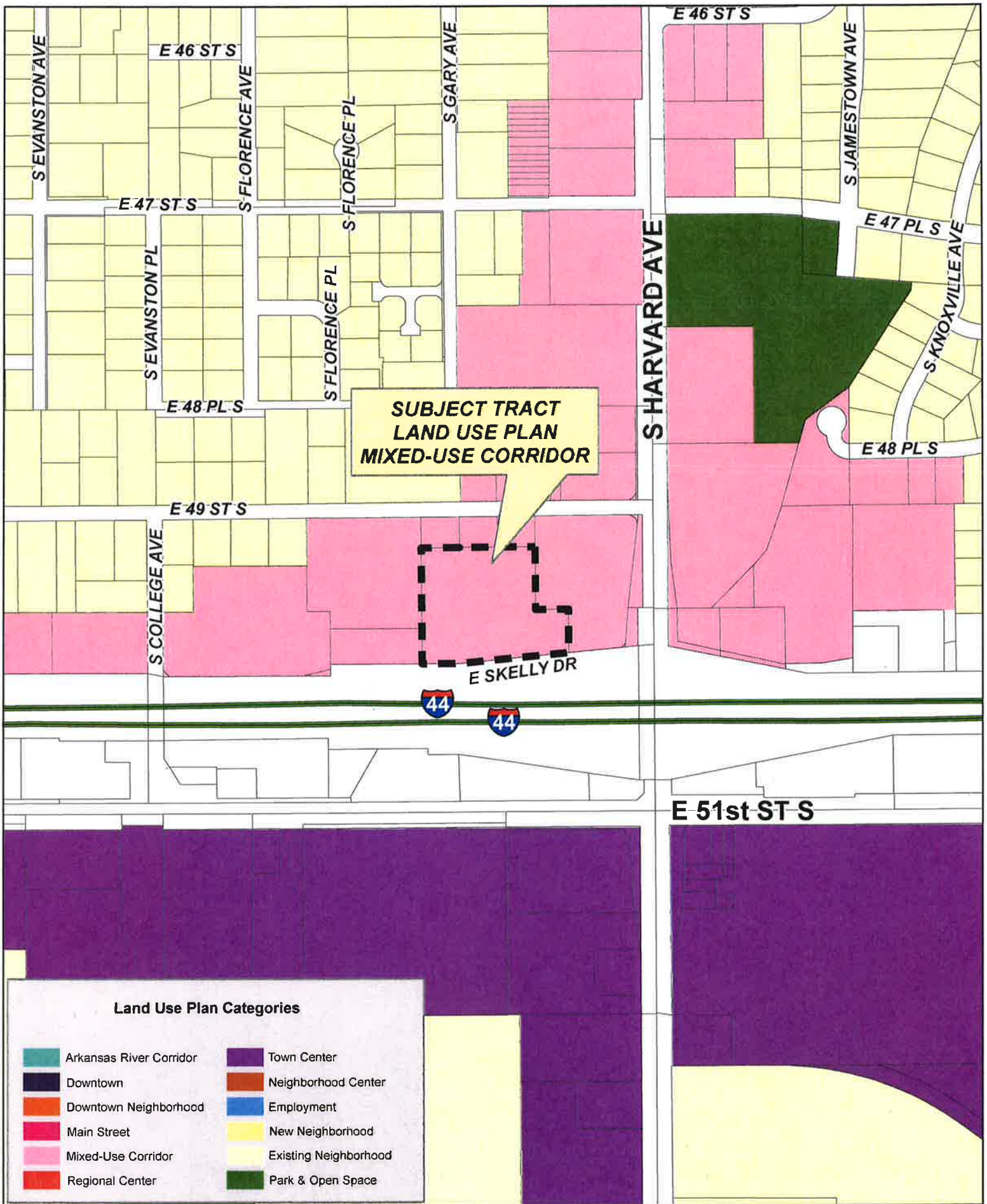
Note: Graphic overlays may not align with physical features on the

Aerial Photo Date: February 20

17.14



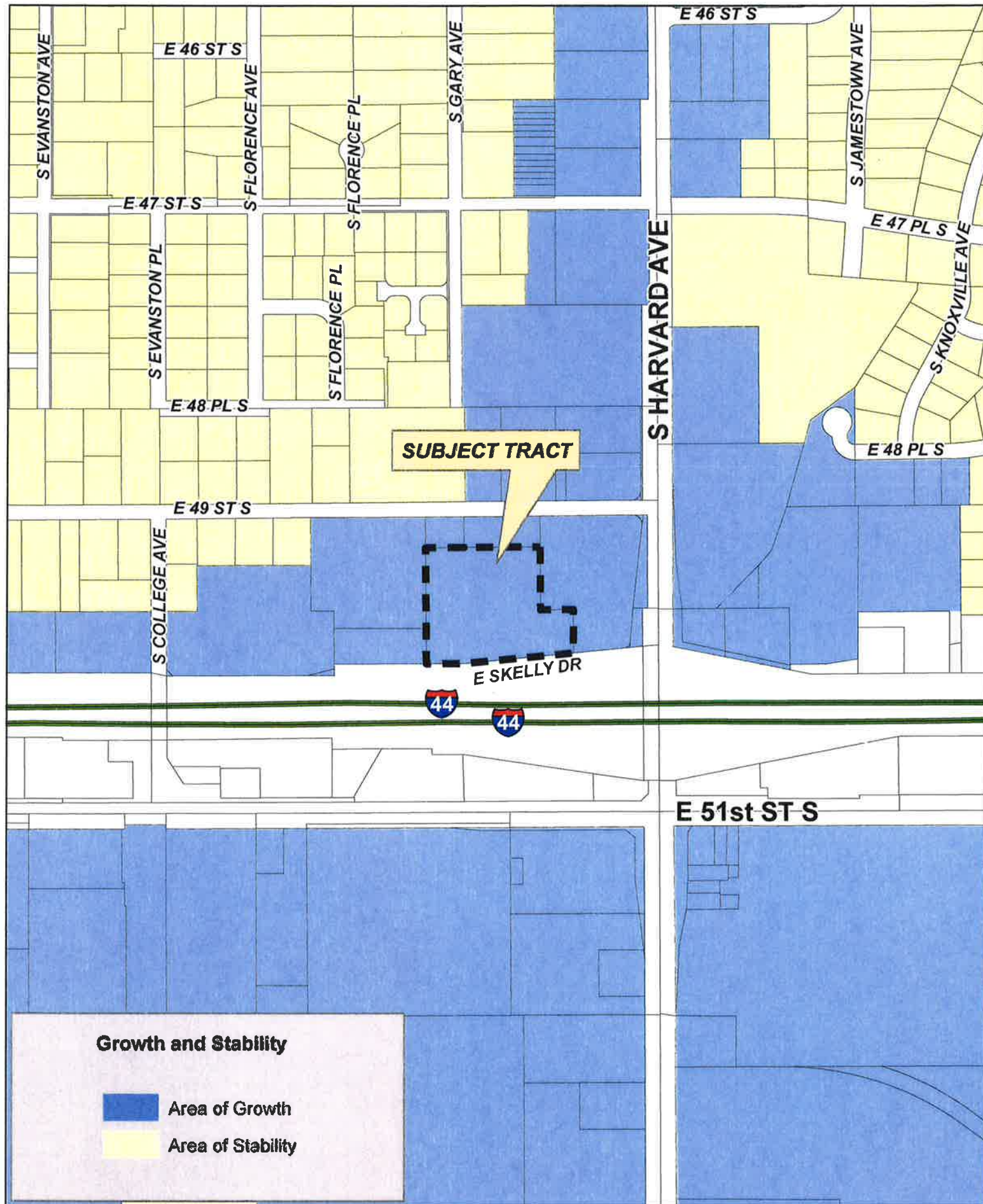




CO-3

19-13 29

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**CO-3**

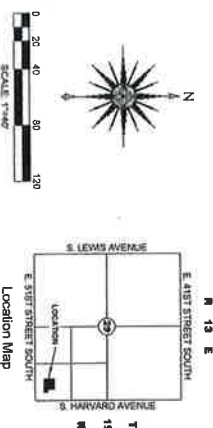
19-13 29

17.16





## E. 49TH STREET SOUTH

[illegible][illegible]

WITNESS MY HAND AND SEAL THIS  
15th DAY OF JULY 2016.

