

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2794**

**May 15, 2019, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

### **CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

### **REPORTS:**

#### **Chairman's Report:**

**Work session Report:** A work session will be held on June 5, 2019 at 11:00am in the 3<sup>rd</sup> Floor Presentation Room, City Hall.

**Director's Report:** The Tulsa Planning Office Quarterly Report (January 2019-March 2019) is included in this packet

1. Minutes of April 17, 2019, Meeting No. 2792
2. Minutes of May 1, 2019, Meeting No. 2793

### **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.**

3. **Z-6051-SP-2c Danny Mitchell** (CD 7) Location: Southeast corner of East 81st Street South and South Mingo Road requesting a **CO Minor Amendment** to reduce the required building setbacks
4. **PUD-330-A-2 Stuart Van De Wiele** (CD 4) Location: Northwest corner of South Riverside Drive and South Denver Avenue requesting a **PUD Minor Amendment** to allow ingress and egress on West 17<sup>th</sup> Street during periods of construction and rehabilitation on South Denver Avenue
5. **PUD-816-1 K.B. Enterprise Homes** (CD 6) Location: Southeast corner of East 45<sup>th</sup> Place South and South 180<sup>th</sup> East Avenue requesting a **PUD Minor Amendment** to reduce the required front setback and increase allowable driveway coverage

## PUBLIC HEARINGS:

6. **CPA-82** Consider adoption of the revised **West Highlands/Tulsa Hills Small Area Plan Executive Summary** as an amendment to the Tulsa Comprehensive Plan, to supersede the previously adopted West Highlands/Tulsa Hills Small Area Plan.
7. **Z-7475 Sheena Grewal** (CD 7) Location: North and East of the northeast corner of South 75<sup>th</sup> East Avenue and East 63rd Street South requesting rezoning from **RS-3 to OL** (Related to PUD-187-A) (Continued from March 20, 2019 and April 17, 2019)
8. **PUD-187-A Sheena Grewal** (CD 7) Location: North and East of the northeast corner of South 75<sup>th</sup> East Avenue and East 63rd Street South requesting a **PUD Major Amendment** to allow office use (Related to Z-7475) (Continued from March 20, 2019 and April 17, 2019)
9. **PUD-823-A John Stava** (CD 5) Location: Northwest corner of East 46<sup>th</sup> Street South and South Sheridan Road requesting a **PUD Major Amendment** to allow car wash as a permitted use
10. **MPD-2 Nathan Cross** (CD 1) Location: West and north of the northwest corner of West Edison Street and North 41<sup>st</sup> West Avenue requesting a **Master Plan Development** for private street mixed-use community (Continued from February 20, 2019, March 6, 2019, March 20, 2019, April 17, 2019 and May 1, 2019)
11. **CPA-83 Alan Betchan** (CD 9) Location: East of the southeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood to Main Street** (Related to Z-7478)
12. **Z-7478 Danny Stockstill** (CD 9) Location: Southeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue requesting rezoning from **RS-3 and CH to MX1-P-U** (Related to CPA-83)
13. **Z-7479 Mary Huckabee** (CD 4) Location: East of the southeast corner of East 11<sup>th</sup> Street South and South Utica Avenue requesting rezoning from **RM-2 and IM to CH**
14. **MR-9** (CD 4) Modification of the Subdivision and Development Regulations to remove sidewalk requirement for a new single-family residence, Location: South of the southeast corner of East 23<sup>rd</sup> Street South and South Columbia Avenue

15. **MR-10** (CD 1) Modification of the Subdivision and Development Regulations to remove sidewalk requirement for a new single-family residence, Location: North of the northwest corner of West Tecumseh Place and North Quanah Avenue
16. **ZCA-9**, amendments to the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, Chapter 65 Landscaping, Screening and Lighting, to retitle Chapter 65 as Landscaping and Screening, to establish new minimum requirements for landscaping and screening, to renumber Outdoor Lighting regulations, establishing it as a separate Chapter 67, and to add and revise related provisions in Chapter 5 Residential Districts, Chapter 10 Mixed-Use Districts, Chapter 15 Office, Commercial and Industrial Districts, Chapter 55 Parking and Chapter 85 Violations, Penalties and Enforcement. (Continued from May 1, 2019)

## **OTHER BUSINESS**

**Election of Officers:** **Secretary** to replace Margaret Millikin

### **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 Tulsa Planning Office, INCOG. Ringing/sound on all cell phones 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.





**Quarterly Report of Tulsa Planning Office  
Work Program and Performance Goals  
January 1, 2019 – June 30, 2020**

**Community Engagement**

**Goal 1**

A consolidated planning function will elevate the role of planning in the community through enhanced communication and broader public outreach.

- **Objective 1:** The Tulsa Planning Office will host a new consolidated website and develop strategies for meaningful dialogue with community members to drive change.

**Benchmark:** The Tulsa Planning Office will work with key stakeholders to develop a communications strategy and a new website. Planning staff will present an initial proposal and seek input from Planning Commission and City Council by March, 2019.

**Quarterly Report Status:** A Community Engagement Planner was hired for the Tulsa Planning Office, effective January 1, 2019. Initially, the Community Engagement Planner has established branding and print materials, began development of a new website, progressed in the development of a comprehensive communications strategy, created a new Facebook page, initiated work on an extensive e-newsletter system, and started outreach to neighborhood groups.

The Community Engagement Planner presented the communications strategy and website concept to TMAPC at a work session on April 3, 2019.

**Current Planning programs**

***Planning Commission/Zoning***

**Goal 1**

The City of Tulsa Zoning Code will be updated periodically to reflect best planning practices, respond to new development trends in the community and implement the comprehensive plan.

- **Objective 1:** Zoning code implementation team meets regularly to review and discuss implementation issues and new trends that will result in amendments to the zoning code.

**Benchmark:** Amendments to the zoning code will be processed on an annual or semi-annual basis, as necessary.

**Quarterly Report Status:** A round of Zoning Code amendments generated by the Zoning Code Implementation Team has been heard by Planning Commission and adopted by City Council on April 3, 2019.

- **Objective 2:** Propose and implement City-initiated rezoning programs consistent with the comprehensive plan and to promote other City initiatives.

**Benchmark:** Evaluate the need for initiating rezoning programs that may be outlined in PlaniTulsa, small area plans or other special studies. Any such program will be brought forward as part of the Plan Development and Implementation Program work by June 30, 2019.

**Quarterly Report Status:** The Mixed-Use Zoning Incentive Program implementing recommendations of the BRT Land Use Framework continues through August 2019.

In addition, two recommendations in the West Highlands/Tulsa Hills Area Plan relating to zoning are moving forward: a rural residential zoning category and option for accessory dwelling units. These were discussed at a TMAPC work session on April 3, 2019.

After review of all active small area plan recommendations, there are no other city-initiated rezoning programs identified. This objective will be reviewed if new plans or studies identify a need.

**Benchmark:** Work with neighborhoods surrounding the Lewis Avenue Corridor between E. 15<sup>th</sup> Street South and E. 21<sup>st</sup> Street South to draft a zoning overlay to implement their recommendations contained in the Lewis Study. A Lewis Avenue Overlay will be presented to Planning Commission and City Council by April 30, 2019.

**Quarterly Report Status:** On Saturday, February 16, 2019, District 4 Councilor McKee and Tulsa Planning Office staff led a neighborhood meeting, inviting potentially affected property owners and interested parties from the surrounding communities to discuss the potential of a zoning overlay to implement recommendations contained in the 2007 Lewis Study.

The neighborhood meeting began with a presentation from staff which provided a brief outline of the Lewis Study and addressed changes along the Lewis Avenue Corridor since 2007. Councilor McKee and staff stated the purpose of the meeting was to gain consensus on how to move forward. Staff presented three options to the group:

- Option 1: Continue with an overlay for the Lewis Avenue Corridor.
- Option 2: Do not continue with an overlay for the Lewis Avenue Corridor. Instead, pursue a Historic Preservation (HP) Overlay for Lewiston Gardens.
- Option 3: Do not continue with an overlay.

All property owners present expressed that an overlay for the Lewis Corridor was no longer appropriate for the area, given present conditions. Representation from Lewiston Gardens Neighborhood Association agreed with affected property owners and expressed interest in having a presentation regarding the Historic Preservation (HP) Overlay process from Tulsa Planning Office's Historic Preservation Planner at a future meeting of Lewiston Gardens. Therefore, consensus was reached to not move forward with an overlay for the Lewis Corridor.

## **Goal 2**

The City of Tulsa Comprehensive Plan land use map will be updated periodically to reflect best planning practices, respond to new development trends in the community and implement the comprehensive plan.

- **Objective 1:** Requests for rezoning are reviewed for consistency with the comprehensive plan. During this process, necessary comprehensive plan housekeeping amendments are identified.

**Benchmark:** Comprehensive plan housekeeping amendments will be processed on an annual basis or in conjunction with other comprehensive plan updates.

**Quarterly Report Status:** Tulsa Planning Office staff continues to compile a list of housekeeping amendments to the land use map. However, pending the update of the Comprehensive Plan, these may be best addressed through that process.

## ***Planning Commission/Subdivision***

### **Goal 1**

The Technical Advisory Committee (TAC) process for subdivision review will provide a stronger presence from City staff and offer more efficient services to the applicant and Planning Commission.

- **Objective 1:** The TAC process for subdivision review will be enhanced through expanded input from City departments, such as Engineering Services and Streets and Stormwater.

**Benchmark:** An enhanced TAC meeting process will be implemented as meetings begin in 2019.

**Quarterly Report Status:** Following the adoption of the new Subdivision & Development Regulations, the Technical Advisory Committee (TAC) process and objectives were identified as an area for needed improvement. Since that time, staff has made several changes to enhance the process and are continuing with several efforts to further improve the outcomes of TAC.

A list of committee members was refreshed to reflect current members and to remove individuals no longer involved with the committee. The distribution of agenda items has been improved to only target stakeholders within the jurisdiction of the project. This enhancement

assists in calling members attention to an item when it is within their scope and avoids distributing irrelevant materials to stakeholders.

Staff is developing a working group of internal stakeholders to begin meeting in April of 2019 to discuss further implementation items with regard to the Subdivision & Development Regulations. The implementation team will consist of representatives from the Tulsa Planning Office, Engineering Services, Development Services, and the City Legal Department and will work to assess the effectiveness of the new regulations and make updates as needed to the adopted regulations.

Finally, a survey is being developed to distribute to both external and internal members of the Technical Advisory Committee to obtain additional feedback that can be utilized to make further improvements in the future.

### ***Board of Adjustment***

#### **Goal 1**

The Zoning Code will provide clear criteria and instruction for the Board of Adjustment to aid in their consideration of various applications, including new development trends.

- **Objective 1:** A clear solution is identified and adopted for short term rentals to alleviate the Board of Adjustment's review of cases without clear or applicable standards.

**Benchmark:** Zoning Code amendments and other necessary processes for short term rentals will be in place by April 30, 2019.

**Quarterly Report Status:** On January 12, 2019, Councilor McKee with the assistance of Tulsa Planning Office staff held a Town Hall meeting to discuss short term rentals and gain feedback from interested parties in the community. Zoning Code amendments relating to short term rentals were heard by the Planning Commission on April 3, 2019 and should be presented to City Council for adoption in early May, 2019.

### ***Preservation Commission/Historic Preservation***

#### **Goal 1**

The Historic Preservation program for the City of Tulsa will strive to retain the distinctive character of its many historic neighborhoods and commercial centers and will share the history of Tulsa through these resources. The Preservation Commission process will be transparent and predictable for applicants.

- **Objective 1:** The Preservation Commission will evaluate their processes and prioritize a work program to address outstanding issues, such as the demolition permit review process.

**Benchmark:** Staff and the Preservation Commission develop a work plan, identify priorities and begin implementing these items by June 30, 2019.

**Quarterly Report Status:** The Tulsa Preservation Commission convened for its Annual Retreat on January 12, 2019. Among the objectives to be addressed during the forthcoming Fiscal Year were the recognition of achievements by owners of property in the Historic Preservation Overlay Districts, the provision of resources to assist owners with the preservation of their property, and the review of Section 70.070-G – Demolition Requests of the Zoning Code. The Tulsa Preservation Commission and its staff have assigned priorities and have proceeded to develop a strategy to address these objectives.

## **Plan Development and Implementation programs**

### ***Small Area Planning***

#### **Goal 1**

Citizens within the city of Tulsa that participate in the small area planning process will work with professional planners to address community concerns and see implementation of their plans.

- **Objective 1:** Review and develop a timeline for completion of previous small area plans to reflect the “adopted plan review” resolution adopted by the Planning Commission.

**Benchmark:** All work on previous small area plans will be completed consistent with the “adopted plan review” by February 28, 2019.

**Quarterly Report Status:** A revised Adopted Plan Review resolution was adopted by Planning Commission on February 20, 2019. The revised resolution was a result of reevaluating the process and completing the recommended actions previously initiated by Planning Commission in TMAPC Resolution No. 2736:961, dated December 21, 2016.

- **Objective 2:** Work with stakeholder groups in the Crutchfield, Pearl District and Crosbie Heights neighborhoods to update small area plans and adopt sector plans in a meaningful and implementable manner.

**Benchmark:** Crutchfield Neighborhood, Pearl District and Crosbie Heights small area plans and sector plans will be adopted by the Planning Commission and approved by City Council by June 30, 2019.

**Quarterly Report Status:** Each of the listed small area plans are at different stages of the adoption and approval process: Crosbie Heights Small Area Plan is complete; Crutchfield Small Area Plan is pending Council approval; and Pearl District Small Area Plan is still in the public

review process, which will be followed by Planning Commission adoption and Council approval processes. The small area plans are currently on track for completion by June 30, 2019.

- **Objective 3:** Coordinate with Tulsa Development Authority (TDA) to review coverage of adopted sector plans and determine need for future updates.

**Benchmark:** Review and propose a strategy to present to the Planning Commission and City Council by June 30, 2019.

**Quarterly Report Status:** Tulsa Planning Office meets with TDA monthly to discuss on-going initiatives and coordination efforts. Other than the plans in process and a possible future amendment to the Kendall Whittier Sector Plan, there are no immediate needs to update other sector plans or initiate new ones.

- **Objective 4:** Finalize discussions with Berryhill Citizen Advisory Team (CAT) members and other community members on the Berryhill land use plan, ensuring that final recommendations will further the desires of the community, result in land uses complementary to the future construction of the Gilcrease Expressway and be implementable.

**Benchmark:** Berryhill land use plan will be adopted by the Planning Commission and jointly approved by the City Council and County Commission by January 31, 2019.

**Quarterly Report Status:** The Berryhill Land Use Plan was adopted by Planning Commission December 19, 2018 and approved by City Council on January 16, 2019 and County Commission on January 14, 2019.

- **Objective 5:** Establish a process by which to identify and prioritize future areas that would most benefit from small area planning efforts.

**Benchmark:** Criteria and process for selection of future small area planning efforts will be established and presented to City Council for consideration by March 31, 2019.

**Quarterly Report Status:** The Tulsa Planning Office is re-evaluating the traditional approach to small area planning and developing a new, more effective and targeted approach to planning, with the end result potentially called Strategic Plans.

Also, opportunities are being explored to use the strategic planning process to complement the work done by the Destination District Program. A new approach, process and criteria will be presented to the Planning Commission in May, 2019.

## ***PlaniTulsa Update and Enhancements***

### **Goal 1**

The City of Tulsa Comprehensive Plan (PlaniTulsa) will be updated to address changed conditions, currently unmet needs to guide best planning practices and respond to new development trends in the community.

- **Objective 1:** Establish a work plan and timeline to evaluate and update the comprehensive plan.

**Benchmark:** A work plan and timeline will be developed and presented to Planning Commission and City Council by June 30, 2019. The process of updating the comprehensive plan should be complete by its 10 year anniversary, July 2020.

**Quarterly Report Status:** The process to update the Tulsa Comprehensive Plan (PlaniTulsa) has begun with an internal examination of the existing plan content, identifying the progress made on priorities of the plan, and assessing the status of statistical projections and development trends to determine what aspects of the plan warrant modification.

This work is being approached by many staff members of the Tulsa Planning Office, each of whom are engaged in ways that utilize their expertise and subject matter knowledge. Each of these staff members are team leaders on one or multiple components of the plan and are in the beginning stages of identifying subject matter expert stakeholders to engage throughout the planning process, as well as conducting research and analysis to update the content of the plan. This process will culminate in a public engagement strategy to ensure buy-in from the public in addition to the buy-in of the stakeholder groups.