ANY PHOTO, P.S.  
D/C, C. 1064  
CA 95696

PREPARED BY:  
FRITZLAND SURVIVING, LLC  
2017 W. 3715 STREET - Ph: 817.231.0273  
FRITZLANDSURVIVING@GMAIL.COM  
FSA 19007 RI

# TRADE WINDS SIGN EXHIBIT "A"

PROPERTY ADDRESS: 3314 E. SKELLY DRIVE, TULSA, OK

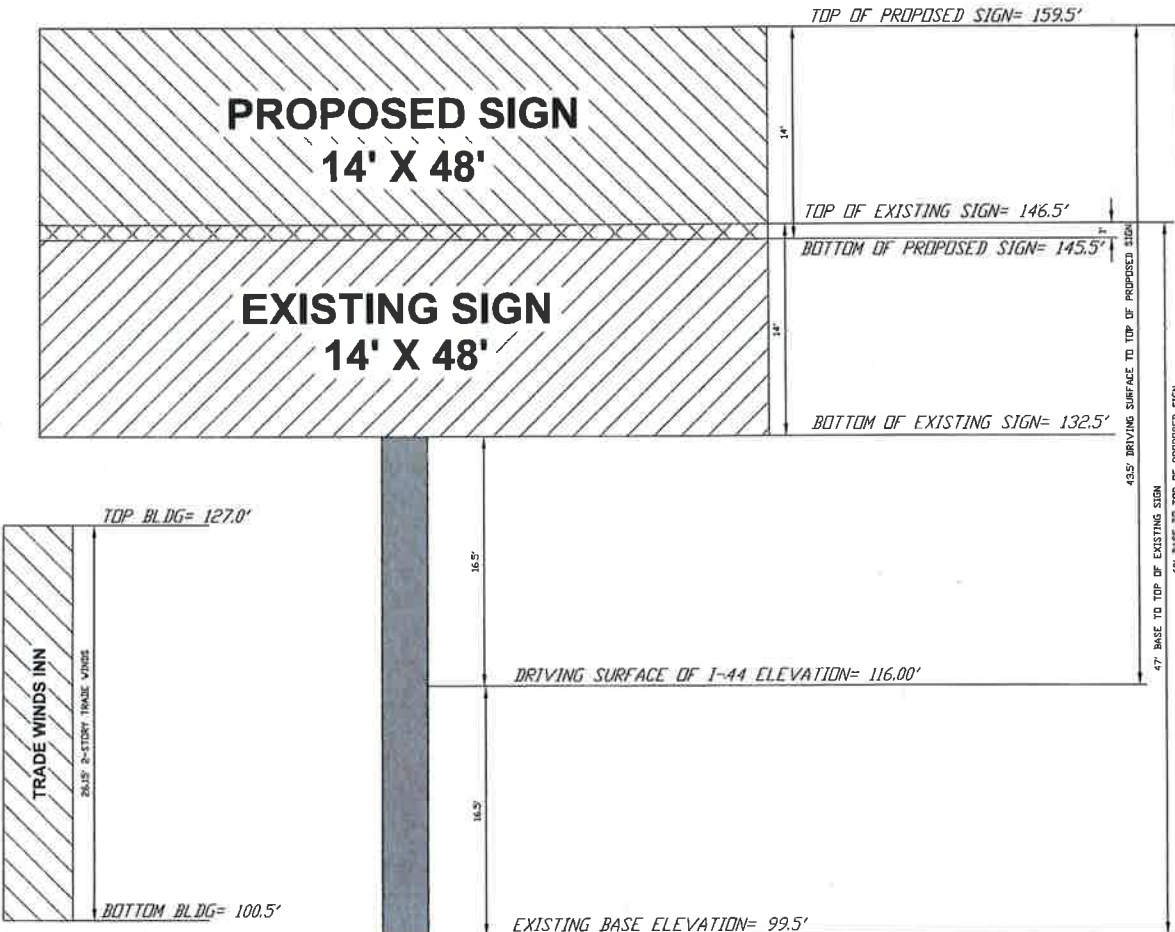
SURVEYOR'S CLIENT: TRADE WINDS INN

PARENT TRACT LEGAL DESCRIPTION: LOT FOUR (4), BLOCK ONE (1), TRADE WINDS ADDITION, A RESUBDIVISION OF LOTS 4, 5 AND 6, AND PART OF LOTS 14, 16 AND 17 BLOCK 2, VILLA GROVE SUBDIVISION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.



PROFILE DRAWING SCALE 1" = 10'

VIEW PERSPECTIVE IS FROM THE WEST LINE OF THE SUBJECT PROPERTY LOOKING TO THE EAST.



## SURVEYOR'S NOTES:

- DRIVING SURFACE ELEVATION ON I-44 IS GIVEN AT A POINT ON THE ROADWAY THAT IS PERPENDICULAR TO THE EXISTING SIGN.
- REFER TO ALTA SURVEY BY FRITZ LAND SURVEYING, LLC DATED JULY 15, 2016 FOR HORIZONTAL POSITIONING OF RELATED SITE FEATURES.
- ELEVATIONS PROVIDED ARE LOCAL ELEVATIONS FOR THE PURPOSE OF SHOWING THE ELEVATION DIFFERENTIALS OF THE EXISTING & PROPOSED SIGNS TO THE HIGHWAY DRIVING SURFACE AND THE EXISTING TRADE WINDS INN BUILDING.

## SURVEYOR'S STATEMENT

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS EXHIBIT IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY (SEPTEMBER 21, 2016). THIS EXHIBIT IS INTENDED TO BE USED FOR REVIEW BY THE OWNER & CITY OFFICIALS TO SHOW THE RELATIONSHIP OF THE PROPOSED SIGN TO THE EXISTING CONDITIONS.

WITNESS MY HAND AND SEAL THIS  
22nd DAY OF SEPTEMBER, 2016.

PREPARED BY:

**FRITZ LAND SURVEYING, LLC**

2017 W. 91st STREET

TULSA, OK 74132

PH: 918.231.0575

FRITZLANDSURVEYING@GMAIL.COM

FLS# 16442

ANDY FRITZ, PLS  
OK LIC. 1694



17.18



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7361

**Hearing Date:** November 2, 2016

Continued from October 5 (request by neighborhood and supported by applicant)

**Case Report Prepared by:**

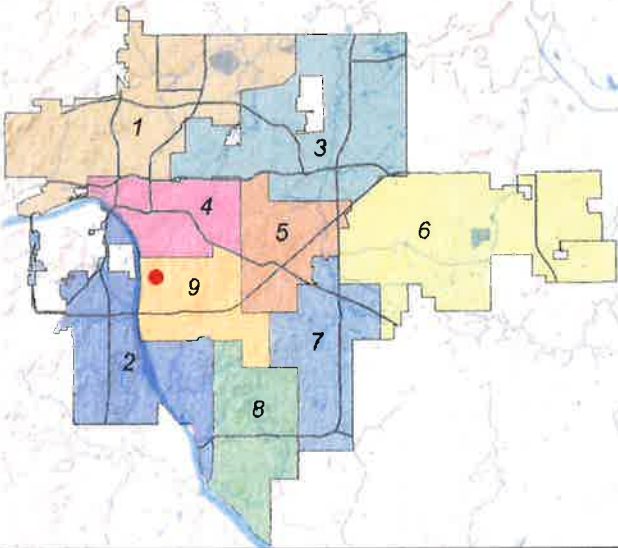
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Property Owner:* ALLEN H W CO

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



**Applicant Proposal:**

*Present Use:* Single Family Residential

*Proposed Use:* Parking lot

*Concept summary:* Construct a surface parking lot that is consistent with the Comprehensive plan and meet or exceed minimum design standards identified on PK zoned property.

*Tract Size:* 0.2 ± acres

*Location:* West of southwest corner of S. Peoria Ave. and E. 37<sup>th</sup> Pl.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* PK

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends denial of PK zoning however staff may support PK zoning with an appropriate optional development plan.**

*Prior to the October 5<sup>th</sup> Planning Commission meeting the applicant agreed to a continuance for further neighborhood discussion including a possible optional development plan. No additional information has been provided.*

**Staff Data:**

TRS: 9224

CZM: 46

Atlas: 249

**City Council District:** 9

*Councilor Name:* G.T. Bynum

**County Commission District:** 2

*Commissioner Name:* Karen Keith



## **SECTION I: Z-7361**

### **DEVELOPMENT CONCEPT:**

Parking district zoning is primarily intended to accommodate off-street parking areas bordering on residential zoning districts, while protecting nearby residential areas from adverse impacts associated with spillover parking into residential neighborhoods. This zoning request is supported by the Tulsa Comprehensive Plan.

### **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 Provided
- Neighborhood Correspondence:

### **DETAILED STAFF RECOMMENDATION:**

Z-7361 is occupied by a single family residential home zoned RS-3 however the Comprehensive Plan recognized this area as part of the Main Street Land Use Designation. The Brookside Infill Development Design Recommendations recognize that this lot could be used for parking. Additional encroachment into the neighborhood west of this request is not supported by either of those plans and;

PK zoning as requested by Z-7361 provides setback standards for fencing and parking that protect the street character where parking is adjacent to single family residential areas. Screening and landscape concepts required by the code are similar to recommendations recognized in the Brookside Infill Development Design Recommendations and;

PK zoning only allows parking with associated landscaping and screening provisions. The parking is injurious to the single family residential property west and north of the site. Staff supported a continuance from October 5<sup>th</sup> to November 2nd for discussion regarding a possible optional development plan that integrated additional design standards protecting the single-family residential properties. Staff has met with neighborhood representatives but an optional development plan has not been submitted and;

PK zoning at this location is harmonious with the expected future Main Street Development pattern at this location but the design standards identified in PK zoning are not harmonious with the Brookside Infill Development Design Recommendations or the expectations of the property owners north of the zoning request therefore;

**Staff recommends Denial of Z-7361 to rezone property from RS-3 to PK however staff may support PK zoning with an appropriate optional development plan.**

## **SECTION II: Supporting Documentation**

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

Staff Summary: The design standards for PK zoning require the basic concepts for screening that were recommended in the Brookside Plan. The Brookside Plan suggested a higher quality fence design standard and significant landscaping beyond what is required in the PK zoned district.

### Land Use Vision:

#### *Land Use Plan map designation: Main Street*

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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

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

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

### Transportation Vision:

#### *Major Street and Highway Plan:*

#### *Trail System Master Plan Considerations: None*

#### Small Area Plan: Brookside Infill Development Design Recommendations (effective beginning 2002)

The plan recommends several design considerations including:

- 1) The boundary between the commercial areas and residential areas should be appropriately screened with fencing, landscaping and buffering materials which include wooden fences with cap-rails and base-rails, trees, plants, or any combination of the above which provides appropriate visual separation, high durability, and long term easy and low maintenance.
- 2) The screening fence should be provided with a wooden fence with Brick, stone or masonry pilasters to be used as the fence support; or
- 3) A brick, stone or masonry wall fence is also a recommended option for screening.

Special District Considerations: None except the provisions identified in the Brookside Infill plan.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is currently a single family residential residence with surface parking on the south and east. If the house is removed and the parking lot is constructed it is important to remove the drive approach to the lot from East 37<sup>th</sup> and install a sidewalk.*

*(See street view image on next page. Viewed looking southeast from the northwest corner of the lot):*



Environmental Considerations: None that would affect site development as a parking lot.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 37 <sup>th</sup> Place South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

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	RS-3	Main Street	Growth	Single Family Residential
East	PK	Main Street	Growth	Surface Parking Lot
South	RS-3	Main Street	Growth	Surface Parking Lot (re: BOA# 4153 in 1963)
West	RS-3	Existing Neighborhood	Stability	Single Family Residential



### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11822 dated June 26, 1970, established zoning for the subject property.

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

*No relevant history.*

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

**Z-7298 June 2015:** All concurred in **approval** of a request for *rezoning* a .19± acre tract of land from RS-3 to PK for a parking lot, on property located west of the northwest corner of S. Peoria Ave. and E. 37<sup>th</sup> Pl. and northeast of subject property.

**Z-7107 October 2008:** All concurred in **approval** of a request for *rezoning* a .5± acre tract of land from RS-3 to PK for parking lot, on property located west of southwest corner of E. 37<sup>th</sup> St. and S. Peoria Ave.

**Z-6749 March 2000:** All concurred in **approval** of a request for *rezoning* a .457± acre tract of land from RS-3/RM-1 to PK for parking on property located east of northeast corner of S. Peoria Ave. and E. 38<sup>th</sup> St. S.

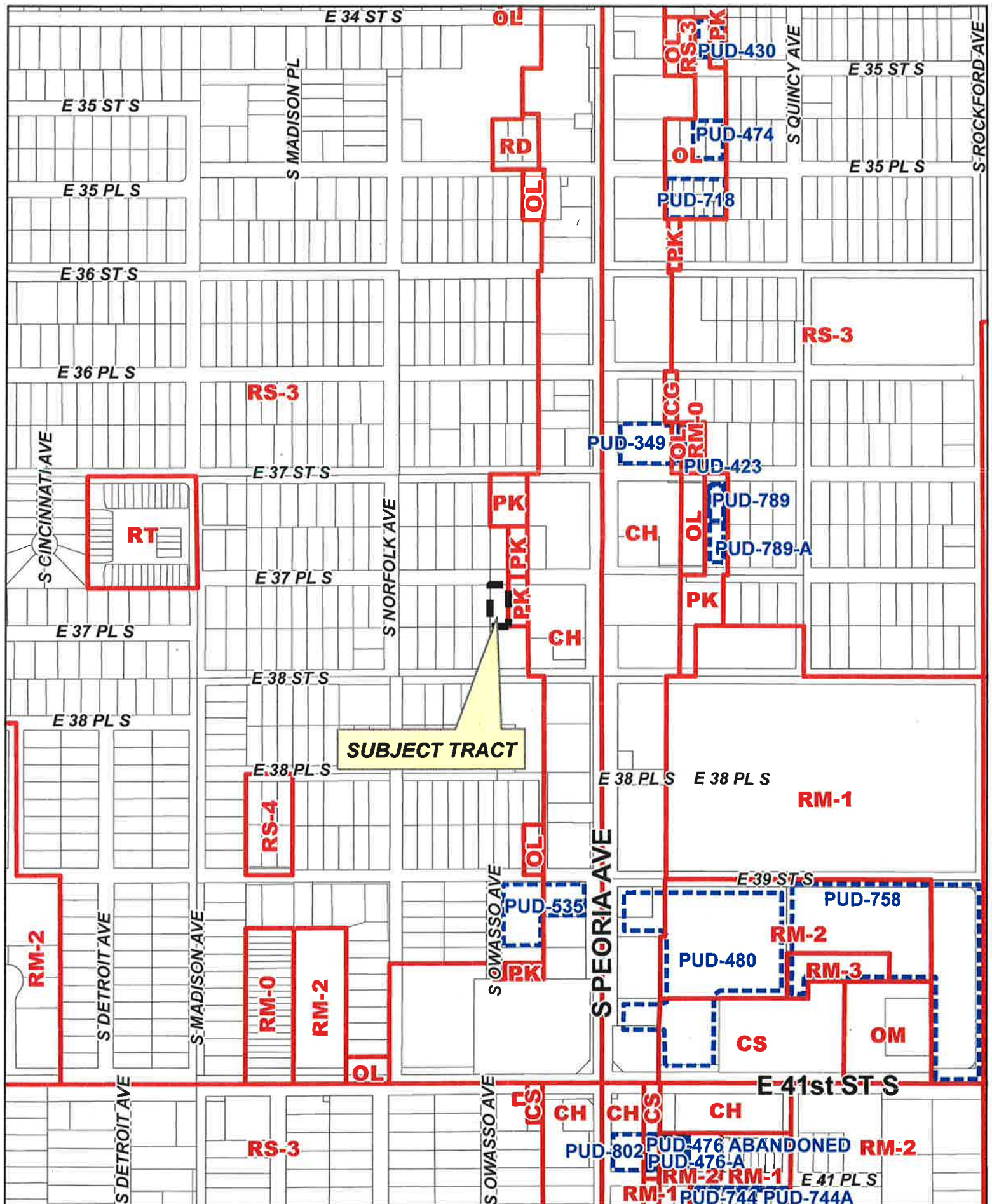
**BOA-17826 September 23, 1997:** The Board of Adjustment **approved** a *Variance* of the required 5 ft. landscaping strip between parking lot and an R district; and a *Variance* of required 50 ft. setback from abutting street; and a *Variance* of screening required along property lines abutting an R district; per plan submitted; subject to execution of a tie agreement between the subject lot and the parking lot and use to the east, on property located at 1128A & 1128B E. 37<sup>th</sup> Pl. S. and abutting subject property to the east.

**Z-6597 August 1997:** All concurred in **approval** of a request to *rezone* a .19± acre tract of land from RS-3 to PK for a parking lot, located west of the southwest corner of E. 37<sup>th</sup> Pl. and S. Peoria Ave. and abutting east of subject property.

**BOA-4153 September 1963:** The Board of Adjustment **approved** off-street parking use in a U-1-C district (RS-3) in conjunction with business property on the east, subject to the applicant hard surfacing the lot and fencing the lot, on property located at 1135 E. 38<sup>th</sup> St. and abutting south of subject property.

**BOA-2062 August 10, 1949:** The Board of Adjustment **approved** a church use, on property located at 1132 E. 38<sup>th</sup> St.