In order to best identify stakeholders for participation in the plan update, staff have set up and participated in many meetings with other City departments, outside partner agencies, as well as boards and authorities. These meetings have allowed staff to begin establishing a network of contacts that will ensure that the updated plan best represents the realities of progress made on the current version of the plan, as well as to set up the vision for the future in the wide-ranging topics addressed by the comprehensive plan. Thus far, these meetings include:

- Mayor's Office of Economic Development (Director)
- Mayor's Office of Resilience and Equity (Chief)
- Communications Department (Director)
- Park and Recreation (Director)
- Engineering Services (Director)
- Streets and Stormwater Department (Director)
- Police Department (Deputy Chief)
- Water and Sewer Department (Director)
- Fire Department (Chief)
- Working in Neighborhoods (Neighborhood Liaisons)

- Finance Department, Capital Improvements Plan, CDBG
- Tulsa Transit (Director)
- Downtown Coordinating Council (Director)
- Tulsa Development Authority (Executive Director)
- Tulsa Housing Authority (Director)
- River Parks Authority (Director)
- Tulsa Health Department
- Metropolitan Environmental Trust (Director)
- Tulsa Metropolitan Area Planning Commission
- Arts Commission (Chair)
- Tulsa Preservation Commission (Chair)
- Hispanic Affairs Commission
- Tulsa Bicycle and Pedestrian Advisory Committee
- Home Builders Association
- INCOG Area Agency on Aging
- INCOG Transportation
- INCOG Environmental

The establishment of the update procedure in addition to the timeline for plan completion and public engagement are underway and will be ready by June 2019.

### ***Plan Implementation and Tracking***

#### **Goal 1**

The City of Tulsa Comprehensive Plan and all other adopted plans will be implemented to meet the expectations of the citizens that participated in those efforts.

- ***Objective 1:*** Establish a strategy to compile, evaluate and prioritize plan recommendations and develop an ongoing approach to ensure that plans are continuously implemented.

**Benchmark:** A strategy for plan implementation and tracking will be presented to the Planning Commission and City Council by June 30, 2019.



**Quarterly Report Status:** All plan recommendations have been compiled into two updated implementation matrices: Small Area Plan recommendations and Downtown Plan Recommendations (Arts District Small Area Plan, Downtown Area Master Plan, Walkability Study, and Arena District Master Plan). We are currently focusing on active small area plans, which includes 36<sup>th</sup> Street North Small Area Plan, Eugene Field Small Area Plan, Kendall-Whittier Sector Plan, Sequoyah Area Neighborhood Implementation Plan, Southwest Tulsa Neighborhood Revitalization Plan Phases I and II, Unity Heritage Neighborhoods Plan, Utica Midtown Corridor Small Area Plan, and West Highlands/Tulsa Hills Small Area Plan. All of the recommendations have been categorized and we are working with relevant departments or agencies to identify the status of each recommendation. The list below shows current status of active recommendations, although this process has not been completed yet.

- Complete: 91
- On-going: 187
- In-progress: 88
- Not initiated: 178
- Obsolete: 31
- Unknown: 141
- Total: 716

Next steps include completing the status update for the remaining indicators and identifying priority areas (in conjunction with Strategic Plan process) for prioritization for implementation.

- **Objective 2:** Ensure implementation of plans by participation in the City's capital improvements process, through project recommendation and prioritization, development, and design approval for key public projects.

**Benchmark:** Attend Improve our Tulsa Implementation Team meetings and take an active role in City's capital improvements process on an ongoing basis.

**Quarterly Report Status:** The Tulsa Planning Office has reviewed and mapped all capital improvement projects for overlap with small area plan recommendations. This is a first step in involvement with prioritization. Staff is discussing plans for expanded future involvement with the Mayor's Office.

- **Objective 3:** Ensure comprehensive plan implementation through conformance reviews for various planning efforts, including capital improvement projects, tax incentive district projects and tax increment financing (TIF) projects.

**Benchmark:** Conduct comprehensive plan conformance reviews for various planning initiatives on an ongoing basis.

**Quarterly Report Status:** The Tulsa Planning Office continues to review new capital improvements for conformance with the comprehensive plan. Most recently, new unfunded

capital projects for FY 2020-FY 2024 were presented to Planning Commission and found to be in conformance with the comprehensive plan on April 3, 2019.

- **Objective 4:** Continue comprehensive plan implementation through completion of the Zoning Code update process.

**Benchmark:** Finalize discussions with Landscape Ordinance Working Group and other community members, ensuring that final recommendations further the desires of the community. Landscape Ordinance amendments will be presented to Planning Commission and City Council for adoption by June 30, 2019.

**Quarterly Report Status:** The Landscape Ordinance Working Group convened for a final meeting on February 15, 2019. A final draft was developed as a result of the comments received at the meeting and has been posted online at [www.tmapc.org](http://www.tmapc.org). A public review and open house was held on March 21, 2019 and presentations were made to both the Planning Commission and City Council on April 3, 2019. The proposed ordinance will be heard at a Planning Commission public hearing on May 1, 2019.

- **Objective 5:** Continue implementation of Downtown Area Master Plan, including the recently adopted Arena District Master Plan and Walkability Analysis. (AIM)

**Benchmark:** Continue discussion with the Downtown Coordination Council (DCC) on implementation of Walkability Study design recommendations, including potential downtown design zoning standards.

**Quarterly Report Status:** Tulsa Planning Office staff is collaborating with the Downtown Coordinating Council, the Bicycle-Pedestrian Advisory Committee, and various City of Tulsa Departments to implement the recommendations of the Walkability Analysis and the GO Plan, meeting on a monthly basis to guide the re-striping plans for Downtown Tulsa, while offering suggestions and urban design knowledge to make the most of these updates.

Tulsa Planning Office has drafted downtown design standards as they relate to Tax Increment Financing development proposals, in response to a request from the Mayor's Office of Economic Development. The Tulsa Planning Office also participates in the TIF Staff Advisory Committee to review TIF development proposals.

Tulsa Planning Office staff is collaborating with the Cox Business Center, the Mayor's Office, the Arts & Culture Program, and various City of Tulsa Departments to inform art installation based on the Arena District Master Plan recommendations.

## **Destination District Program**

### **Goal 1**

The Destination District Program will assist in creating unique, vibrant places that attract residents and visitors.

- **Objective 1:** Planning staff will develop a process, criteria, goals and objectives for Destination District Program administration.

**Benchmark:** Planning staff will present a resolution outlining the process, criteria, goals and objectives of the Destination District Program to City Council and Mayor for consideration to adopt by March, 2019.

**Quarterly Report Status:** Planning staff has developed a "Guide to Destination Districts" outlining the program's process, criteria, goals and objectives. A Mayor/City Council resolution supporting the program was presented at the April 3, 2019 City Council UED Committee meeting and will be considered for adoption at the April 10, 2019 City Council regular meeting.

- **Objective 2:** Planning staff will create an outreach strategy for the Destination District Program.

**Benchmark:** Planning staff will begin outreach to potential districts by March, 2019.

**Quarterly Report Status:** Outreach to potential districts began in January, 2019. To date, conversations and meetings have taken place with interested parties in regards to 11<sup>th</sup> & Lewis, 18<sup>th</sup> & Boston (SOBO), 36<sup>th</sup> Street North, Cherry Street, East Tulsa/International District, Greenwood, Gunboat Park, Pearl District (including Meadow Gold and Studio Row), and Riverwood. These conversations were requested by the respective parties and were introductory in nature. Tulsa Planning Office staff is also developing a GIS "heat map" of potential districts based on land development patterns, demographic and socioeconomic data, and planned civic investments such as Bus Rapid Transit and Route 66 enhancements. This map will help identify potential districts and inform decisions on which areas are the best candidates for Destination District designation.

- **Objective 3:** Planning staff will continually work to develop and improve the Destination District Program.

**Benchmark:** The Destination District Program will be fully functioning by June 30, 2019.

**Quarterly Report Status:** Tulsa Planning Office staff will continue its outreach to potential districts to advise them on program requirements and criteria, as outlined in the Destination Districts Guide which is referenced in the joint Mayor/City Council resolution.





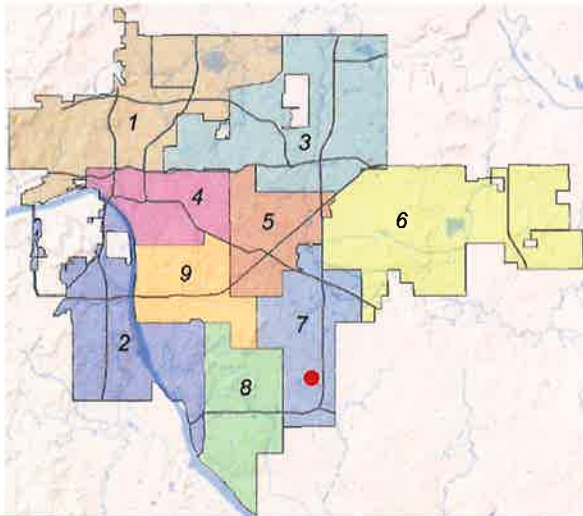
**Case Number:** Z-6051-SP-2c  
**Minor Amendment**

**Hearing Date:** May 15, 2019

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Danny R Mitchell  
 Property Owner: 8200 Mingo, LLC

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



**Applicant Proposal:**

Concept summary: Corridor Minor amendment to reduce the required building setbacks.

Gross Land Area: 2.33 acres

Location: SE/c E 81<sup>st</sup> St S and S Mingo Rd.

Lot 4, Block 1 South Mingo Plaza

Development Area B

**Zoning:**  
 Existing Zoning: CO  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Mixed-Use Corridor  
 Growth and Stability Map: Growth

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

**Staff Data:**  
 TRS: 8418

**City Council District:** 7  
*Councilor Name:* Lori Decter Wright

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

**SECTION I:** Z-6051-SP-2c Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the Corridor Plan development standards to reduce the required building setbacks from the North Boundary of Development Area B and from the centerline of 82<sup>nd</sup> PI S.

Currently, the required setback along the north boundary is 10 ft and from the centerline of 82<sup>nd</sup> PI S is 103 ft. The building has been constructed a few inches beyond those limits and this proposed amendment seeks to bring the building into conformance with the standards of the Corridor. This request would reduce the setback from the North Boundary of Development Area B from 10 ft to 9 ft and the setback from the centerline of 82<sup>nd</sup> PI S from 103 ft to 102 ft.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan.”

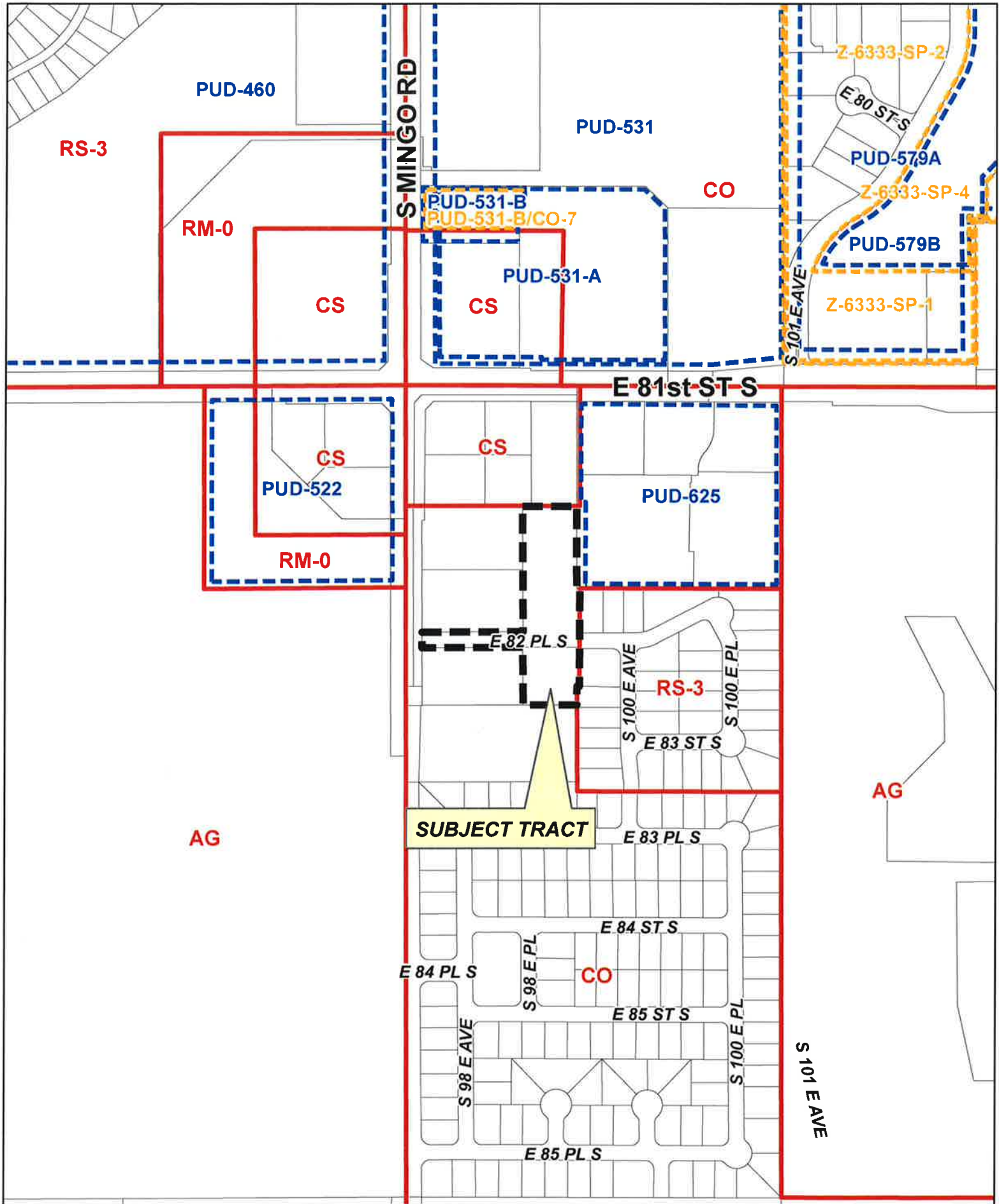
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 2) All remaining development standards defined in Z-6051-SP-2 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo (enlarged)
- Applicant Survey

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the required building setbacks from the North Boundary of Development Area B and from the centerline of 82<sup>nd</sup> PI S

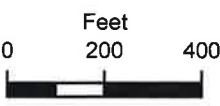


SUBJECT TRACT

Z-6051-SP-2c

18-14 18

3.3







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Feet



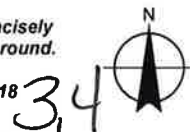
Subject  
Tract

**Z-6051-SP-2c**

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

Aerial Photo Date: February 2018





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E82PLS

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Subject Tract

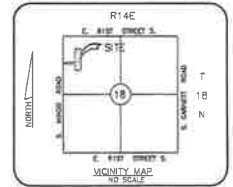
**Z-6051-SP-2c**

18-14 18

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

Aerial Photo Date: February 2018





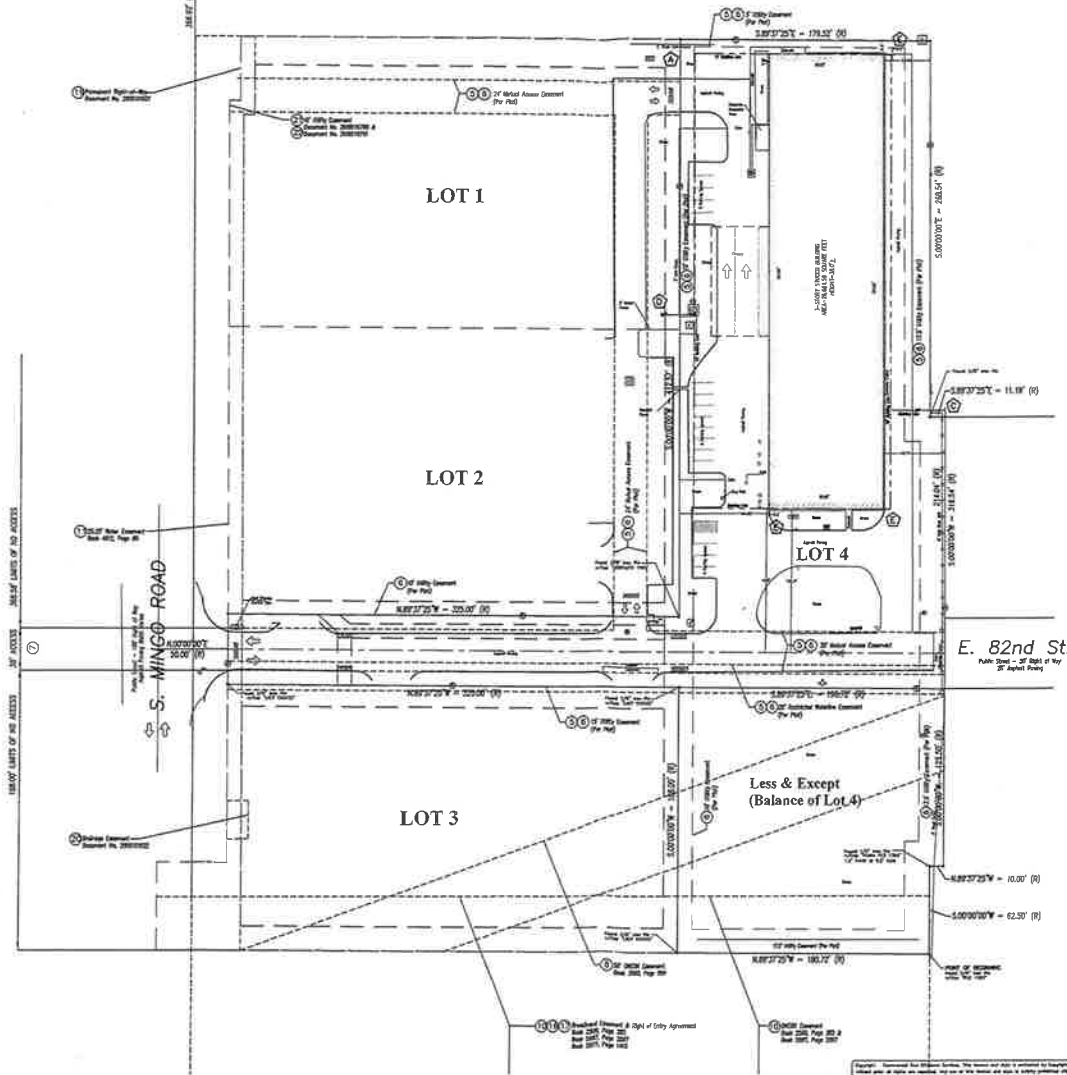
SCALE: 1"=40'

17 NORTH ARROW / SCALE



9 LEGEND

- - Set 3/8" Iron Pin w/ O'Neals (S74) Cap
- - Found 3/8" I.P. (Iron Pin)
- Property Boundary Line
- ⊗ - Water Meter
- ⊕ - Power Pole
- ⊙ - Gas Meter
- ⊛ - Light Pole
- ⊗ - Sanitary Sewer Manhole
- ⊕ - Fire Hydrant
- ⊙ - Water Valve
- ⊕ - Air Conditioner Unit
- ⊗ - Electric Meter
- ⊕ - Electric Transformer
- ⊗ - Storm Sewer Inlet
- ⊕ - Storm Sewer Manhole
- ⊗ - Sanitary Sewer Manhole
- ⊕ - Cable TV Box
- ⊗ - Bellend
- ⊕ - Traffic Direction Arrow
- ⊙ - Handicap Parking Space
- ⊕ - Fence
- ⊗ - Schedule B Number Identifier
- ⊕ - Encroachment Letter
- ⊙ - Building Right Location
- R & N - Record and Measured
- Examined Line



18 ALTANSIPS Land Title Survey

This survey prepared in accordance with the 2015 Oklahoma Statutes (Title 10, Section 10-1-1) and the Surveyor's Oath (Title 10, Section 10-1-2).  
 This Survey Prepared By:  
**CDS COMMERCIAL DUE DILIGENCE SERVICES**  
 2000 W. Oklahoma Street, Third Floor  
 Norman, Oklahoma 73072  
 Office: 405-283-5444  
 Website: www.cdscommercial.com  
 Toll Free: 888.322.7371

Drawn By:	G.H.	Date:	03-18-2019
Surveyed:	Field	Witness:	Dealing Report
Reviewed:	Field	Date:	04-04-2019
Approved By:	T.O.	Witness:	Comments
Field Date:	March 12, 2019	Date:	04-09-2019
Scale:	1"=40'	Witness:	Comments

Prepared For:

20 PROJECT ADDRESS  
 8175 S. Mingo Road  
 Tulsa, Oklahoma  
 Project Name:  
 Kool Storage Tulsa OK  
 CDS Project Number:  
 19-02-0599

**CDS COMMERCIAL DUE DILIGENCE SERVICES**  
 2000 W. Oklahoma Street, Third Floor  
 Norman, Oklahoma 73072  
 Office: 405-283-5444  
 Website: www.cdscommercial.com  
 Toll Free: 888.322.7371

3.6





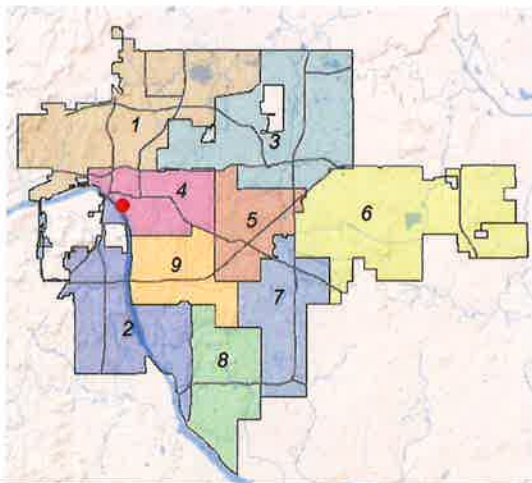
**Case Number:** PUD-330-A-2  
**Minor Amendment**

**Hearing Date:** May 15, 2019

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Hall Estill c/o Stuart Van De Wiele  
 Property Owner: Bomasada Cosmopolitan  
 Tulsa, LLC.

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



**Applicant Proposal:**

Concept summary: PUD minor amendment to allow ingress and egress on W 17<sup>th</sup> St during periods of construction and rehabilitation on S Denver Ave

Gross Land Area: 2.84 acres

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

**Zoning:**  
 Existing Zoning: RM-3/PUD-330-A  
 Proposed Zoning: No Change

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

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

**Staff Data:**  
 TRS: 9212

**City Council District:** 4  
*Councilor Name:* Kara Joy McKee

**County Commission District:** 2  
*Commissioner Name:* Karen Keith

**SECTION I:** PUD-330-A-2 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the development standards to allow vehicular ingress and egress on W 17<sup>th</sup> St S during times of construction and rehabilitation on S Denver Ave.

The development standards currently limit the access point on W 17<sup>th</sup> St S to ingress only. With egress provided along S Denver Ave. During times of construction and rehabilitation of S Denver Ave, this would prevent egress from the building. The applicant is proposing to allow the access on W 17<sup>th</sup> St S to be both ingress and egress during those times, so that access to and from the parking structure may be provided.

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

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

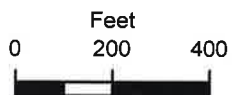
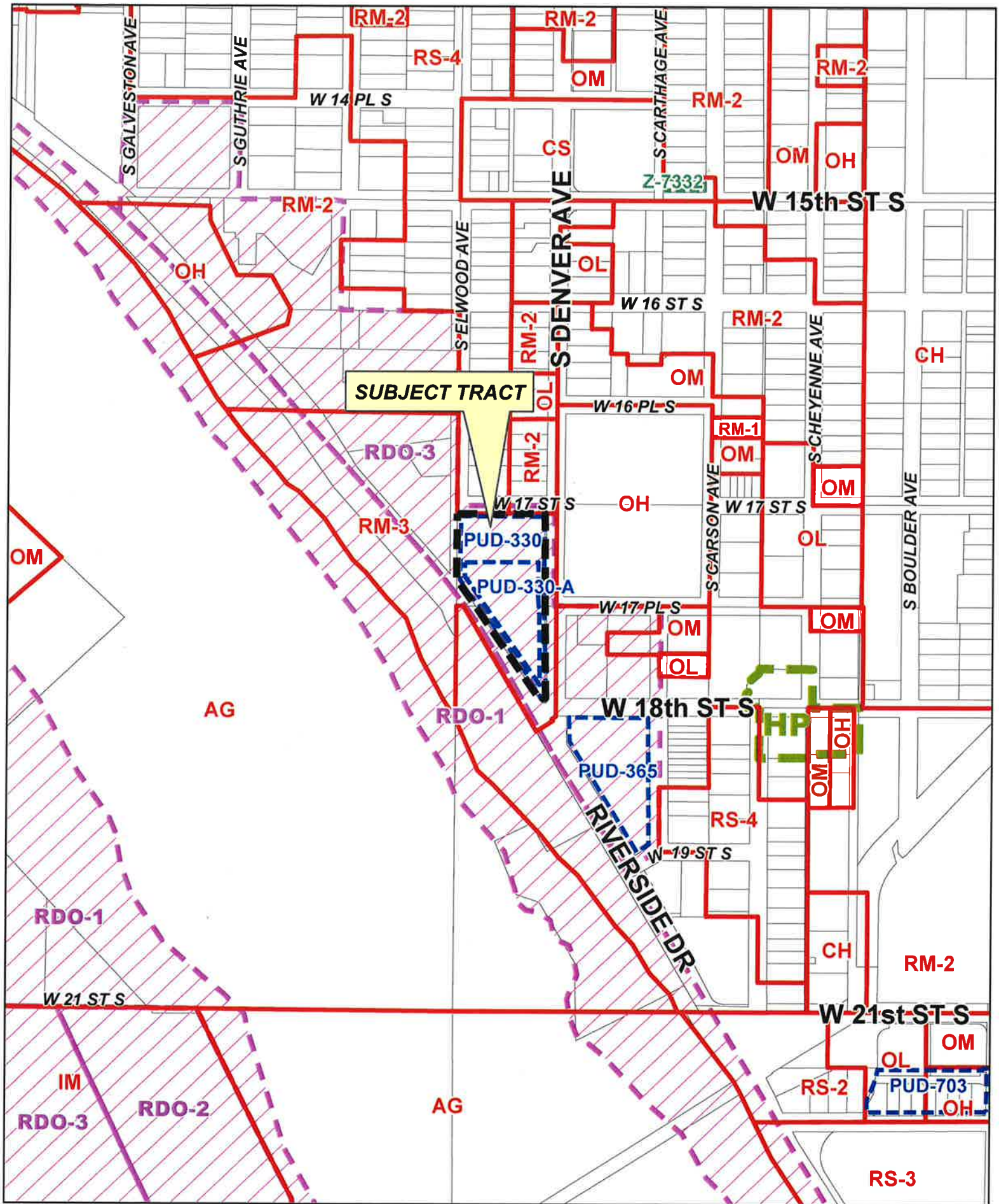
Staff has reviewed the request and determined:

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

With considerations listed above, staff recommends **approval** of the minor amendment request to allow vehicular ingress and egress on W 17<sup>th</sup> St S during times of construction and rehabilitation on S Denver Ave.



**PUD-330-A-2**

19-12 12

4.3







W 21 ST S

0 Feet  
200  
400



Subject  
Tract

**PUD-330-A-2**

19-12 12

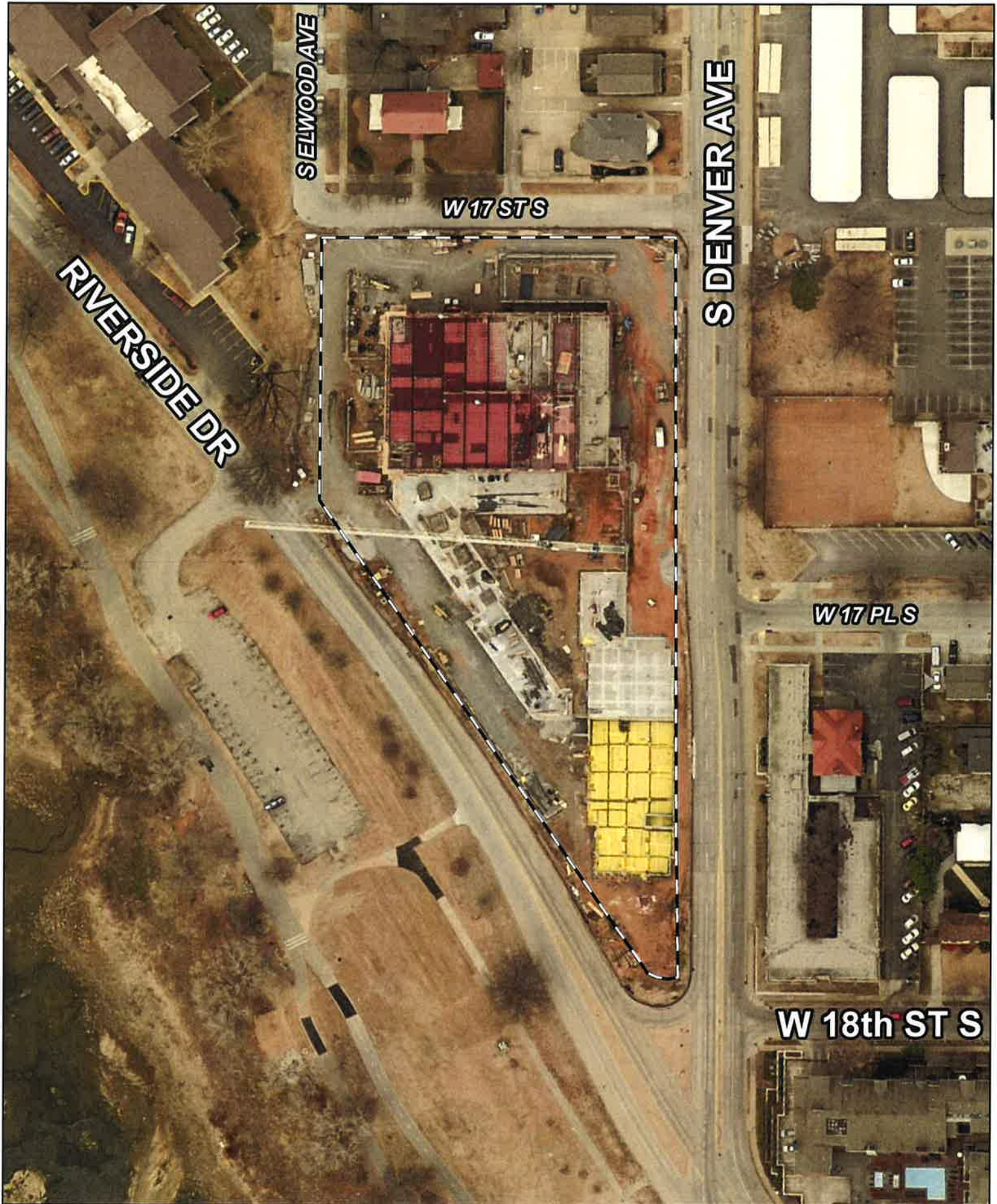
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

4.4







0 50 100  
Feet



Subject  
Tract

**PUD-330-A-2**

19-12 12

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

Aerial Photo Date: February 2018



Cosmopolitan Apartments  
PUD 330-A-2 Minor Amendment

WHEREAS, PUD 330-A for Cosmopolitan Apartments was submitted as a Planned Unit Development (designated as "PUD 330-A"), and PUD 330-A was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission (the "TMAPC") on July 15, 2015, and was thereafter approved by the Tulsa City Council on August 13, 2015; and

WHEREAS, PUD 330-A was further amended by PUD-A-1 (Minor Amendment) by the affirmative approval of the TMAPC on July 6, 2016 (designated as "PUD 330-A-1"); and

WHEREAS, this Minor Amendment (designated as "PUD 330-A-2") is submitted to request one revision to the development standards for "Access and Circulation" relevant to the planned reconstruction or rehabilitation of Denver Avenue from points at or near Riverside Drive to downtown Tulsa to the North, immediately adjacent to the development.

NOW THEREFORE, the requested modification to PUD 330-A (as amended by PUD 330-A-1) is delineated by underlined italicized text as shown below:

D. Access and Circulation

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

An access service drive for the sole purpose of refuse pick up and other infrequent maintenance or emergency vehicles shall be permitted on the west side of the building within the vacated right-of-way of South Elgin Avenue at or near the corner of West 17<sup>th</sup> Street and South Elgin Avenue. Vehicular exits from tenants and their guests are prohibited from use of this drive and is the only vehicular exit permitted on East 17<sup>th</sup> Street except as described herein.