10/5/2016 1:30 PM



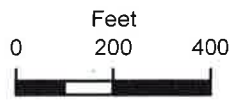
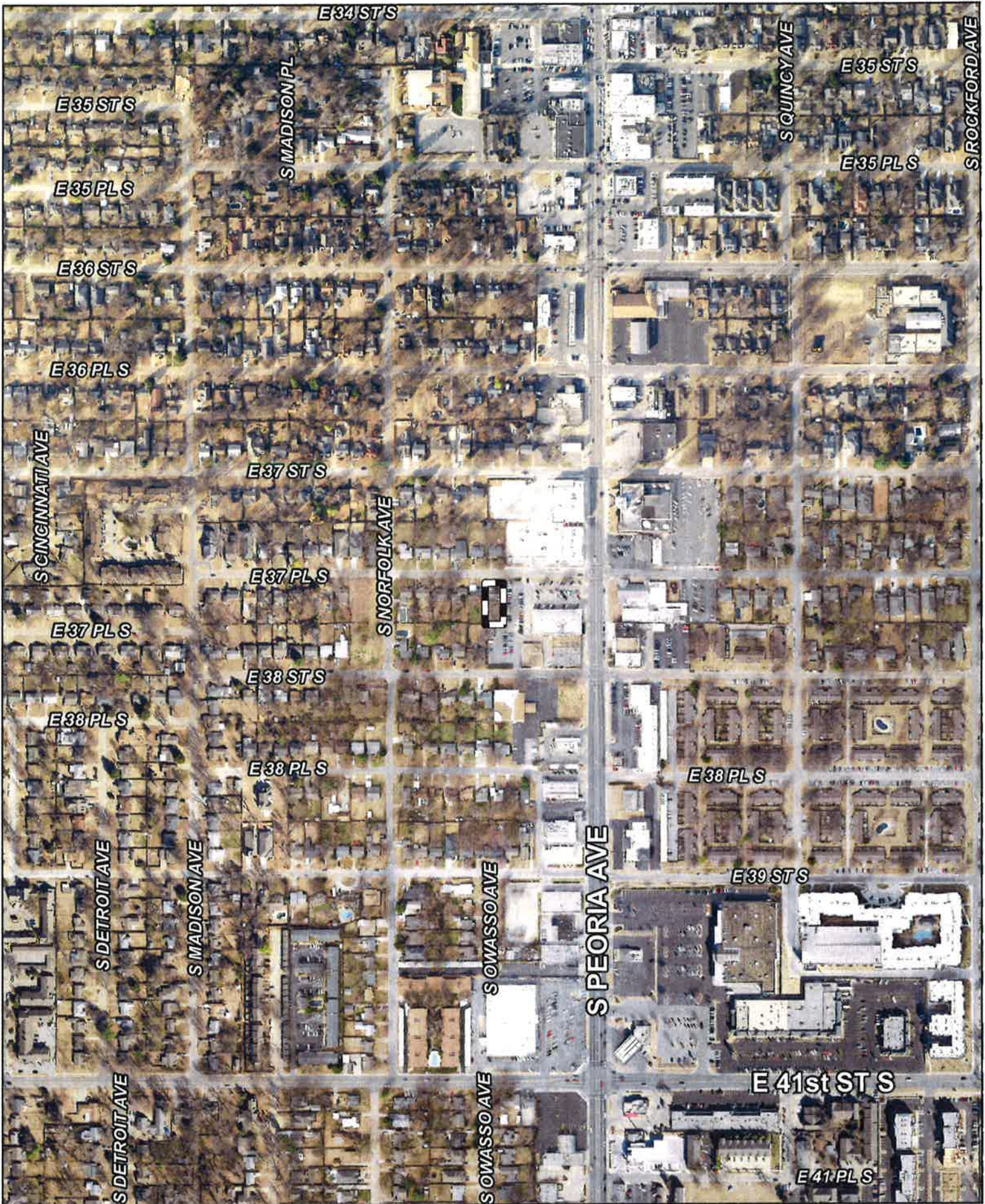
Z-7361

19-12 24

18.6







Subject  
Tract

**Z-7361**

19-12 24

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

Aerial Photo Date: February 2016



18.7





E 37 STS

E 37 PLS

E 38 STS

S PEORIA AVE

SNORFOLK AVE

0 50 100  
Feet



Subject  
Tract

**Z-7361**

19-12 24

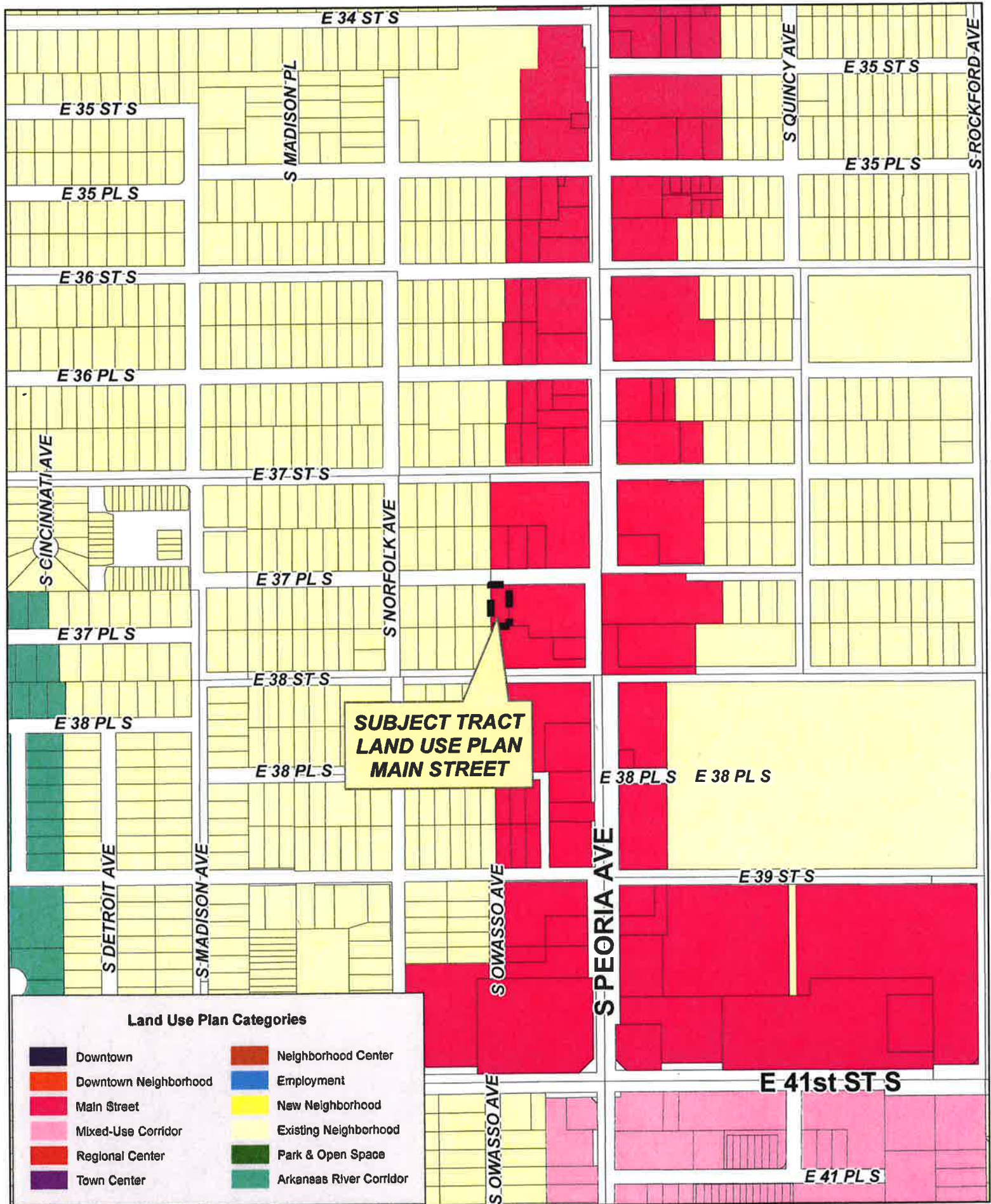
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



18.8





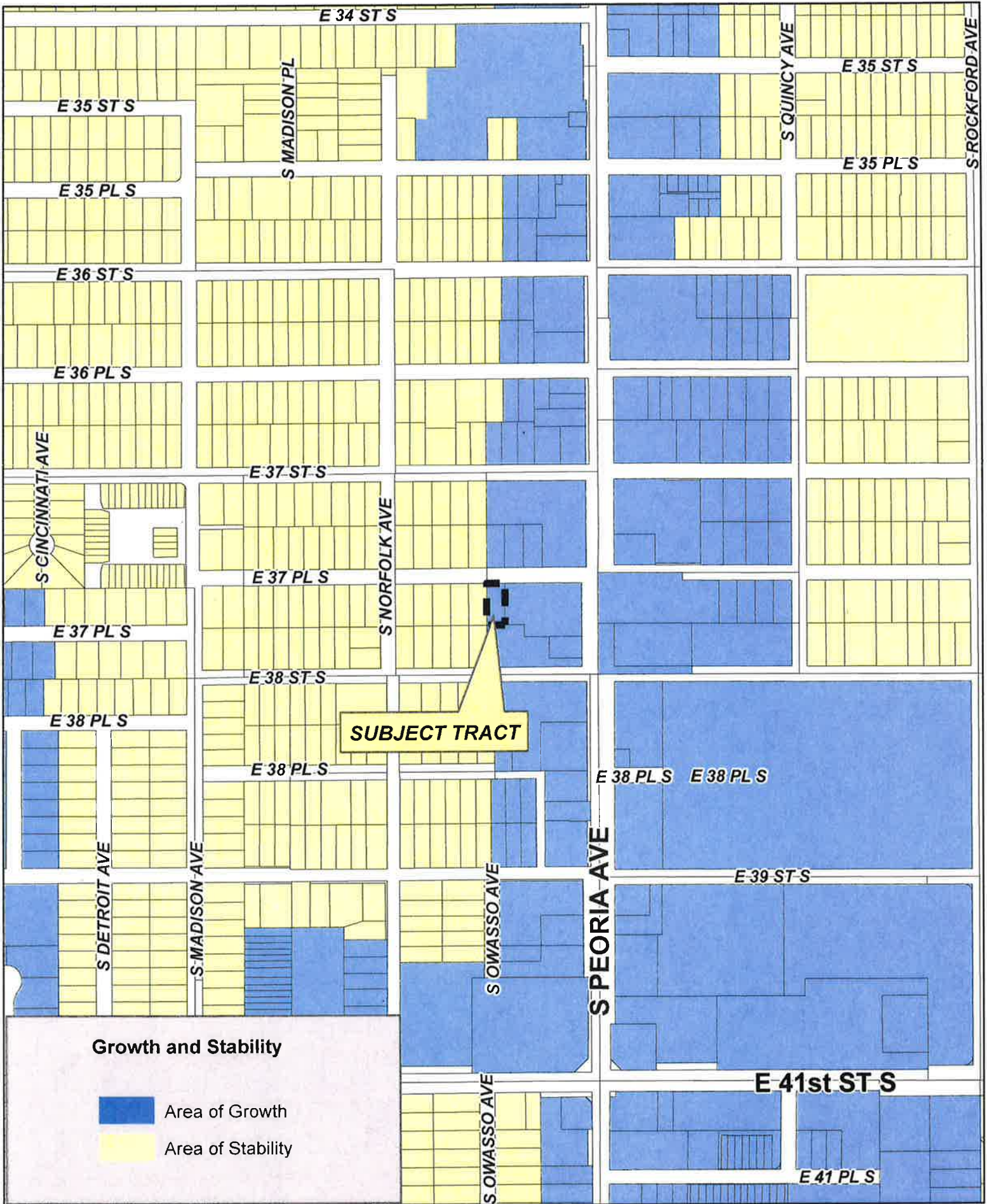
**Z-7361**

19-12 24



18.9







**Growth and Stability**

-  Area of Growth
-  Area of Stability



**Z-7361**

19-12 24

18.10



## NEIGHBORHOOD CORRESPONDENCE:

18.11

REVISED 10/26/2016



**Sawyer, Kim**

---

**From:** Wilkerson, Dwayne  
**Sent:** Tuesday, October 04, 2016 9:30 AM  
**To:** Miller, Susan; Sawyer, Kim; Michael Covey  
**Cc:** Nathan's House; R. Louis Reynolds  
**Subject:** FW: Objection to Z-7361, request for continuance

Good morning Chairman Covey,

Please accept the neighbors request for a continuance to October 19th to allow time to meet with the applicant and to consider an optional development plan.

If an optional development plan is submitted by the applicant, the continuance must be moved to November 2<sup>nd</sup> to accommodate the 21 day lead time policy identified on our calendar for a development plan submittal.

Staff supports the continuance request to allow discussion with the neighborhood.

Respectfully,

**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)

**FILE COPY**

---

**From:** nleigh42@gmail.com [mailto:nleigh42@gmail.com] **On Behalf Of** Nathan's House  
**Sent:** Tuesday, October 04, 2016 9:00 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Adele Baker; dist9@tulsacouncil.org; Traci Leigh; rlreynolds@ellerdetrich.com  
**Subject:** Re: Objection to Z-7361, request for continuance

Oct 19th is acceptable.

I plan on speaking tomorrow. Do I need to sign up in advance?

Thanks,  
Nathan

On Tue, Oct 4, 2016 at 8:49 AM, Wilkerson, Dwayne <[DWilkerson@incog.org](mailto:DWilkerson@incog.org)> wrote:

Nathan,

Please confirm that October 19<sup>th</sup> is the correct date for your continuance request.

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:** Wilkerson, Dwayne

**Sent:** Tuesday, October 04, 2016 8:46 AM

**To:** 'Nathan's House'

**Cc:** Adele Baker; [dist9@tulsacouncil.org](mailto:dist9@tulsacouncil.org); Traci Leigh; [rlreynolds@ellerdetrich.com](mailto:rlreynolds@ellerdetrich.com)

**Subject:** RE: Objection to Z-7361, request for continuance

Nathan,

Thank you for your email I will forward your request to the Planning Commission.

Please be sure to sign up to speak at the meeting tomorrow.

Respectfully,

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:** [nleigh42@gmail.com](mailto:nleigh42@gmail.com) [<mailto:nleigh42@gmail.com>] **On Behalf Of** Nathan's House

**Sent:** Tuesday, October 04, 2016 8:42 AM

**To:** Wilkerson, Dwayne

**Cc:** Adele Baker; [dist9@tulsacouncil.org](mailto:dist9@tulsacouncil.org); Traci Leigh; [rlreynolds@ellerdetrich.com](mailto:rlreynolds@ellerdetrich.com)

**Subject:** Objection to Z-7361, request for continuance

I have objections to the request for zoning change Z-7361; Residential Single Family (RS-3) to Parking Lot (PK). This is for a lot bordering the property that includes Charleston's in Brookside; address 1124 E 37th PL. I own & reside in the home across the street, one house east at 1119 E 37th PL.

I would like to ask that a continuance be issued to provide time to develop an Optional Development Plan. I, along with several other local residents, have concerns with how this proposed change will interface with the established neighborhood. Therefore, I feel that it would be appropriate for the land owner to host a public meeting inviting all interested parties.

It should be noted that the application incorrectly notes that the land is "Vacant". There is currently a well maintained, single family home on this property. There are also several mature trees on the lot that provide shade for the neighborhood and help limit the heat sink affect of the current parking lot.

I respectfully disagree that increasing the size of the existing parking lot meets the expectations of a Multi-Modal, Main Street Corridor identified by the Tulsa Comprehensive Plan (PLANiTULSA).

The current development is zoned Commercial-High District (CH). In the recently updated Tulsa Zoning Code, the parking requirements for CH were lowered to "help avoid the negative impacts that can result from requiring excessive supplies of off-street parking" and discourage "parking encroachment into stable neighborhoods" (Section 55.010-A). From my calculations, I estimate that the current development has a minimum parking requirement of 73 parking spots. The current lot has approx 118 parking spots, 6 parking spots marked along Peoria, and on-street parking along 37th PL & 38th ST adds 20 more. This creates a total of 144 available spots to the current development, or **twice the minimum parking spots required by Tulsa Zoning Code.**

The lot in question is zoned as part of the area of Growth in the Main Street Corridor. Therefore, I do not contest the land owner's desire to change from RS-3. A change to an office, retail, or a mixed use building that incorporates the existing trees could provide a much more appropriate transition between the established neighborhood and the Brookside business district.

The final result could be a win-win for the land owner, City of Tulsa, and the neighborhood. A parking lot requires flood lights 24/7, storm water mitigation, & regular maintenance; yet it does not pay rent & does not produce any sales tax.

Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh

1119 E 37th PL

918.289.7679



## Wilkerson, Dwayne

---

**From:** nleigh42@gmail.com on behalf of Nathan's House  
[house@nathanleigh.com]  
**Sent:** Tuesday, October 04, 2016 8:42 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Adele Baker; dist9@tulsacouncil.org; Traci Leigh;  
rlreynolds@ellerdetrich.com  
**Subject:** **Objection to Z-7361, request for continuance**

FILE COPY

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Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh

1119 E 37th PL  
918.289.7679



**Sawyer, Kim**

---

**From:** Carolyn [amaryllis104@yahoo.com]  
**Sent:** Wednesday, October 05, 2016 10:47 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Carolyn Cobb  
**Subject:** 10/5/16--Request for continuance...case Z-7361

I am very opposed to the rezoning application for southwest corner of Peoria and E 37 Pl....