During periods of street reconstruction, rehabilitation or other maintenance activities undertaken by the City of Tulsa or its contractors on Denver Avenue adjacent to the development which partially or totally impedes or otherwise interferes with the normal flow of residential and guest traffic to and from the parking garage, access points into and from the parking garage for residents and guests on West 17<sup>th</sup> Street shall be permitted as entrance and exit.

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

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

Except as outlined above, the remainder of PUD 330-A (as amended by PUD 330-A-1) Development Standards will remain the same as approved by the Tulsa City Council and the TMAPC.





**Case Number:** PUD-816-1  
**Minor Amendment**

**Hearing Date:** May 15, 2019

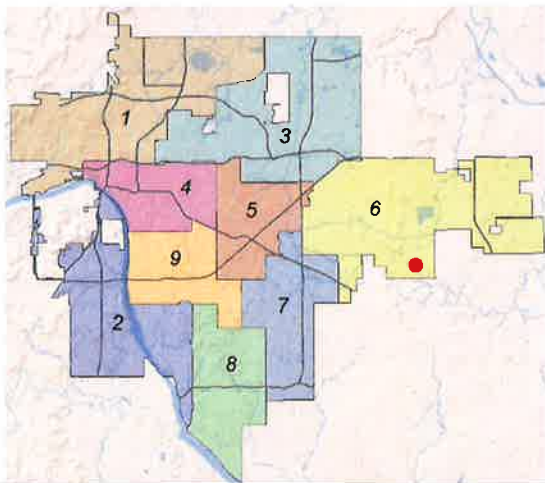
**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**

Applicant: K.B. Enterprise Homes

Property Owner: K.B. Enterprise Homes

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



**Applicant Proposal:**

Concept summary: PUD minor amendment to reduce required front setback and increase allowable driveway coverage.

Gross Land Area: 0.28 acres

Location: SE/c E 45th PI S and S 180<sup>th</sup> E Ave

Lot 7 Block 5 Huntington Park

**Zoning:**  
 Existing Zoning: RS-4/PUD-816  
 Proposed Zoning: No Change

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

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

**Staff Data:**  
 TRS: 9425

**City Council District:** 6  
*Councilor Name:* Connie Dodson

**County Commission District:** 1  
*Commissioner Name:* Stan Sallee

**SECTION I:** PUD-816-1 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the development standards to reduce the front yard setback from 20 ft to 15 ft. and increase the allowable driveway coverage from 45% to 60%.

The subject lot is located on a cul-de-sac and is narrow at the front, compared to the rest of the property. The applicant is proposing to encroach into the currently required front yard setback, so this amendment proposes to decrease this requirement from 20ft to 15 ft. In addition, the driveway proposed exceeds the currently allowable 45% coverage of the front yard. The proposed amendment would increase this coverage to 60% to permit the drive as illustrated on the applicant site plan, included with this report.

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."*

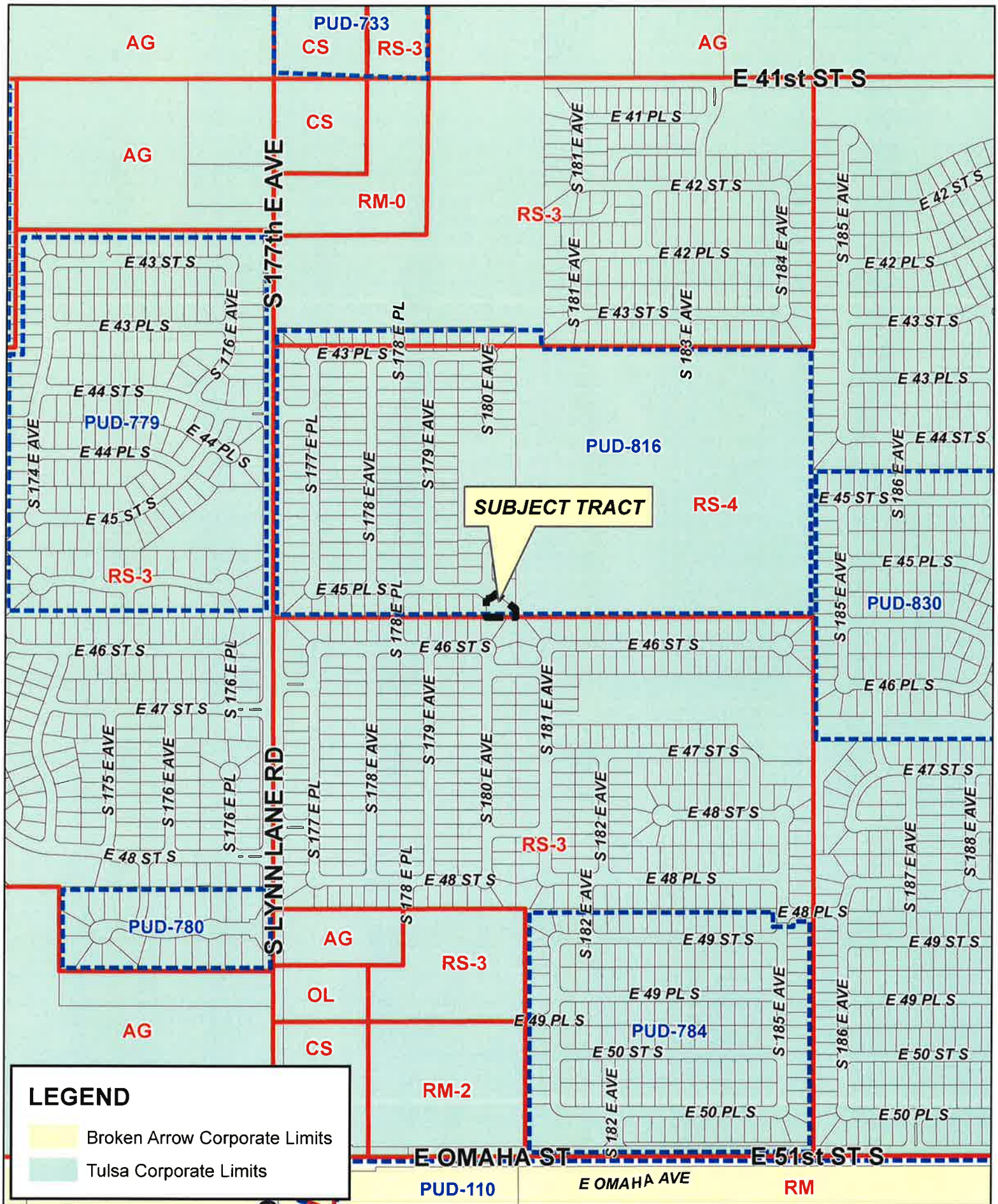
Staff has reviewed the request and determined:

- 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-816 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo (enlarged)  
Applicant Proposed Site Plan

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the front yard setback from 20 ft to 15 ft. and increase the allowable driveway coverage from 45% to 60%.



**PUD-816-1**

19-14 25

5.3









0  
50  
100  
Feet

Subject  
Tract

**PUD-816-1**

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

19-14 25

Aerial Photo Date: February 2018

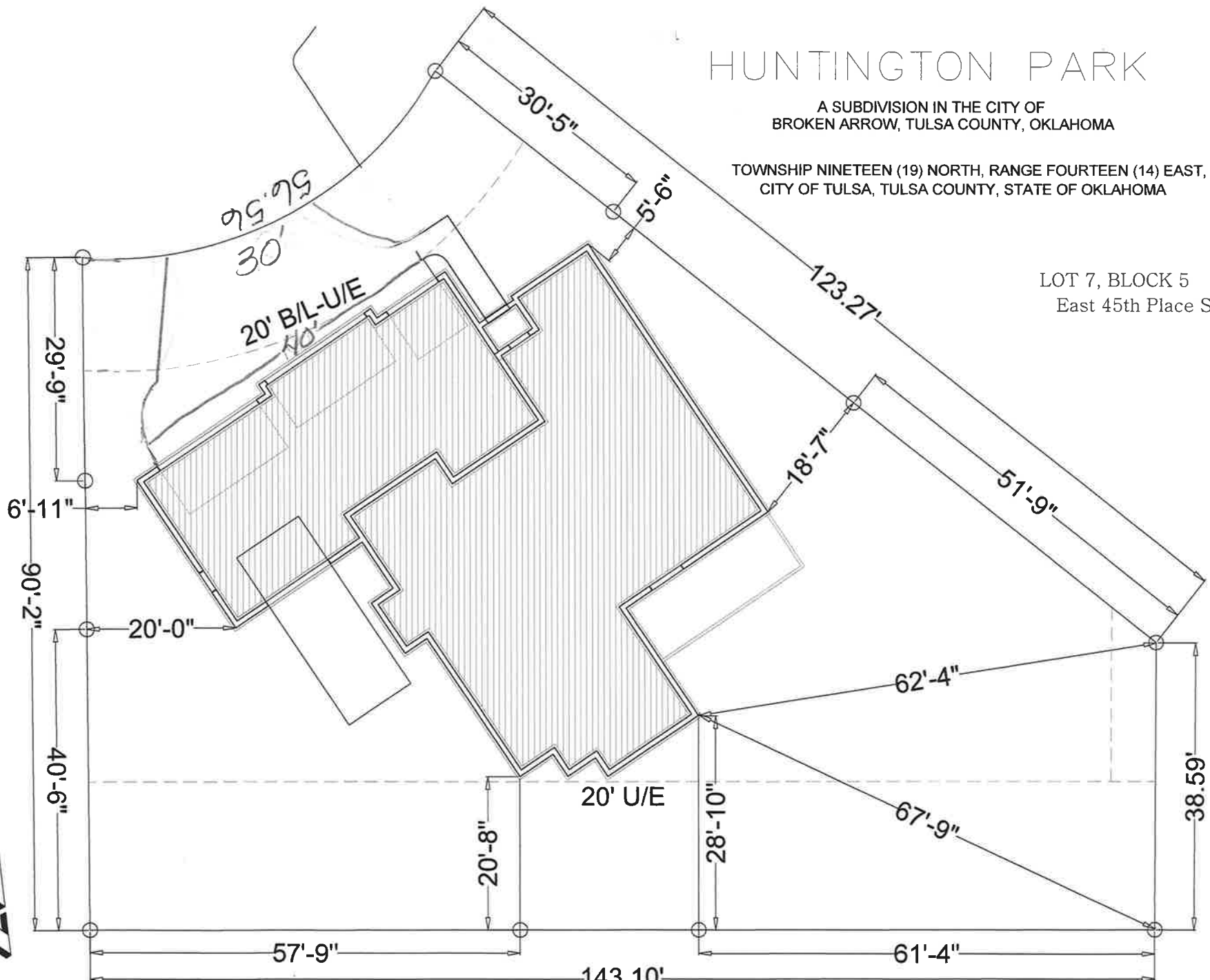
5.5  
N

# HUNTINGTON PARK

A SUBDIVISION IN THE CITY OF  
BROKEN ARROW, TULSA COUNTY, OKLAHOMA

TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST,  
CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

LOT 7, BLOCK 5  
East 45th Place South



KB ENTERPRISE HOMES

18328 E. 50TH PLACE, TULSA, OK. 74134

KBARTHTULSA@GMAIL.COM

(918) 481-0600

PROJECT

## The "HINSON" Home

TITLE	DATE	TIME	LOCATION	STATUS
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TITLE

**PLAN 2850**  
**4 CAR GAR.+ BONUS HOME**  
**SITE PLAN**

	NAME	DATE
DRN. BY	RAF	4-06-19
CHK. BY	RAF	4-06-19
TOLERANCE	±.1"	

SCALE 1/8"=1'0"

2CAD PATH /KB Enterprises/Hinson/2850.dwg	
DRAWING NUMBER <b>9</b>	REV.
SHEET NO. 9 OF 9 SHEETS	

5.5



**Item**

Consider adoption of the revised **West Highlands/Tulsa Hills Small Area Plan Executive Summary** as an amendment to the Tulsa Comprehensive Plan, to supersede the previously adopted West Highlands/Tulsa Hills Small Area Plan.

The plan area includes an area in the southwest corner of Tulsa (approximately S. 33<sup>rd</sup> Ave. W. to Elwood Ave and W. 61<sup>st</sup> St. S. to W. 91<sup>st</sup> St. S.).

**Background**

The proposed West Highlands/Tulsa Hills Small Area Plan Executive Summary includes an implementation matrix, and land use and areas of growth/stability maps.

The West Highlands/Tulsa Hills Small Area Plan was adopted in 2014 after a two-year community engagement process. The plan aimed for development predictability and attempts to balance future demand for land development with respect for existing aesthetics, open space preservation, transportation improvements and other key concerns of local stakeholders (residents, business owners, and others). The goal is that West Highlands/Tulsa Hills remains as attractive an area in which to live, locate and invest 20 years from now as it is today.

Recommendations 16.2 and 16.3 state 'Revisit this plan every five (5) years to review progress in implementing these recommendations to achieve the plan's vision' and 'Revise the plan if necessary if benchmarks and indicators show insufficient progress towards vision.'

The land use maps have not changed during this revision process. One recommendation was revised to more strongly support the idea of 'rural residential' zoning (recommendation 3.7). This process is necessary in order to align the adoption process with that of other adopted small area plans.

**Conformance with the Tulsa Comprehensive Plan**

The West Highlands/Tulsa Hills Small Area Plan Executive Summary is in conformance with the following Priorities, Goals, and Policies in the Tulsa Comprehensive Plan:

**Land Use Priority 2: Put procedures, processes, and tools in place to effectively and equitably implement planitulsa**

*Goal 5: Tulsa's regulatory programs support desired growth, economic development, housing, a variety of transportation modes and quality of life priorities. Policies to support this goal include:*

5.4 Modify the existing small area planning process to support the vision and policies by:

- Ensuring small area plans are in conformance with the vision;
- Standardizing the process and implementation tools for small area plans;
- Having small area plans establish priority implementation areas and development types;
- Having small area plans proactively guide rezoning in priority areas to prepare land for desired development;
- Following a consistent approach and process to develop small area plans, as outlined in the strategic implementation section of this plan;
- Consistently involving stakeholders throughout the process;
- Using small area plans to set priority implementation areas;
- Using small area plans to make zoning and development-related decisions.



**Housing Priority 1: Promote balanced housing across Tulsa**

*Goal 1: A robust mix of housing types and sizes are developed and provided in all parts of the city.*

**Staff Recommendation**

Staff recommends that TMAPC adopt the revised West Highlands/Tulsa Hills Small Area Plan Executive Summary as an amendment to the Tulsa Comprehensive Plan, to supersede the previously adopted West Highlands/Tulsa Hills Small Area Plan.

**Attachment(s)**

West Highlands/Tulsa Hills Small Area Plan: Executive Summary



## Part I: Plan Summary

### Introduction

The West Highlands/Tulsa Hills small area plan (SAP) is a guide for the future development of the extreme southwest corner of the city of Tulsa. The small area planning process, outlined in the appendix of the Tulsa Comprehensive Plan, includes a citizen engagement process, extensive research of existing conditions and thorough vetting of plan recommendations by citizens as well as relevant city departments and stakeholders. Following this process – including two years of active

public participation – this plan's recommendations were adopted by the Tulsa Metropolitan Area Planning Commission on March 19, 2014 and approved by the Tulsa City Council thereafter. Accordingly, this plan amends the Tulsa Comprehensive Plan and its recommendations are the City of Tulsa's policy guide for land development in the plan area.

West Highlands/Tulsa Hills is a rapidly growing part of Tulsa: what was largely open space and rolling hills only a decade ago now contains a regional shopping center. Recent single- and multi-family developments have brought more residents to the area, spurring demand for more public and private services.

**Map 1:** West Highlands/Tulsa Hills Plan Area



# Part I: Plan Summary

This plan aims for development predictability and attempts to balance future demand for land development with respect for existing aesthetics, open space preservation, transportation improvements and other key concerns of local stakeholders (residents, business owners, and others). The goal is that West Highlands/Tulsa Hills remains as attractive an area in which to live, locate and invest 20 years from now as it is today.

This plan's recommendations for future development fall into six categories, identified in the Tulsa Comprehensive Plan: land use and environmental features, transportation, economic development, housing, parks and open space, and legacies and urban design.

Following thorough research in each of these categories, staff engaged the stakeholders to envision their ideal future for the area. Following additional research and vetting from other agencies, this stakeholder-led future vision formed the foundation of the plan's recommendations. These recommendations identify key regulatory changes, capital improvements, and public-private partnerships that will help make the stakeholder-led vision a reality.

## Process

Plan development followed the six step process described in the appendix of the 2010 Tulsa Comprehensive Plan - commonly referred to as PLANiTULSA - and in *A Guide to Small Area Planning*.