I live at 1110 E 38, at corner of Norfolk and 38 St.  
Several other neighbors on this street also opposed, including Sally McGrew, Jessica Cobb.

Need continuance please.

## Wilkerson, Dwayne

---

**From:** Adele Baker [AdeleBa@kfoc.net]  
**Sent:** Tuesday, October 04, 2016 10:12 AM  
**To:** 'Nathan's House'; Wilkerson, Dwayne  
**Cc:** dist9@tulsacouncil.org; Traci Leigh; rlreynolds@ellerdetrich.com  
**Subject:** RE: Objection to Z-7361, request for continuance

I agree with Nathan's request for a continuance. I live directly across the street (1127 E 37<sup>th</sup> Pl.) from the existing house that is scheduled for the zoning change hearing. I have lived there since late October 1991. I have already lost the lot behind me to the north, the one next to it to the north east, (both of which were a combined large empty lot with big oak trees), the lot next to me on the east, and the lot beyond it to the east, both of which had houses and large trees, all to a large parking lot for Trader Joe's and the other stores yet to be developed. And previous to that zoning change, there was a duplex located in the lot just east of 1124 E 37<sup>th</sup> Pl. (southeast to my house) which was rezoned to be a parking lot. I do not wish to look out my front window and see more parking lots, nor do I think it is reasonable for the city to surround my house with them.

Adele Baker

**From:** [nleigh42@gmail.com](mailto:nleigh42@gmail.com) [<mailto:nleigh42@gmail.com>] On Behalf Of Nathan's House  
**Sent:** Tuesday, October 04, 2016 8:42 AM  
**To:** [dwilkerson@incog.org](mailto:dwilkerson@incog.org)  
**Cc:** Adele Baker; [dist9@tulsacouncil.org](mailto:dist9@tulsacouncil.org); Traci Leigh; [rlreynolds@ellerdetrich.com](mailto:rlreynolds@ellerdetrich.com)  
**Subject:** Objection to Z-7361, request for continuance

FILE COPY

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I would like to ask that a continuance be issued to provide time to develop an Optional Development Plan. I, along with several other local residents, have concerns with how this proposed change will interface with the established neighborhood. Therefore, I feel that it would be appropriate for the land owner to host a public meeting inviting all interested parties.

It should be noted that the application incorrectly notes that the land is "Vacant". There is currently a well maintained, single family home on this property. There are also several mature trees on the lot that provide shade for the neighborhood and help limit the heat sink affect of the current parking lot.

I respectfully disagree that increasing the size of the existing parking lot meets the expectations of a Multi-Modal, Main Street Corridor identified by the Tulsa Comprehensive Plan (PLANiTULSA).

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Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh  
1119 E 37th PL  
918.289.7679

## Sawyer, Kim

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, October 05, 2016 11:44 AM  
**To:** Jessa Cobb; Carolyn Cobb  
**Cc:** Sawyer, Kim  
**Subject:** RE: Continuance

Thank you Ms. Cobb,

We will forward your request for a continuance to the Planning Commission.

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)

FILE COPY

-----Original Message-----

**From:** Jessa Cobb [<mailto:jessa.cobb@gmail.com>]  
**Sent:** Wednesday, October 05, 2016 11:40 AM  
**To:** Wilkerson, Dwayne; Carolyn Cobb  
**Subject:** Continuance

Hello.

I live at 1106 e 38th st. I have objections to the rezoning application (case number z7361) but am unable to attend the meeting this afternoon. I request a continuance as I would like to register my objections and have a chance to speak to those involved about a compromise.

Thank you,  
Jessica Cobb

**Sawyer, Kim**

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, October 05, 2016 11:41 AM  
**To:** Sawyer, Kim  
**Cc:** Miller, Susan  
**Subject:** FW: rezoning extension request, Brookside (Z-7361)

Kim,

Please forward this 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  
[dwillkerson@incog.org](mailto:dwillkerson@incog.org)

**FILE COPY**

---

**From:** [bigsal24@aol.com](mailto:bigsal24@aol.com) [mailto:[bigsal24@aol.com](mailto:bigsal24@aol.com)]  
**Sent:** Wednesday, October 05, 2016 11:36 AM  
**To:** Wilkerson, Dwayne; [herbbeattie@sbcglobal.net](mailto:herbbeattie@sbcglobal.net)  
**Subject:** rezoning extension request, Brookside

Hello,

I am Sally McGrew, and my husband and I live at 1101 E. 38th St., one street south of the lot for which the zoning change has been proposed.

I too would like to request a continuation so that the owner can meet with neighbors and discuss possible alternatives to making the area a parking lot. I have some of the same concerns shared by others, such as the loss of trees, how the border area between development and the stable residential neighborhood will be handled, and the fact that the existing parking is in excess of what's required by the current code.

I can be contacted at 918-808-8958, or through email at this address.

Thanks for your consideration.

Sally McGrew



**Sawyer, Kim**

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, October 05, 2016 3:09 PM  
**To:** Sawyer, Kim  
**Subject:** FW: amendment...Fw: 10/5/16--Request for continuance...case Z-7361

**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)

**FILE COPY**

---

**From:** Carolyn [<mailto:amaryllis104@yahoo.com>]  
**Sent:** Wednesday, October 05, 2016 12:39 PM  
**To:** Wilkerson, Dwayne  
**Cc:** Carolyn Cobb  
**Subject:** amendment...Fw: 10/5/16--Request for continuance...case Z-7361

I am unable to make changes in order to be present today at meeting.  
I have had unexpected medical issues/appts that cannot be changed, for today.  
I had planned to be there at 1:30pm.  
It is my understanding that each side is entitled to a continuance, if requested.  
I am requesting continuance, so that discussion between parties can be had.  
Carolyn Cobb

----- Forwarded Message -----

**From:** Carolyn <[amaryllis104@yahoo.com](mailto:amaryllis104@yahoo.com)>  
**To:** "[dwilkerson@incog.org](mailto:dwilkerson@incog.org)" <[dwilkerson@incog.org](mailto:dwilkerson@incog.org)>  
**Cc:** Carolyn Cobb <[amaryllis104@yahoo.com](mailto:amaryllis104@yahoo.com)>  
**Sent:** Wednesday, October 5, 2016 10:47 AM  
**Subject:** 10/5/16--Request for continuance...case Z-7361

I am very opposed to the rezoning application for southwest corner  
of Peoria and E 37 Pl....

I live at 1110 E 38, at corner of Norfolk and 38 St.  
Several other neighbors on this street also opposed, including  
Sally McGrew, Jessica Cobb.

Need continuance please.

**Sawyer, Kim**

---

**From:** R. Louis Reynolds [LReynolds@ellerdetrich.com]  
**Sent:** Wednesday, October 05, 2016 12:02 PM  
**To:** Wilkerson, Dwayne; Miller, Susan; Sawyer, Kim; Michael Covey  
**Cc:** Nathan's House  
**Subject:** RE: Objection to Z-7361, request for continuance

Dear Dwayne: A continuance to November 2<sup>nd</sup> is acceptable to the Applicant. Best, 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*  
✉ [LReynolds@EllerDetrich.com](mailto:LReynolds@EllerDetrich.com)

**FILE COPY**



<http://www.EllerDetrich.com/>

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*Please consider the environment before printing this e-mail! ~ Thank you!*

**From:** Wilkerson, Dwayne [mailto:DWilkerson@incog.org]  
**Sent:** Tuesday, October 4, 2016 9:30 AM  
**To:** Miller, Susan <SMiller@incog.org>; Sawyer, Kim <ksawyer@incog.org>; Michael Covey <mcovey@cox.net>  
**Cc:** Nathan's House <house@nathanleigh.com>; R. Louis Reynolds <LReynolds@ellerdetrich.com>  
**Subject:** FW: Objection to Z-7361, request for continuance

**Good morning Chairman Covey,**

Please accept the neighbors request for a continuance to October 19th to allow time to meet with the applicant and to consider an optional development plan.

If an optional development plan is submitted by the applicant, the continuance must be moved to November 2<sup>nd</sup> to accommodate the 21 day lead time policy identified on our calendar for a development plan submittal.

Staff supports the continuance request to allow discussion with the neighborhood.

Respectfully,

**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:** [nleigh42@gmail.com](mailto:nleigh42@gmail.com) [<mailto:nleigh42@gmail.com>] **On Behalf Of** Nathan's House

**Sent:** Tuesday, October 04, 2016 9:00 AM

**To:** Wilkerson, Dwayne

**Cc:** Adele Baker; [dist9@tulsacouncil.org](mailto:dist9@tulsacouncil.org); Traci Leigh; [rlreynolds@ellerdetrich.com](mailto:rlreynolds@ellerdetrich.com)

**Subject:** Re: Objection to Z-7361, request for continuance

Oct 19th is acceptable.