**Figure 1:** Facilitators, CAT Members, and Other Stakeholders



City Councilor Jeannie Cue (District 2) invited twenty stakeholders with interests in West Highlands/Tulsa Hills to serve on the Citizen Advisory Team (CAT); the CAT remained engaged throughout the process by representing their constituents in the plan area, reviewing and validating key information, and crafting the plan area's Vision and recommendations.

The subsequent key step of the process (known as Technical Review) extended the opportunity for relevant departments of the City of Tulsa and allied agencies to review, comment and clarify findings within the draft plan. Significant responses are reflected in the plan's narrative and recommendations and provided to the CAT for final review. With the CAT's consent and acceptance of a plan draft to forward to TMAPC for adoption, the CAT assumed the role of advocate for the plan's implementation.

At the conclusion of the active public participation phase, the Tulsa Metropolitan Area Planning Commission (TMAPC) considered plan recommendations in a public hearing. On March 19, 2014, TMAPC adopted the plan and forwarded recommendations to the Tulsa City Council for approval. With an effective date of April 24, 2014, Council's approval amended the Tulsa Comprehensive Plan and the plan recommendations became the City of Tulsa's policy guide for planning and development within the West Highlands/Tulsa Hills plan area.

### Existing Conditions

West Highlands/Tulsa Hills contains a large variety of land uses: working farms, extensive suburban-style retail developments, parking lots and dense residential subdivisions. The planning challenge is to mitigate conflict and friction between these diverse land-use types, and to ensure that they develop and coexist in an orderly manner. Additionally, flooding presents a major barrier to development. Besides flooding in the plan area's southern corners, there are some topographic impediments to development in certain areas.

While only a 20-minute drive to downtown, the plan area lacks pedestrian/bicycle connectivity to the metropolitan transportation network. Improvements in road capacity and mass transit have been identified, but only road capacity improvements are currently programmed. Specific improvements - like new trails or mass-transit upgrades - are planned, though funding has yet to be identified.



Small Area Planning is a key strategy for implementing PLANiTULSA. A small area plan is defined in the Comprehensive Plan as any plan that addresses the issues of a portion of the city. The small area planning process should 'include many landowners... be used in areas where significant change is expected... engage issues and people at an intimate scale, resulting in solutions tailored to the area's unique issues... proactively guide rezoning in priority areas to prepare land for desired development.'

*Source: Tulsa Comprehensive Plan, p.LU-62.*



# Part I: Plan Summary

Plan area SWOT participants identified, as strengths and opportunities, the Tulsa Hills shopping center and the need for a full-service grocery store to further capitalize on the area's existing employment specialization in retail. Tax Increment Financing (TIF) was instrumental in developing the Tulsa Hills shopping center and expanding the area's economy.

The plan area's highly educated population, its wealthier residents, its connection to the local highway system and the availability of developable land are an asset for consideration by potential employers looking to site offices. Additionally, West Highlands/Tulsa Hills homes are diverse in terms of architecture, size and cost. Homes are on average more expensive than homes in the rest of the city.

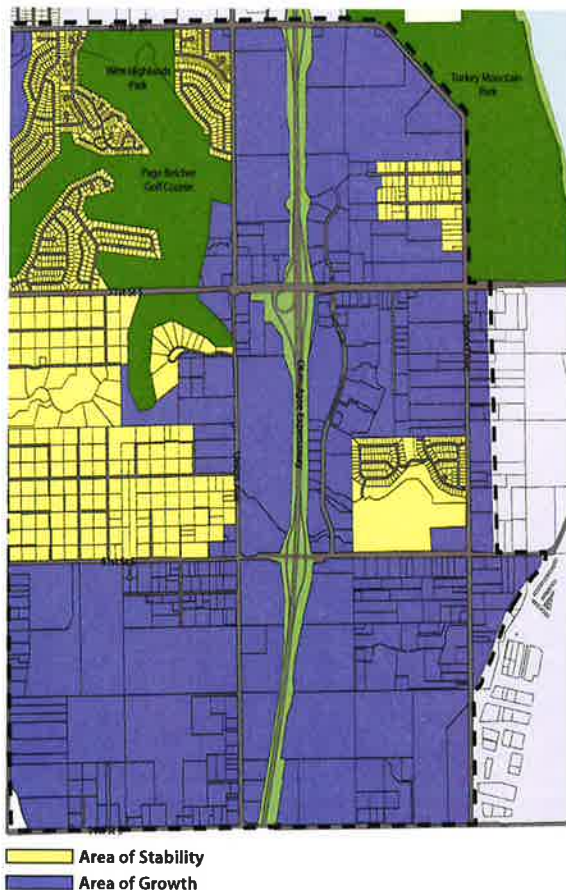
Open space and the resulting rural character defines the plan area's identity, as derived from the stakeholders in the SWOT analysis and Vision Workshop. Open space often borders larger areas of density. However, there is a lack of neighborhood-level parks, or public parks in general. Most open space is privately held.

## Land Use Designations

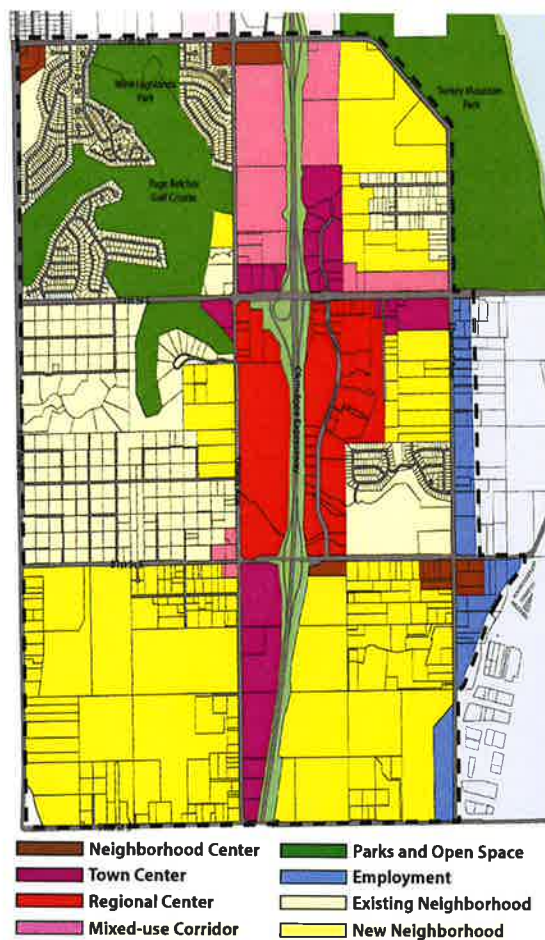
### EXISTING NEIGHBORHOOD

Much of the plan area boundary lies within this land use category. Existing neighborhood is intended to preserve and enhance existing single-family neighborhoods, but anticipate infill development, rehabilitation, and improvement of existing homes.

**Map 2:** West Highlands/Tulsa Hills planitulsa Stability and Growth Map



**Map 3:** West Highlands/Tulsa Hills planitulsa Land Use Map



### NEW NEIGHBORHOOD

Primarily, areas designated as ‘ new neighborhood’ are to the south of 81st St S and east of US-75. This category is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center.

### PARKS AND OPEN SPACE

This category includes existing parks and open space such as the Page Belcher Golf Course and West Highlands Park. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Tulsa Comprehensive Plan.

### NEIGHBORHOOD CENTER

Neighborhood Centers are intended to serve surrounding neighborhoods with retail, dining, and services with small-scale mixed-use areas. These were recommended at major corners in order to facilitate local-level retail services without allowing for higher-intensity retail.

### TOWN CENTER

The area surrounding US-75 and along 61st Street and 71st Street east of Union Ave is primarily split between Town Center and Mixed-Use Corridor. Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town Centers also serve as the main transit hub for surrounding neighborhoods and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and

walk to number of destinations.

### REGIONAL CENTER

The area around the Tulsa Hills Shopping Center and across US-75 is designated regional center. Regional Centers are mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities.

### MIXED-USE CORRIDOR

The area surrounding US-75 and along 61st Street and 71st Street east of Union Ave is primarily split between Town Center and Mixed-Use Corridor. Mixed-Use Corridors are in areas surrounding thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use.

### EMPLOYMENT

Eastern portions of the plan area are designated employment. Employment Centers are intended to focus on commercial activities such as office, warehousing, light manufacturing, or information technology. Those uses adjacent to neighborhoods require buffering.

# Part I: Plan Summary

## Recommended Land Use Changes

### EXISTING NEIGHBORHOOD

The updated comprehensive land use map removed any 'new neighborhood' designations from the west side of US-75 and changed them to 'existing neighborhood'. In these areas, 'area of growth' was changed to 'area of stability.' It also removed this designation from currently existing neighborhoods on the east side of US-75. This is reflective of desire to maintain rural character, especially on the west side of US-75.

### TOWN CENTER

The updated comprehensive land use map expanded the 'Town center' designation on the west side of US-75 and removed 'regional center.' Expanded 'town center' designations to the west of US-75 provide an opportunity to concentrate higher-intensity retail use

on the east side of US-75, while still allowing an option to increase local-level retail services.

### MIXED-USE CORRIDOR

The area between Union Ave and US-75 has strong connections to downtown and other amenities. Residents envision stronger multi-modal connections, including trails, sidewalks, bike lanes, and transit.

### PARKS AND OPEN SPACE

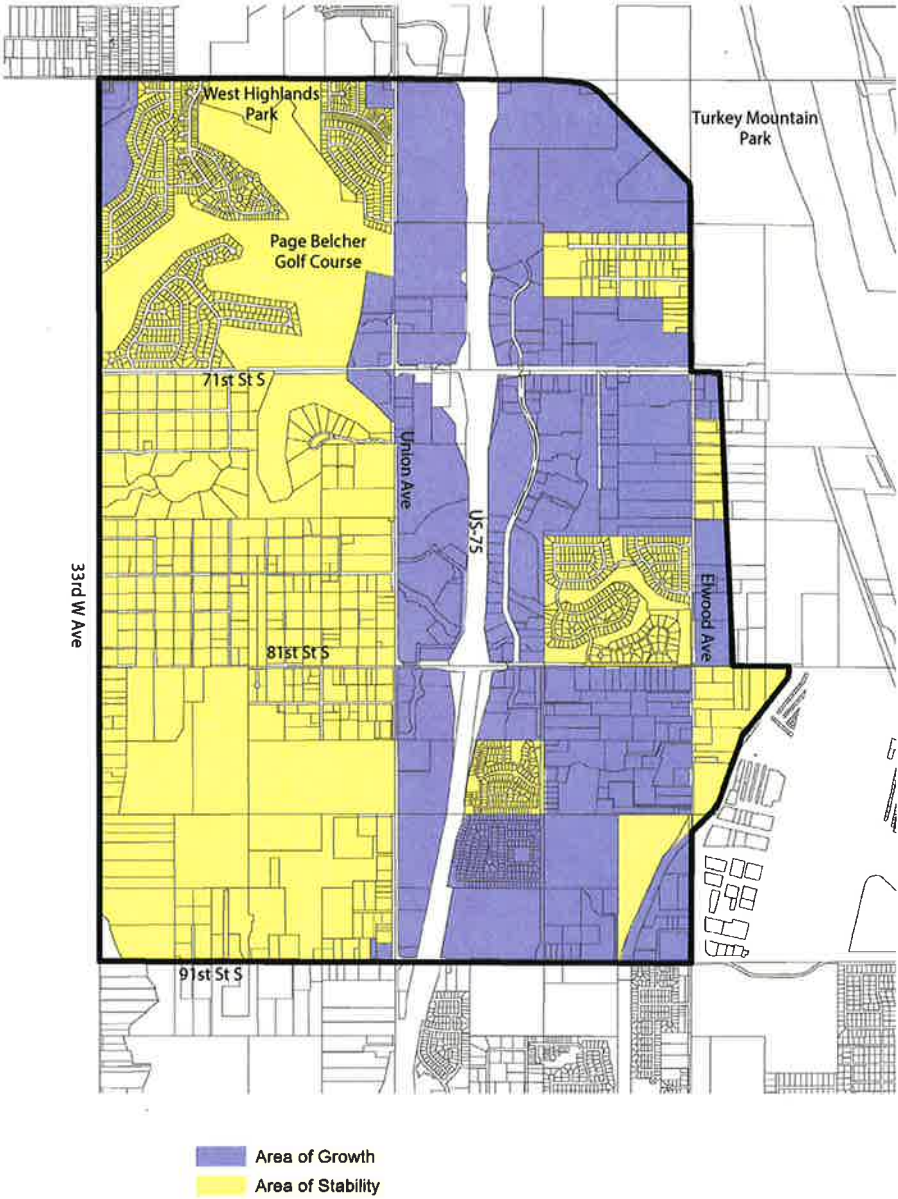
The updated comprehensive land use map decreased the amount of employment designation on the far east side of the plan area in favor of proposed parks and open space. This is currently primarily open space along Hager Creek surrounding the airport.

Figure 2: Vision Workshop Presentation





Map 4: West Highlands/Tulsa Hills Recommended Areas of Growth and Stability



Source: INCOG Mapping Division

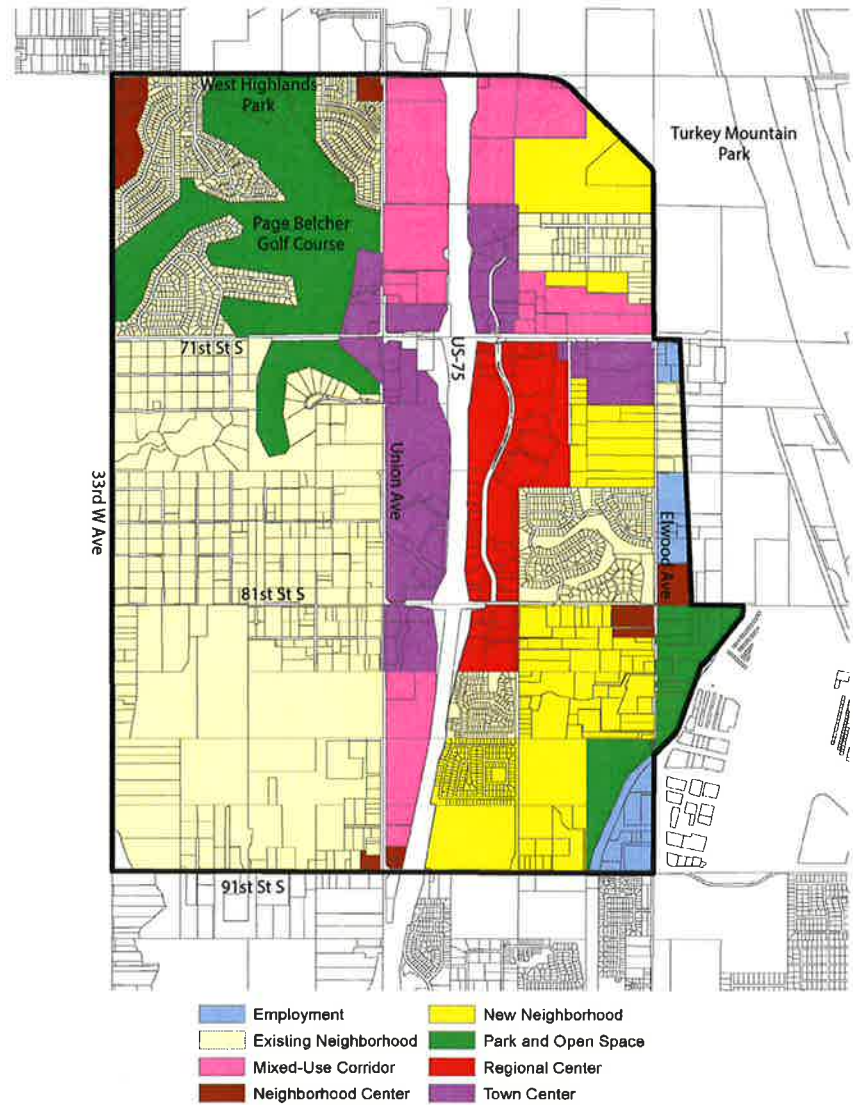
Prior growth and stability map



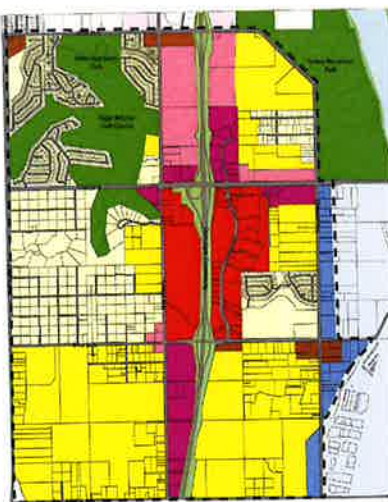
6.9

# Part I: Plan Summary

**Map 5:** West Highlands/Tulsa Hills Recommended Land Use Designations



Prior land use map



Source: INCOG Mapping Division



### Desirable Outcomes

By implementing plan recommendations based upon this consensus vision statement and vision maps, the following desirable outcomes will be attained in West Highlands/Tulsa Hills:

1. The area is better connected to the citywide multimodal transportation system, with an emphasis on greater trail/non-automobile infrastructure, and Tulsa Hills is well-connected to the city's mass-transit system.
2. There is a reduction in per capita major injuries or fatalities resulting from automobile collisions with cyclists or pedestrians. Non-automobile transport is safe for all of those who do not have access to a car, or simply choose not to drive.
3. New construction is aesthetically compatible with the existing area, and developers take deliberate and effective measures to minimize traffic impacts by providing coordinated access management, maintaining the grid system and/or implementing multimodal transportation options in their site plans.
4. The area is identifiable to the majority of Tulsans, not only for its destination shopping center but also for its attractive homes and neighborhoods, high-quality housing, trails and innovative urban/ rural design.
5. Residents of the multifamily units, single-family subdivisions and larger-lot estates see the area develop in a manner which does not harm the quality of life for residents of the other housing types.
6. New construction along Union Avenue is adequately and appropriately buffered from the existing, stable neighborhoods west of Union Avenue.
7. Crime rates do not increase. The area continues to be safe, and considered an excellent place to raise children.
8. The area captures a share of the anticipated growth in high-income owner-occupied housing demand, as projected in the Housing chapter of the 2010 Tulsa Comprehensive Plan, providing an economic base for more neighborhood amenities.
9. Median household income levels remain at or above the citywide average.

6.11

# Part I: Plan Summary

## Priorities, Goals, and Outcomes

The West Highlands/Tulsa Hills Small Area Plan includes six priorities. Each priority has specific goals and implementation recommendations which can be found in the implementation matrix.

## Vision Statement

In 20 years, West Highlands/Tulsa Hills will be...

A welcoming, attractive, desirable area to live and invest.

Developed in a manner respectful of the rural atmosphere.

A safe, family-friendly community, with retail and recreational services for local residents.

Well-connected to the city's multi-modal transportation system, including trails.

**Priority 1:** Proposed land uses balance West Highlands/Tulsa Hills stakeholder vision with planitulsa vision.

**Priority 2:** Prioritize the preservation of open space and the natural environment in future development.

**Priority 3:** Sustain area's economic growth through the future.

**Priority 4:** Improve local connections to the metropolitan transportation system.

**Priority 5:** Protect public welfare and safety.

**Priority 6:** Ensure implementation of recommendations of West Highlands/Tulsa Hills Small Area Plan.

# Implementation Matrix

## Priority 1:

Proposed land uses balance West Highlands/Tulsa Hills stakeholder vision with planitulsa vision

### Reference

### Implementation Measure

**Goal 1 Promote stability in parts of the plan area west of Union Avenue through changes to the Tulsa Comprehensive Plan's Land-use and Areas of Stability/Growth maps**

- 1.1 Amend the Tulsa Comprehensive Plan's Land-Use and Areas of Stability/Growth maps to reflect small area plan stakeholders' vision (for reference consult Maps 4 and 5 on pages 9 and 10).

**Goal 2 Promote development of complete neighborhoods, defined in the Comprehensive Plan (p. LU-18) as "neighborhoods that blend...amenities, connectivity, and housing options together."**

- 2.1 Ensure implementation of planitulsa Complete Streets policies for the Union Avenue multi-modal corridor and the 71st Street commuter corridor.
- 2.2 Ensure Jenks West Elementary Schools are connected to surrounding neighborhoods via appropriate sidewalk and road investments.
- 2.3 Ensure construction of footpaths/sidewalks to connect areas within and outside of neighborhoods in all new single-family subdivisions, unless subdivisions comply with future conservation subdivision and/or low impact development guidelines.
- 2.4 In new developments east of Union Avenue, support zoning changes from agricultural zoning to corridor, commercial, office, mixed-use and/or residential zoning (should a private request be filed).
- 2.5 Support residential multi-family development that mixes smaller multi-family buildings (e.g, duplexes and quadplexes) into single-family neighborhoods.
- 2.6 Support zoning changes and zoning adjustments that support senior housing.
- 2.7 Support a change to the zoning code that enables a property owner to construct and rent an accessory dwelling unit (commonly known as "mother-in-law flat") on their residential-zoned property. Support Board of Adjustment applications asking for such uses in this area.

**Goal 3 Ensure a sound transition between US-75 and the stable neighborhoods west of Union Avenue**

- 3.1 Encourage substantial buffering in CO-zoned lands between US-75 and Union Avenue, including, but not limited to, dense tree or native plantings along Union Avenue, commensurate with degree of land-use intensity.
- 3.2 Employ transition-sensitive design strategies within CO-zoned sites between Union Avenue and US-75, such as:
- Building higher-density structures nearer to US-75 (or the middle of the site), and lower-density structures near Union Avenue;
  - Massing buildings more densely adjacent to US-75 or the middle of the site, and less densely near Union Avenue; and
  - Siting taller structures in areas with lower elevations, if possible.

6.13



# Part I: Plan Summary

## IMPLEMENTATION MATRIX

Reference	Implementation Measure
3.3	In order to minimize traffic, encourage CO-zoned projects along Union Avenue corridor to include points of access on multiple roads (see Figure 3 for an example).
3.4	Take deliberate measures to preserve existing healthy, substantive trees and integrate them into site plans.
3.5	Encourage multi-family residential developers to build structures that will retain long-term value. Strategies include, but are not limited to: <ul style="list-style-type: none"><li>• Building in-unit structured parking,</li><li>• Use of durable, attractive building materials, and</li><li>• Planning for on-site, well-maintained amenities such as gyms, pools, attractive landscaping and/or open space</li></ul>
3.6	To allow for transition-sensitive development of both residences and offices between Union Avenue and US-75, support zoning changes to corridor, commercial, office, mixed-use and/or residential zoning (should a private request be filed).
3.7	Support changes to new "rural-residential" zoning use (see measure 4.6), to address configuration issues related to lot splits.
3.8	Multi-family development should have smaller structures mixed into residential or commercial neighborhoods.

## Priority 2:

Prioritize the preservation of open space and the natural environment in future development.

Reference	Implementation Measure
<b>Goal 4 Integrate new construction with the natural environment and the area's existing bucolic aesthetic</b>	
4.1	For new construction in New and Existing Neighborhood land-use areas, and Town and Neighborhood Centers, each 1,500 square feet of street yard should have three trees. The Zoning Code (Section 1002.C.1) currently requires only one (1) tree.
4.2	Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts such as Land Legacy.
4.3	Develop easily-understood, coherent standards for conservation subdivisions which will allow developers to apply conservation subdivision design for new home construction, while minimizing the need to apply for new zoning.
4.4	Develop and implement code updates to more easily allow low-impact development (LID) practices, by identifying current elements of zoning, building and other regulatory codes that do not allow LID practices. Ensure developer incentives, such as a streamlined development review process.
4.5	Develop a matrix (or checklist), to be used by City of Tulsa Planning staff, of rural design elements which can be used to easily measure how well new construction integrates with bucolic aesthetic. These design elements should pertain less to actual design of homes, and more to the units' siting, greenspace preservation, screening and the use of other nonstructural design materials, such as fencing materials.

### Reference

### Implementation Measure

- 4.6 Revise zoning code to include a "rural residential" district which allows a limited number of livestock and horses as a use by right, and has larger minimum lot sizes. This can be done by either amending an existing district, or creating a new one.

- 4.7 Support planting of shade trees in public right-of-way during road construction.

#### Goal 5 Improve park and open space amenities

- 5.1 Develop small gateway mini-park at the northeast corner of Elwood Avenue and 71st Street, and a placemaking landmark near the intersection of US-75 and 71st Street.

#### Goal 6 Improve flood control

- 6.1 Encourage development of natural drainage areas where appropriate. Examples include natural stream bed restoration and greenspace preservation.

- 6.2 Strictly enforce stormwater requirements in new development, particularly in parts of the plan area with more severe contours (such as the greenfields near Turkey Mountain).

- 6.3 Make necessary road and drainage improvements to prevent closure of area around the 81st Street and Elwood Avenue intersection during rain events. Once completed, re-evaluated Park and Open Space land-use designation for parcels within that flood plain. Assure that any development in those parcels does not exacerbate flooding issues.

- 6.4 Support usage of permeable pavement materials.

## Priority 3:

Sustain area's economic growth through the future.

### Reference

### Implementation Measure

#### Goal 7 Promote and maintain the attractiveness of Tulsa Hills retail area

- 7.1 Encourage and allow infill development (including new construction in the parking lots) of Tulsa Hills.

- 7.2 Add decorative place-making elements to 71st Street bridge over US-75.

- 7.3 Encourage more lenient parking requirements for all development, aiming for average daily use as the required amount of parking. Support more lenient parking requirements in zoning code update, and encourage lot sharing.

#### Goal 8 Encourage neighborhood-level economic development

- 8.1 Encourage regulatory changes necessary for a private-sector-led farmers' market within plan area.

#### Goal 9 Develop the key industry clusters identified in the 2010 Plan within and near plan area

- 9.1 Encourage locating medical industry facilities along Olympia Avenue between 71st Street and 61st Street. So as to encourage development, support zoning changes to categories which allow for medical uses.

- 9.2 Acknowledge, strengthen and support the vicinity's regional outdoor amenities, namely Turkey Mountain, Page Belcher Golf Course and other golf courses. Coordinate with future Turkey Mountain Urban Wilderness Area Master Plan.



# Part I: Plan Summary

## IMPLEMENTATION MATRIX

### Reference

- 9.3 With Tulsa Regional Chamber and the City's Economic Development staff, facilitate application of facilities for state job creation tax credits, should any organization in or near the plan area hire enough workers to qualify.

### Implementation Measure

## Priority 4:

Improve local connections to the metropolitan transportation system.

### Reference

### Implementation Measure

#### Goal 10 Program trail and pedestrian/bicycle improvements throughout area

- 10.1 Ensure sidewalk or multi-use trail construction along all secondary arterials and residential collector streets, as marked in Tulsa Metropolitan Area Major Street and Highway Plan (MSHP).
- 10.2 Establish necessary easement agreements and construct a trail which connects the intersection of Union Avenue and 61st Street to the Riverparks trail system and Turkey Mountain. Add multi-use, bicycle- and pedestrian-friendly improvements to 61st Street bridge over US-75. Amend the trails plan accordingly.
- 10.3 Construct new multi-use trail connection along Union Avenue, connecting the proposed Mooser Creek trail to 91st Street.
- 10.4 Place well-marked pedestrian crossings at major intersections, and particularly on 91st Street near Jenks West Elementary School.
- 10.5 Ensure safe bicycle transit on the 61st and 71st Street bridges.
- 10.6 Amend the Destination 2030 Long Range Transportation Plan to include all recommended improvements. Include all improvements in other relevant transportation plans.
- 10.7 Ensure trail stub-outs in subdivisions of parcels in which trails are planned.

#### Goal 11 Program mass-transit improvements to better connect plan area to regional mass-transit system

- 11.1 Construct a park and ride facility in the area around or within Tulsa Hills. This facility will be encouraged to be a stop for the current Glenpool park and ride service.
- 11.2 Synchronize the 870 and 471 bus lines to the proposed Bus Rapid Transit line on the Peoria corridor (when implemented).
- 11.3 Ensure complete access to any new transit facility via sidewalks and other pedestrian connections within site.
- 11.4 Support already planned future commuter rail improvements.

#### Goal 12 Maintain excellent automobile connectivity

- 12.1 Ensure better access management strategies for higher-density projects built along Union Avenue (see Figure 3 as an example), including constructing additional ingress/egress points along east-west streets.
- 12.2 Program future widening of Union Avenue, in order to handle current and future traffic capacities and comply with MSHP. Coordinate widening with City of Jenks.
- 12.3 Program the extension of Olympia Avenue from 71st to 61st Street (should private development occur).
- 12.4 As shown in MSHP, plan the extension of Maybelle Avenue from 81st Street to 91st Street (should private development occur).

Reference	Implementation Measure
12.5	As shown in MSHP, plan the extension of a north-south residential collector street between Union Avenue and 33rd Avenue, to connect 81st Street and 91st street (should private development occur).
12.6	As shown in MSHP, plan the extension of an east-west residential collector street located between 81st Street and 91st Street, to connect Union Avenue and 33rd Avenue (should private development occur).
12.7	As shown in MSHP, plan a new residential collector branching south from 61st Street to connect to the extended Olympia Avenue (should private development occur).
12.8	Plan for residential collector street to be implemented parallel to Union Avenue, between Union Avenue and US-75 and stretching from 61st Street to 71st treet in CO-zoned and other parcels (should private development occur).
12.9	Amend MSHP to show Olympia Avenue extending to 61st Street, and the new planned corridor collector from 61st and 71st Street, between Union Avenue and US-75 (should private development occur).
12.10	Implement widenings recommended in Connections 2035.
12.11	Encourage adequate infrastructure be in place as new development occurs.
12.12	Construct signaling and left-turn improvements on intersection of 71st Street and Elwood Avenue.

### Priority 5:

Protect public safety and welfare.

Reference	Implementation Measure
<b>Goal 13</b>	<b>Increase transportation safety for all modes of travel and all types of travelers</b>
13.1	Construct multi-modal travel improvements - namely, sidewalks and/or trails - along 71st Street.
<b>Goal 14</b>	<b>Maintain neighborhood's current low-crime status</b>
14.1	Facilitate communication between neighborhood groups and Tulsa Police Department, Riverside Division, in order to maintain visible police presence and public safety.
14.2	Facilitate sharing of police information between Riverside Division police officers and local neighborhood groups.
<b>Goal 15</b>	<b>Use land-use and design solutions to mitigate and deter criminal behavior</b>
15.1	Construct lighting improvements in West Highlands neighborhood.
15.2	Encourage that new multi-family developments abide by Crime Prevention Through Environmental Design (CPTED) best practices (where appropriate) including, but not limited to, ample tree planting, common areas in visible locations, ensuring difficult roof access from the exterior, open fencing, thorny bushes next to the home, and other amenities to ensure the developments' attractiveness in the long run (e.g., durable building materials, tree plantings).



# Part I: Plan Summary

## IMPLEMENTATION MATRIX

### Priority 6:

Ensure implementation of recommendations of West Highlands/Tulsa Hills small area plan.

Reference	Implementation Measure
<b>Goal 16</b>	<b>Establish benchmarks to measure plan's success in implementing the vision</b>
16.1	City of Tulsa Planning Division staff establish objective and/or quantitative benchmarks.
16.2	Revisit this plan every five (5) years to review progress in implementing these recommendations to achieve the plan's vision.
16.3	Revise the plan as necessary if benchmarks and indicators show insufficient progress towards vision.
16.4	Coordinate monitoring of small area plan implementation with the citywide planitulsa monitoring program.



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7475**

Related to PUD 187-A

**Hearing Date: 5/15/2019**

(Continued from 3/20/2019 and 4/17/2019)

**Case Report Prepared by:**

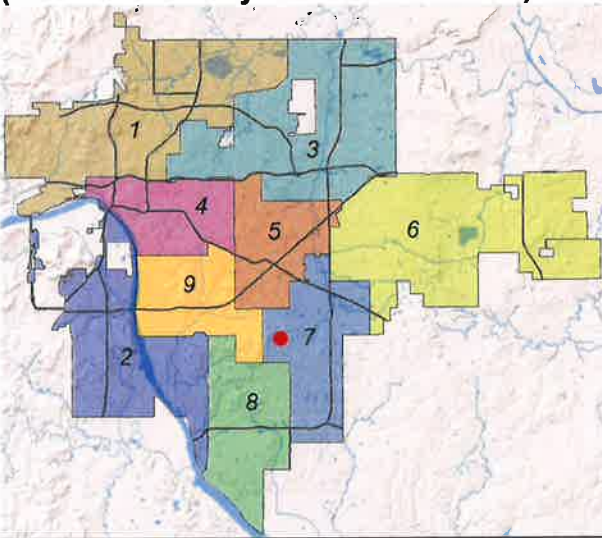
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Sheena Grewal

*Property Owner:* THEIMER, JACK WEST

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



**Applicant Proposal:**

*Present Use:* Vacant however PUD 187 only allowed tennis club expansion on this lot.