I plan on speaking tomorrow. Do I need to sign up in advance?

Thanks,

Nathan

On Tue, Oct 4, 2016 at 8:49 AM, Wilkerson, Dwayne <[DWilkerson@incog.org](mailto:DWilkerson@incog.org)> wrote:

Nathan,

Please confirm that October 19<sup>th</sup> is the correct date for your continuance request.

**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)



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**From:** Wilkerson, Dwayne  
**Sent:** Tuesday, October 04, 2016 8:46 AM  
**To:** 'Nathan's House'  
**Cc:** Adele Baker; [dist9@tulsacouncil.org](mailto:dist9@tulsacouncil.org); Traci Leigh; [rlreynolds@ellerdetrich.com](mailto:rlreynolds@ellerdetrich.com)  
**Subject:** RE: Objection to Z-7361, request for continuance

Nathan,

Thank you for your email I will forward your request to the Planning Commission.

Please be sure to sign up to speak at the meeting tomorrow.

Respectfully.

INCOG

C. Dwayne Wilkerson

Assistant Director Land Development Services

2 West Second Street

Suite 800

Tulsa, OK 74103

[918-579-9475](tel:918-579-9475)

[dwilkerson@incog.org](mailto:dwilkerson@incog.org)

---

**From:** [nleigh42@gmail.com](mailto:nleigh42@gmail.com) [<mailto:nleigh42@gmail.com>] **On Behalf Of** Nathan's House  
**Sent:** Tuesday, October 04, 2016 8:42 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Adele Baker; [dist9@tulsacouncil.org](mailto:dist9@tulsacouncil.org); Traci Leigh; [rlreynolds@ellerdetrich.com](mailto:rlreynolds@ellerdetrich.com)  
**Subject:** Objection to Z-7361, request for continuance

I have objections to the request for zoning change Z-7361; Residential Single Family (RS-3) to Parking Lot (PK). This is for a lot bordering the property that includes Charleston's in Brookside; address 1124 E 37th PL. I own & reside in the home across the street, one house east at 1119 E 37th PL.

I would like to ask that a continuance be issued to provide time to develop an Optional Development Plan. I, along with several other local residents, have concerns with how this proposed change will interface with the established neighborhood. Therefore, I feel that it would be appropriate for the land owner to host a public meeting inviting all interested parties.

It should be noted that the application incorrectly notes that the land is "Vacant". There is currently a well maintained, single family home on this property. There are also several mature trees on the lot that provide shade for the neighborhood and help limit the heat sink affect of the current parking lot.

I respectfully disagree that increasing the size of the existing parking lot meets the expectations of a Multi-Modal, Main Street Corridor identified by the Tulsa Comprehensive Plan (PLANiTULSA).

The current development is zoned Commercial-High District (CH). In the recently updated Tulsa Zoning Code, the parking requirements for CH were lowered to "help avoid the negative impacts that can result from requiring excessive supplies of off-street parking" and discourage "parking encroachment into stable neighborhoods" (Section 55.010-A). From my calculations, I estimate that the current development has a minimum parking requirement of 73 parking spots. The current lot has approx 118 parking spots, 6 parking spots marked along Peoria, and on-street parking along 37th PL & 38th ST adds 20 more. This creates a total of 144 available spots to the current development, or **twice the minimum parking spots required by Tulsa Zoning Code.**

The lot in question is zoned as part of the area of Growth in the Main Street Corridor. Therefore, I do not contest the land owner's desire to change from RS-3. A change to an office, retail, or a mixed use building that incorporates the existing trees could provide a much more appropriate transition between the established neighborhood and the Brookside business district.

The final result could be a win-win for the land owner, City of Tulsa, and the neighborhood. A parking lot requires flood lights 24/7, storm water mitigation, & regular maintenance; yet it does not pay rent & does not produce any sales tax.

Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh

1119 E 37th PL

918.289.7679



**JR Donelson, Inc.**

**12820 So. Memorial Dr., Office 100**

**Bixby, Oklahoma 74008**

**918-394-3030**

**Email: [jrdon@tulsacoxmail.com](mailto:jrdon@tulsacoxmail.com)**

October 21, 2016

Susan Miller  
Manager, Land Development  
INCOG  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, Oklahoma 74103

Re: Re-zoning Application, Case Number Z-7362

Susan,

I respectfully request the zoning application for the 5 acre tract, Case Number: Z-7362, for Mark Romine Construction Co., LLC, situated in the W/2 NW/4 SW/4 SE/4, Section 23, T-18-N, R-13-E, be withdrawn at this time.

I am also respectfully requesting the application fees for this application be refunded to the owner.

Please contact me, if there are questions or comments.

Sincerely,  
JR Donelson



Tulsa Metropolitan Area  
Planning Commission

**Case :** Breeze Farms (revised) Phase 1  
Preliminary Plat

**Hearing Date:** November 2, 2016

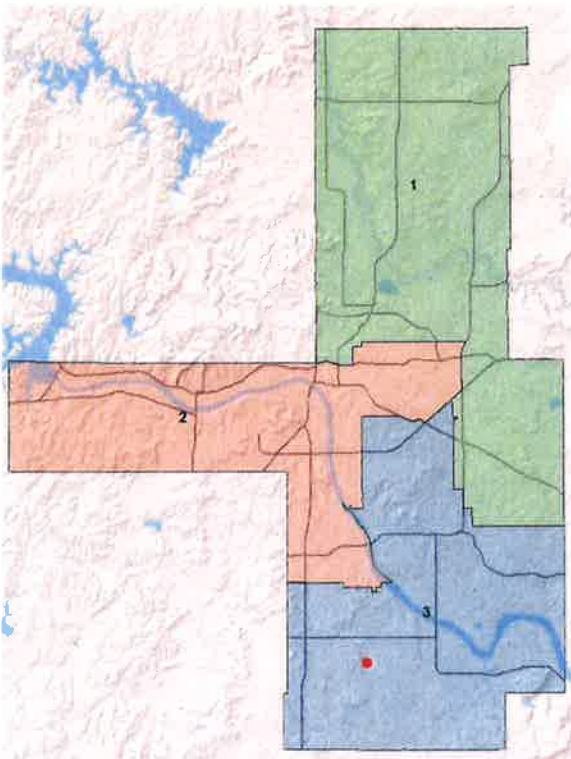
**Case Report Prepared by:**  
Diane Fernandez

**Owner and Applicant Information:**

*Applicant:* Tanner Consulting

*Owner:* RGT/Charleston Partners, LTD.

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



**Applicant Proposal:**

*Tract Size:* 35.4 acres

*Location:* North of northeast corner of South  
Lewis Avenue, and East 171<sup>st</sup> Street South

**Zoning:** AG (Agricultural)

**Staff Recommendation:**  
Staff recommends Approval.

**City Council District:**

*Councilor Name:* N/A

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:**

INCOG Aerial

INCOG Case Map Subdivision Map City Limits Map

## PRELIMINARY SUBDIVISION PLAT

### Breeze Farms (revised) - (County)

North of northeast corner of South Lewis Avenue and East 171<sup>st</sup> Street South

The plat consists of 4 Lots, 2 Blocks, on 35.4 acres.

The following issues were discussed October 20, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG (agricultural). This will be the first phase of the future development. A preliminary plat had been approved December 16, 2015 for this property and a different sketch plat for the site has also been reviewed in July of 2016. A stub street will be used now and then extend into the next development phase.
2. **Streets:** Provide 5 foot wide sidewalks and access ramps and these must be shown on Preliminary plat. Sidewalks must be located a minimum of 18 inches from property line and 2 feet behind curb. Limits of No Access (LNA) should run entire length of property.
3. **Sewer:** A 17.5 foot utility easement is required along East property line of Block 1 and west property line of Block 2. Sanitary sewer is being proposed fronting the internal street. If 15 foot easement is proposed it would need to be sanitary sewer only with no room for utilities.
4. **Water:** No comment from City of Tulsa. Creek County Rural Water District # 2 will serve water and needs to provide a release letter. The water line will be looped from east to west.
5. **Storm Drainage:** No comment.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** East Central Electric Coop will serve electric and needs wider easements. Cox has released the plat.
7. **Other: Fire:** No comment. Out of City Limits/contact local fire department for comment/release letter.
8. **Other: GIS:** Submit subdivision control data sheet with the final plat. Under the engineer/surveyor information please provide an email address. Provide individual lot addresses. Label land "unplatted" in the northwest corner of Section 29 in the location map. Legal description does not match plat.  
**County Engineer:** This plat has been seen several times. It should be called Breeze Farms Phase 1. Drainage plans and reports are required and must be approved through the County Engineers' office. Detention is necessary. If offsite detention is planned it needs to be shown for this phase of development. Detention needs easements that cannot be sold. Limits of No Access is required on frontage drives. Fifty feet of right of way must be dedicated. Prefer access off of 167<sup>th</sup> Street of at least two lots.



Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the County Engineer must be taken care of his satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a

condition for plat release.)

13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



PART OF THE WEST HALF (W/2) OF SECTION TWENTY-NINE (29)  
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA

**CONTACT: REX ROBERTSON**  
16400 Dallas Parkway, Suite 140  
Dallas, Texas 75248-1389  
Phone: (972) 858-1111  
Email: [rex@forddevelopment.net](mailto:rex@forddevelopment.net)

DAVE TAMMER, P.L.S. (70) 1435  
OK CA NO. 2661, EXPIRES 6/30/2017  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918)745-9929

DANNER REVOCABLE TRUST  
DOCUMENT 4301-006-000

B/L	BUILDING
B/U	BUILDING
BUFG	UTILITY E
CL	BOOK & P
DOC	CENTERS
ESMT	DOCUMENT
F/L	EASEMEN
	FENCE & U
	EASEMEN
RES	RESERVE
SEP INSTR	SEPARATE
U/E	UTILITY E

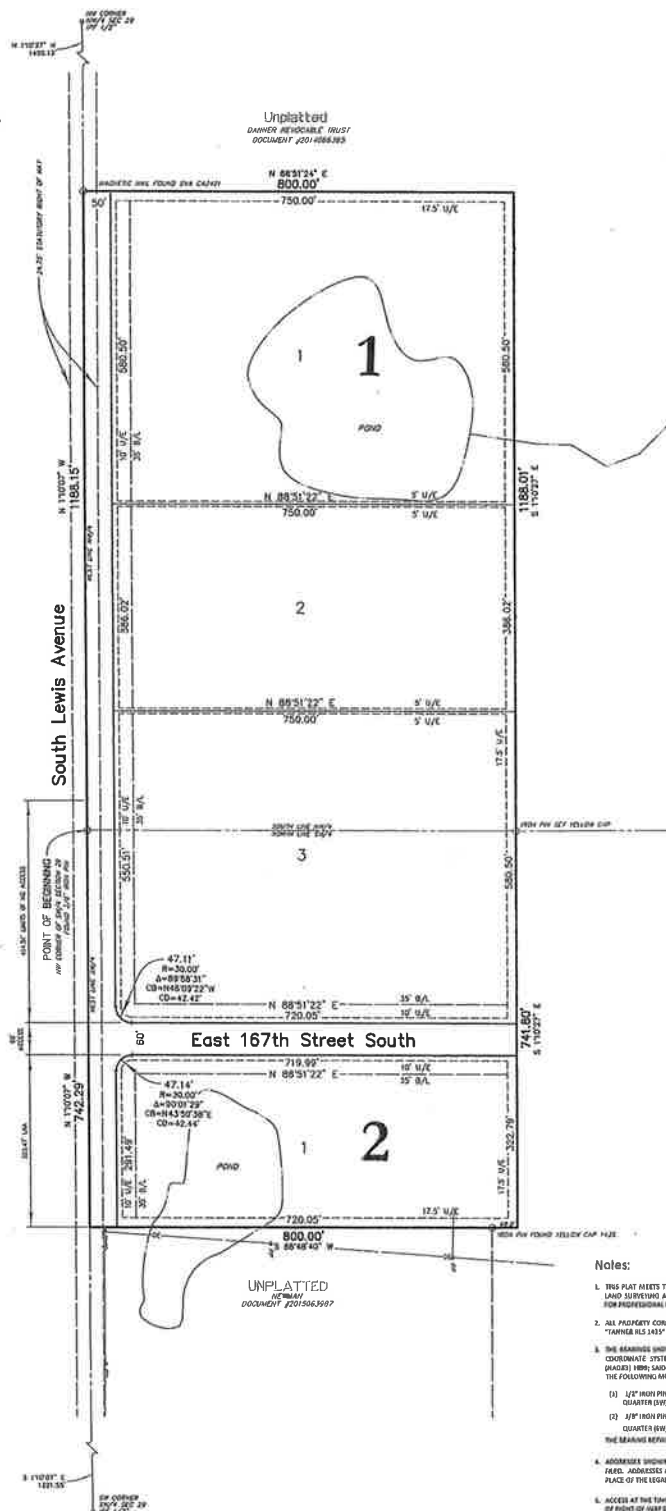
**POUR LES VOTES  
DE FOND-BLOC**

**FINAL  
CERTIFICATE**

I hereby certify  
was approved by  
pages also the

\_\_\_\_\_

The approval of  
scope on page 6  
Tulsa County  
if not filed in the  
County Clerk's



1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PLAT LOCATIONS ARE SET 3/16" IRON REBAR WITH 1/4" TAPPIER LHS 1435 UNLESS OTHERWISE NOTED.
3. THE BEGINNING UNDER PRECISION ARE BASED UPON THE NORTH COORDINATE SYSTEM, NORTH ZONE (1983), NORTH ARIZONA (1983); SAGD BEARINGS ARE BASED LOCALLY UPON THE FOLLOWING MONUMENTS:
  - (1) 1/2" IRON PIN FOUND AT THE SOUTHWEST CORNER OF QUARTER 10(S/4) OF SECTION 2N
  - (2) 3/8" IRON PIN FOUND AT THE SOUTHWEST CORNER OF QUARTER 3(S/4) OF SECTION 2N
4. ADDRESSER UNDER ON THIS PLAT ARE ACCURATE AT THE FIELD. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD BE PLACED OF THE LEGAL DESCRIPTION.
5. ACCESS AT ANY TIME OF PLAT WAS PROVIDED BY SOUTH PLAT 1/4 SECTION 10N/4 SECTION 2N

20.5



E 161st ST S

S LEWIS AVE



0 250 500  
Feet



Subject  
Tract

**BREEZE FARMS**

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

17-13 29

Aerial Photo Date: February 2016



20.6

E 161st ST S

AG

S LEWIS AVE

SUBJECT TRACT

AG

**LEGEND**

 Bixby Corporate Limits



**BREEZE FARMS**

17-13 29



20.7



## TMAPC Staff Report

November 2, 2016

### ZCA-2, Chapter 30 & Chapter 55, Driveway Width

---

**Item:** Discuss amending City of Tulsa Zoning Code Section 30.010-I 2 c (9) (Minor amendments of Planned Unit Developments) and Section 55.090-F 3 (Maximum width of residential driveways in RE and RS Districts)

- A. Background:** The new Zoning Code became effective for the City of Tulsa on January 1, 2016. The new code included different provisions for driveway width than existed in the previous code. The new code prescribes maximum width of driveways both in the right of way and on the lot. The only relief from those dimensional requirements is provided through the special exception process at the Board of Adjustment. Public feedback indicates that in PUDs, relief should be available through the amendment process. The following proposed revisions permit increases in maximum allowed driveway width to be approved as an amendment to a PUD.

The proposed amendments to the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances (the Zoning Code), include: **(See Attachment I for ~~strike through~~/underline version of changes)**

1. Amendment of Section 30.010-I 2 c (9) of the Zoning Code to provide that within a Planned Unit Development (PUD) certain amendments pertaining to driveway width and coverage may be processed as minor amendments.
2. Amendment of Section 55.090-F 3 of the Zoning Code to exempt certain properties from the maximum driveway width regulations established by that section.

- B. Staff Recommendation:** Discuss item in advance of November 16, 2016 public hearing.



# Attachment I

## Chapter 30 | Legacy Districts

\*\*\*

### Section 30.010 PUD, Planned Unit Development (Legacy) District

\*\*\*

#### 30.010-I Amendment to Approved Plans

\*\*\*

#### 2. Minor Amendments

\*\*\*

- c. The following may be processed as minor amendments:

\*\*\*

- (9) Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered;

\*\*\*

## Chapter 55 | Parking

\*\*\*

### Section 55.090 Parking Area Design

\*\*\*

#### 55.090-F Surfacing

\*\*\*

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of **Section 70.120**:

Maximum Driveway Width	RE	RS-1	RS-2	RS-3	RS-4	RS-5
Within Right-of-Way (feet)	20	20	20	20	20	12
On the Lot (Outside ROW) (feet)	30	30	30	30	20	12

In instances where a variance of maximum driveway coverage measured by width, square footage or percentage of the yard has been granted, and in PUDs where development standards specify such maximum driveway coverage, the foregoing maximums do not apply.

\*\*\*