*Proposed Use:* Office Building

*Concept summary:* Applicant has requested a rezoning and major amendment to PUD 187 allow office use.

*Tract Size:* 1.58 ± acres

*Location:* North & East of the Northeast corner of South 75th East Avenue & East 63<sup>rd</sup> Place South

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* OL with the accompanying PUD 187-A major amendment.

**Comprehensive Plan:**

*Land Use Map:* Town Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval for OL zoning but only with the provisions defined in PUD 187-A**

**Staff Data:**

TRS: 8302

CZM: 53

**City Council District: 7**

*Councilor Name:* Lori Decter Wright

**County Commission District: 3**

*Commissioner Name:* Ron Peters

7.1

## SECTION I: Z-7475

### APPLICANTS DEVELOPMENT CONCEPT:

The subject property is part of a planned unit development located near 61st and Sheridan. Lot 1, Block 5 of the Shadow Mountain subdivision has been reserved solely for tennis courts as the larger lot north of this site had previously been occupied by the Shadow Mountain Racquet Club. Lot 1, Block 5 had also been historically used for excess parking for events at Shadow Mountain Racquet Club. In 2016, the north sections of the Shadow Mountain Racquet Club were rezoned CG with an optional development plan and developed into a QuikTrip and self-storage facility.

The property is currently zoned RS-3 and is subject to Planned Unit Development No. 187. This section of the PUD has undergone quite a bit of change with the commercial uses on the northern parts of the previous lot. We would like to apply for a rezoning to Office Light with a major amendment to the PUD. The Office Light designation will appeal to professional, predominantly day time users that seek a smaller and more personal alternative to the larger office buildings in the area. A park-like space to the west of the lot will incorporate landscape elements that create an aesthetically pleasing continuity with the landscaped border to the west of the masonry wall on the self-storage lot. This will effectively provide a buffer in the intensity of use between the self-storage and residential on either side of Lot 1, Block 5 to replace the current vacant lot. The development standards of OL shall supersede and replace prior development standards. The development standards have been formulated in respect for the neighboring residences.

### 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 included

### DETAILED STAFF RECOMMENDATION:

Staff does not recommend approval of OL zoning at this site without design standards and land use modifications as outlined in accompanying PUD 187-A.

OL zoning with the standards outlined in PUD 187-A are consistent with the land use vision of the Tulsa Comprehensive Plan and,

OL zoning with the standards outlined in PUD 187-A is in harmony with the existing and expected development of the surrounding areas and,

Staff recommends approval of OL zoning but only in conjunction with PUD 187-A.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The office uses proposed at this location are consistent with those uses that can be normally found in a Town Center. The Planned Unit Development provides appropriate*

*site design standards that help integrate this project into the edges of a residential neighborhood.*

Land Use Vision:

*Land Use Plan map designation: Town Center*

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

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

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

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

Transportation Vision:

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

*Trail System Master Plan Considerations:* None that affect this site.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The site is currently vacant however PUD 187 reserved this site for an expansion of a Tennis and Racketball club for decades. The existing building and courts that were referenced in the original PUD 187 have been removed for a Convenience Store and Mini Storage.

Environmental Considerations: None that affect site redevelopment



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 75 <sup>th</sup> East Avenue	Residential Collector	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	CG with optional development plan	Town Center	Growth	Self-Storage
East	PUD 202	Town Center	Growth	Office
South	PUD 187 / RS-3	Existing Neighborhood	Stability	Detached house
West	PUD 187 / RS-3	Existing Neighborhood	Stability	Detached house

**SECTION IV: Relevant Zoning History**

**History: Z-7475**

**ZONING ORDINANCE:** Ordinance number 13693 dated August 27, 1976 established zoning for the subject property.

***Subject Property:***

**PUD-187 August 1976:** All concurred in approval of a proposed Planned Unit Development on a 166± acre tract of land for a multi Development Area project that consists of residential use, with a mix of single-family, duplex and multifamily on property located between Sheridan Rd. and Memorial Dr. and between 61<sup>st</sup> St. and 71<sup>st</sup> St. and abutting the subject property to the west. (Ordinance 13693 August 27, 1976)

**Z-4109 February 1972:** All concurred in **approval** of a request for rezoning a tract of land from AG to CS, OM and RS-3, on property located at the Southwest corner of East 61<sup>st</sup> Street South and South Memorial Drive, including the subject property. (Ordinance 12459 May 2, 1972).

***Surrounding Property:***

**Z-7407 September 2017:** All concurred in **approval** of a request for *rezoning* a 7.77± acre tract of land from RS-3 to CG with optional development plan per staff recommendation on property located South of the Southeast corner of south 75<sup>th</sup> Avenue & East 61<sup>st</sup> Street.

**Z-7335 June 2016:** All concurred in **approval** of a request for rezoning a 2+ acre tract of land from RS-3 to CS with an optional development plan, for a convenience store and fueling station, QuikTrip, on property located southwest corner of E. 61<sup>st</sup> St. S. and S. 76<sup>th</sup> E. Ave.

**BOA-17834 September 1997:** The Board of Adjustment **approves** a *special exception* to permit a sign in an R district, on property located at south of East 61<sup>st</sup> Street, between South 75<sup>th</sup> East Avenue and South 76<sup>th</sup> East Avenue, and is also a part of the subject property.

**BOA-17768 July 1997:** The Board of Adjustment **approved** a *Special Exception* to amend a previously approved site plan to permit a removable bubble type cover over three tennis courts and the addition of a driveway access to 76<sup>th</sup> E. Avenue, on property located South of the Southeast corner of South 76<sup>th</sup> East Avenue & East 61<sup>st</sup> Street South.

**BOA-17626 January 1997:** The Board of Adjustment voted to **uphold** the *Appeal* and **deny** the decision of the Administrative Official in issuing an occupancy permit to the Drug Enforcement Administration, on property located West and North of the Northwest corner of South memorial Drive & South 76<sup>th</sup> East Avenue.

**PUD-202 December 1977:** All concurred in **approval** of a proposed Planned Unit Development on a 46+ acre tract of land for commercial use, office use and church use, on property located west of the southwest corner of East 61<sup>st</sup> Street and South Memorial Drive and abutting the subject property to the east.

**BOA-8566 May 1975:** The Board of Adjustment **approved** a *Special Exception* to permit a tennis club as presented and subject to the development standards submitted by the applicant, 16 parking spaces being provided for the clubhouse in addition to 4 being provided for each tennis court, for the courts that are to be lighted the light standards can be no higher than 30' and the light directed away from neighboring residential areas, and subject to the site plan and the architectural rendering presented, in an RS-3 district, on property located at south of East 61<sup>st</sup> Street, between South 75<sup>th</sup> East Avenue and South 76<sup>th</sup> East Avenue, and is also a part of the subject property.





0 250 500  
Feet



Subject  
Tract

**Z-7475**

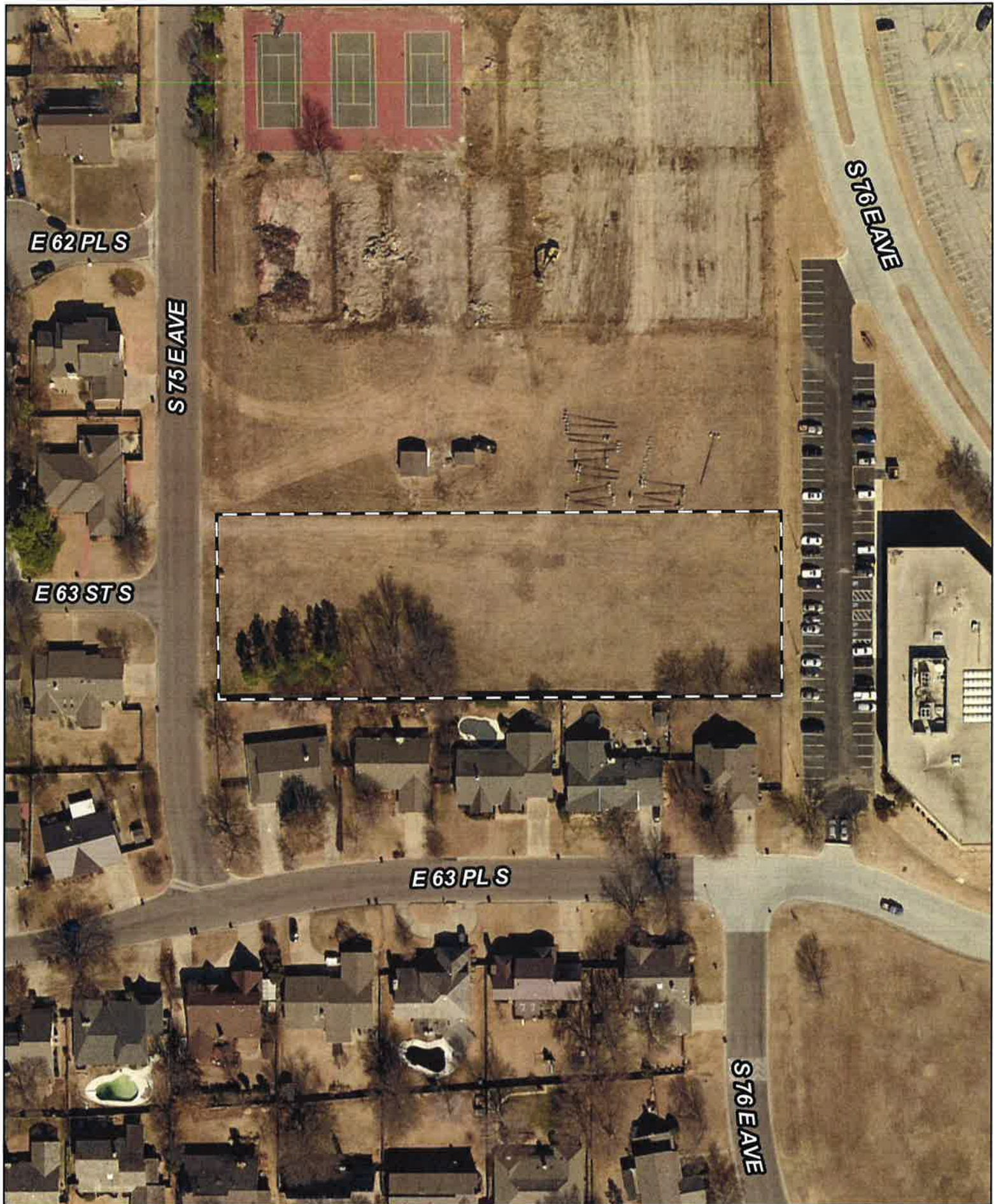
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018







0 Feet 50 100



Subject  
Tract

**Z-7475**

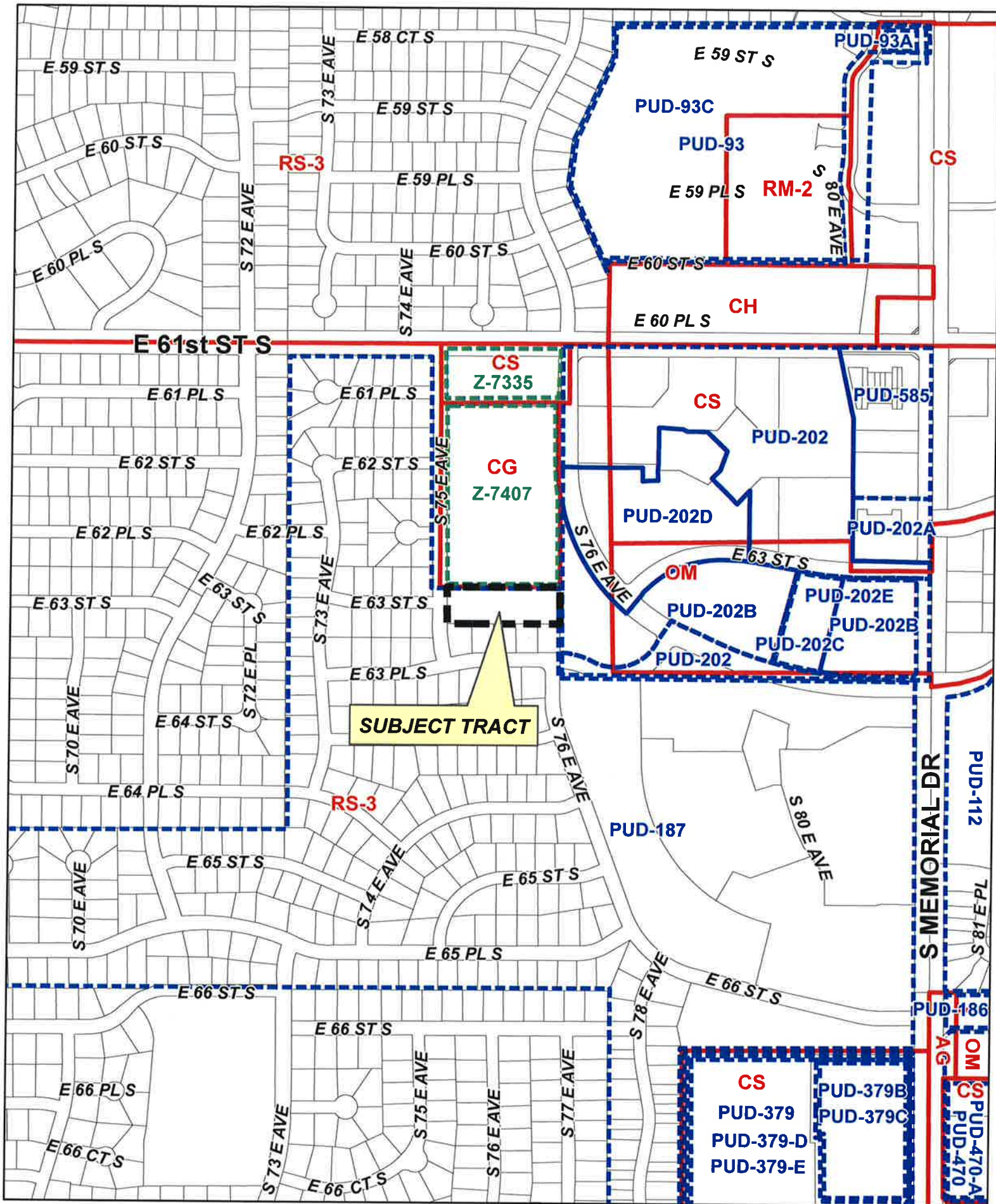
18-13 02

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

Aerial Photo Date: February 2018





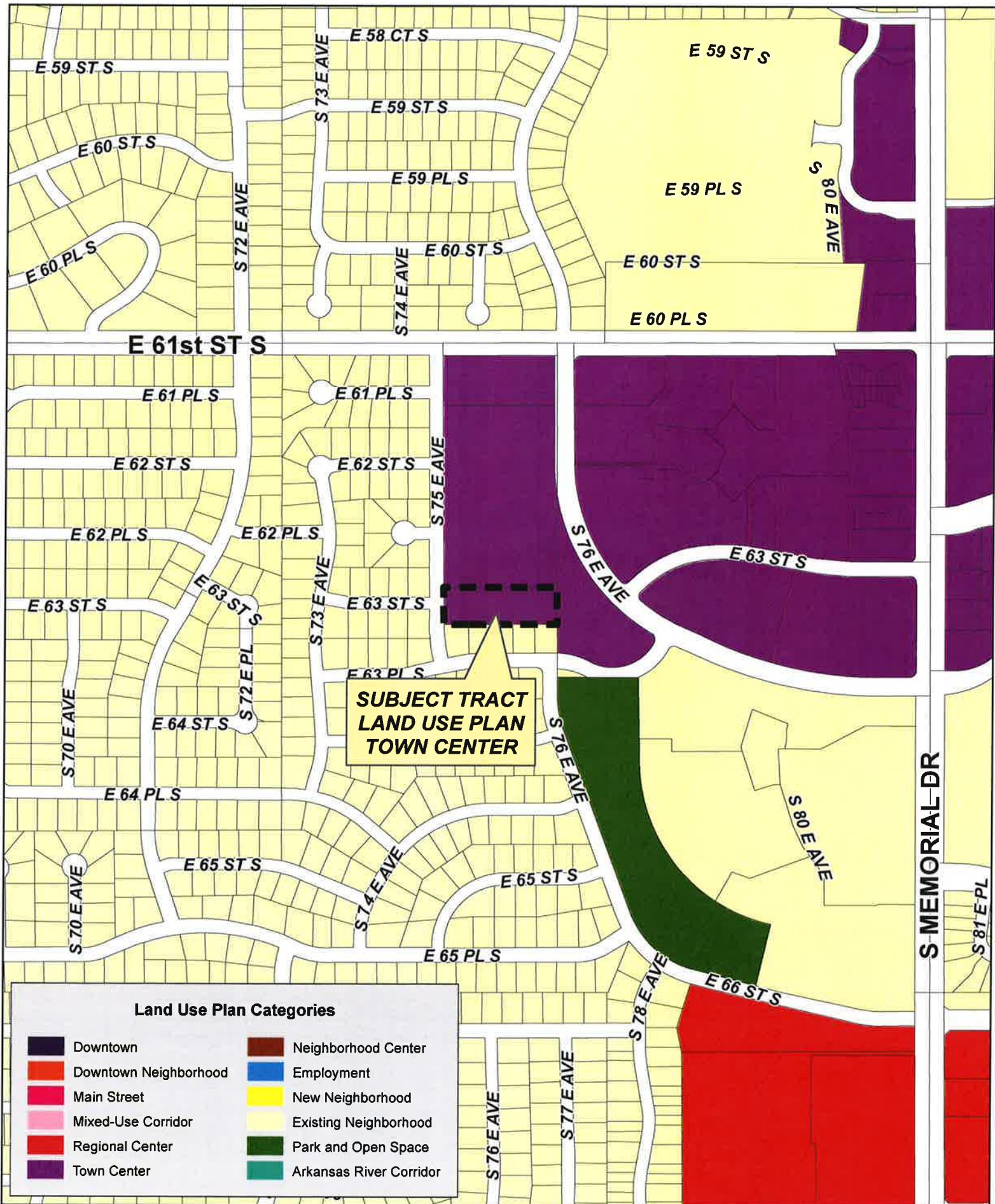


**Z-7475**

18-13 02

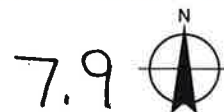
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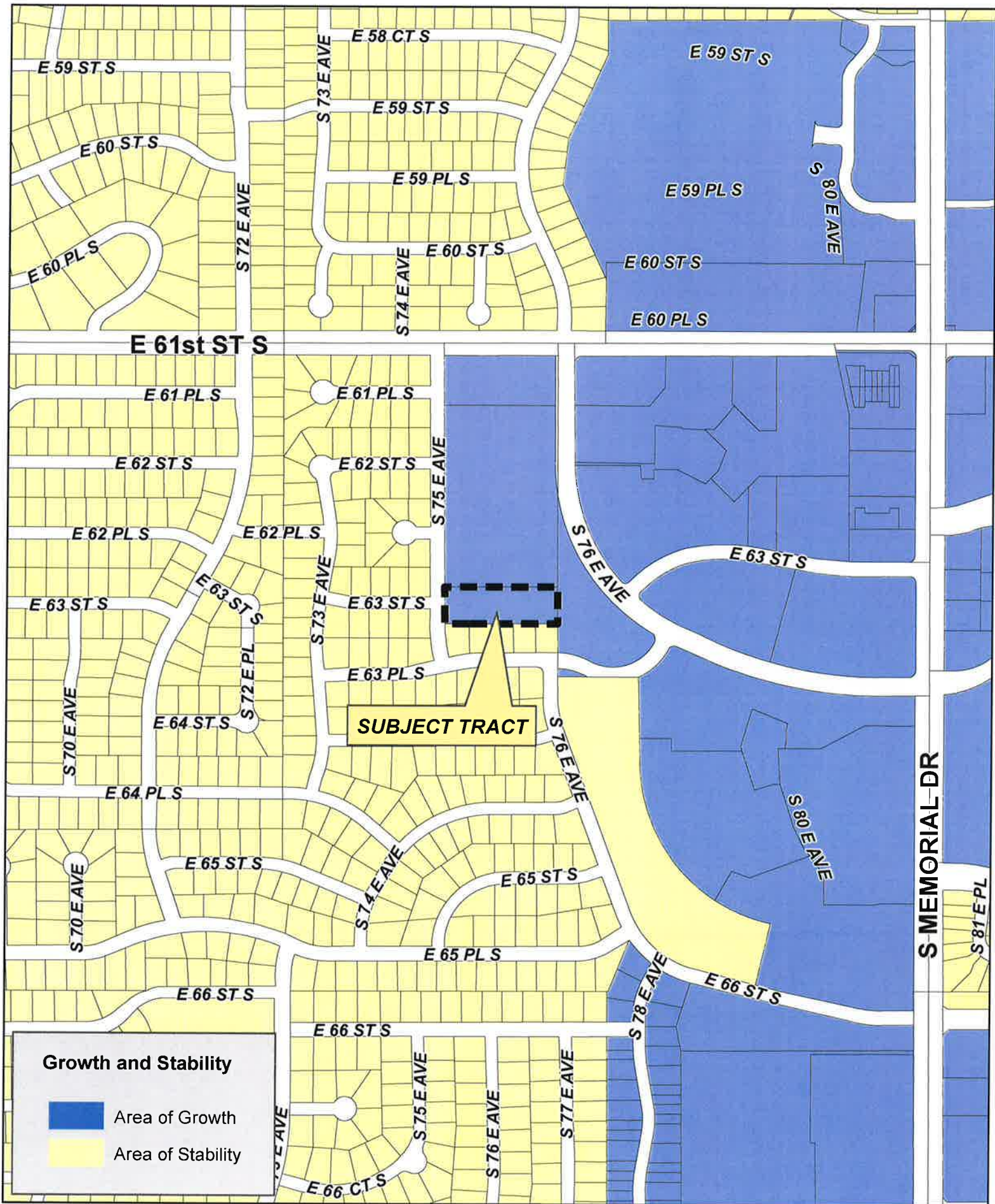


**Z-7475**

18-13 02







**Growth and Stability**



Area of Growth



Area of Stability

**Z-7475**

18-13 02

7.10

FILE COPY

Sawyer, Kim

**From:** Wilkerson, Dwayne  
**Sent:** Monday, April 29, 2019 3:30 PM  
**To:** Tom Duncan; esubmit  
**Cc:** bod@shadowmountaintulsa.com; dist7@tulsacouncil.org  
**Subject:** RE: Case Number Z-7475 /PUD-187-A

Good afternoon Mr. Duncan,

Thank you for the thoughtful response to the request. Rezoning on the edges of residential areas are taken seriously and we look forward to further input from your association.

The Tulsa Comprehensive Plan land use designation for this property has been considered part of a Town Center. That designation supports the idea of a light office use at this location. South 75<sup>th</sup> East Avenue is constructed as a collector street with wider pavement and right of way which anticipated this type of use. The major amendment to the PUD will include light pollution control, second story building window placement limitations, limitations on placement of any mechanical equipment and other design details including a large green space for the property facing 75<sup>th</sup> that help integrate this type of use into the edge of the neighborhood.

Please let me know if any uses could be supported by the property owners association for this parcel.

I am happy to meet with you in our office any time before the meeting scheduled for May 15<sup>th</sup>.

Respectfully,

**Dwayne Wilkerson, ASLA, RLA**  
Principal Planner | Current Planning  
**Tulsa Planning Office**  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9475  
dwilkerson@incog.org



**From:** Tom Duncan <hunt-fish58@hotmail.com>  
**Sent:** Monday, April 29, 2019 11:31 AM  
**To:** Wilkerson, Dwayne <DWilkerson@incog.org>; esubmit <esubmit@incog.org>  
**Cc:** bod@shadowmountaintulsa.com; dist7@tulsacouncil.org  
**Subject:** Case Number Z-7475 /PUD-187-A

**SHADOW MOUNTAIN HOMEOWNERS ASSOCIATION, INC.**

**Date: April 28, 2019**

**RE: Notice of Hearing Before The Tulsa Metropolitan Planning Commission (TMAPC), Case Number: Z-7475/PUD-187-A, Proposed Amendment to the zoning map,**

**TO: Tulsa Metropolitan Area Planning Commission and Dwayne Wilkerson, INCOG**

**Cc: Lori Dector Wright, Councilor District 7, City of Tulsa; Land Regulation Specialist, INCOG**

**FR: Shadow Mountain Homeowners Association, Inc. (SMHA), Board of Directors**

Dear Mr. Wilkerson,

The SMHA Board of Directors, representing over 400 homes located in the subdivisions of Shadow Mountain, Shadow Mountain I and Shadow Mountain II, firmly object to the proposed amendment. After several meetings on the proposed re-zoning, soliciting comments from our members and inviting the Applicant to attend our April 16, 2019 monthly Board Meeting, it is our opinion, that this request is not in the best interest of our neighborhood or the City of Tulsa for the following reasons;

1. Applicant's proposed site plan indicates that the one and only access to the future commercial office complex will be located on S. 75<sup>th</sup> E. Ave. SMHA respectfully reminds TMAPC that commercial access along this residential thoroughfare was previously denied to QuikTrip and the mini storage developer. By collectively working with TMAPC Staff, Councilor Anna America and developers, it was agreed upon that the increased commercial traffic on S. 75<sup>th</sup> E. Ave., would have a negative impact on all three Shadow Mountain subdivisions now and forever more.
2. The Applicant proposes the construction of two, 2-story office buildings totaling approximately 13,000 sf. SMHA objects to this use on the basis that (a) the proposed 20 foot buffer zone between commercial and residential use will not be adequate to maintain quiet enjoyment by the residents along E. 63<sup>rd</sup> Place, (b) the proposed 2-story building(s), will completely block the view from the backyard of the adjacent homes on E. 63<sup>rd</sup> Place, (c) the 2<sup>nd</sup> floor occupants of the proposed office building(s) will have full visual access to the backyards and windows of the adjacent homes, (d) the current building(s) design requires that certain mechanical/HVAC equipment will be mounted on the roof adding to overall building height which only exacerbates the problem.
3. SMHA has deep concerns about the continued assault on privacy and public security in our neighborhood. If allowed, this proposed development, which is a higher density use, will encourage more traffic and opportunities for criminal activities. SMHA asks TMAPC to uphold the original PUD which was designed to minimize those exact concerns.
4. SMHA objects to any design that will contribute to overflow lighting and noise in our neighborhood. Homeowners already suffer from a great deal of excess commercial lighting and noise created by QuikTrip.
5. SMHA objects to any use that will allow and/or encourage curbside parking along S. 75<sup>th</sup> E. Ave.
6. SMHA questions the market demand for any additional suburban office space in the immediate 61<sup>st</sup> & Memorial area. Currently, the Memorial submarket has an inventory of 13 buildings totaling 980,030 sf. The average vacancy rate is 26.87%. SMHA believes that empty offices located next to desirable residential areas will have an adverse effect on future property values and quality of life. In short, there does not appear to be much of a demand for more office space. In the SMHA April 16th Board Meeting, the Developer stated that he planned to sell the property as soon as possible. This leaves little doubt that our neighborhood will be lucky to end up with a compatible corporate neighbor in the future.

SMHA believes that the current zoning provides assurances that we will have a strong, secure, stable neighborhood in the future. This is key to the long-term prosperity of all Shadow Mountain homeowners. SMHA asks that TMAPC deny this re-zoning request.



Paul Brown, President – [paul@shadowmountaintulsa.com](mailto:paul@shadowmountaintulsa.com)

Tom Duncan, Vice President – [tom@shadowmountaintulsa.com](mailto:tom@shadowmountaintulsa.com)

Shadow Mountain Homeowners Association, Inc.

FILED

Sawyer, Kim

---

**From:** Linda Harry <linda\_mcafee@cox.net>  
**Sent:** Monday, May 6, 2019 12:41 PM  
**To:** Huntsinger, Barbara  
**Cc:** Sparger, Janet  
**Subject:** May 15, 2019 hearing on Z-7475/PUD-187-A  
**Attachments:** Ltr and pics for TMAPC.pdf

Please copy the attached and distribute to board members prior to the meeting.

Thank you.

Linda McAfee Harry  
7517 E. 63rd Pl.  
Tulsa, Ok 74133

Dwayne Wilkerson, TMAPC

May 6, 2019

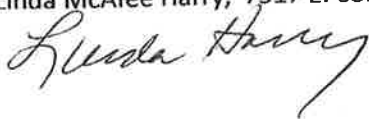
Lori Dector Wright, City Councilor, District 7

Re: Case Number: Z-7475/PUD-187-A

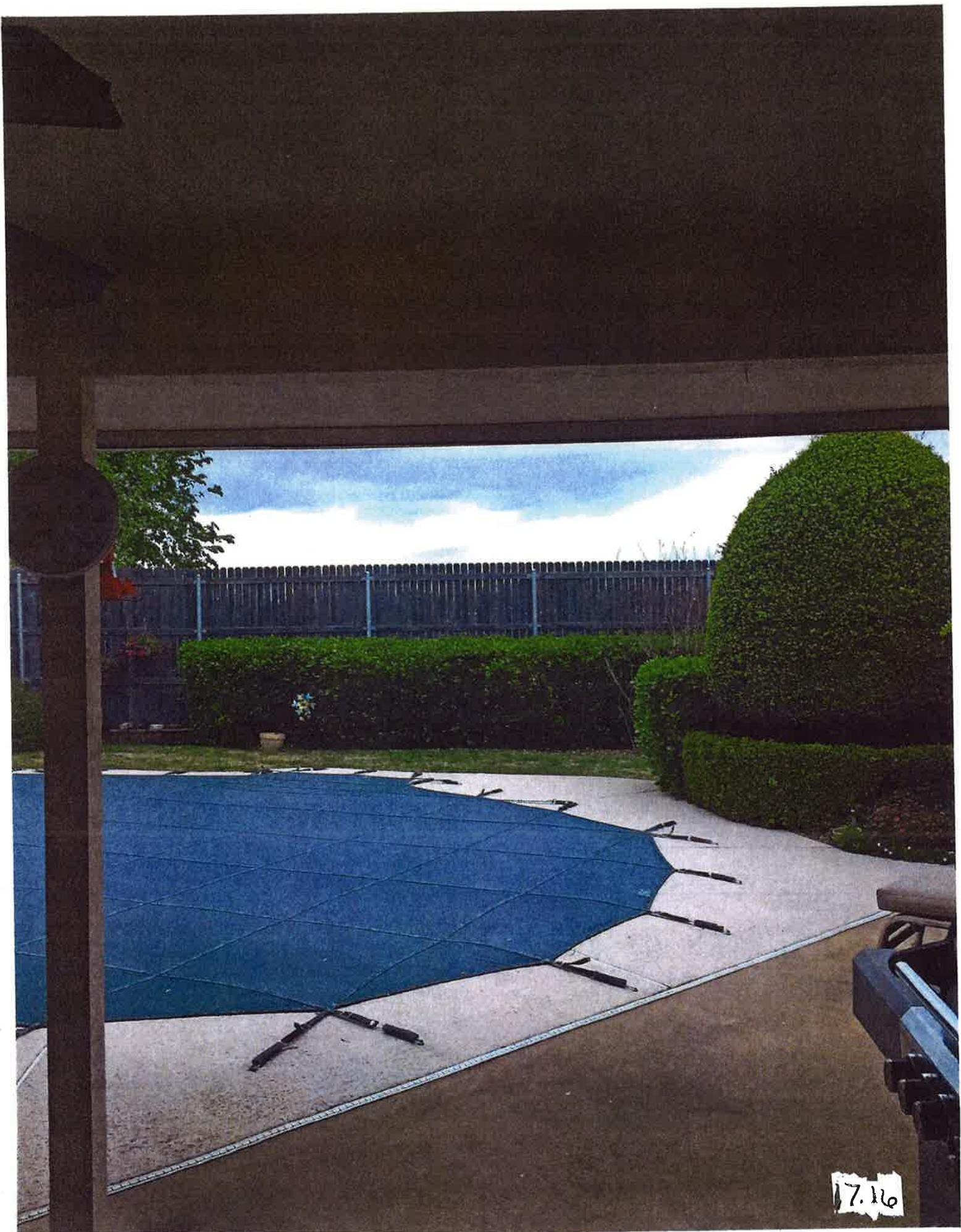
This letter is to strongly oppose the proposed rezoning from RS-3 to OL after meeting with the developer April 16th and being told they are proposing to build two 2- story office buildings only 20 feet from our property lines in the back. Of the 5 homes abutting the subject lot, my home is in the middle at 7517 E 63rd Pl. We built our home in 1983 and knew the lot to the north , abutting our lot, was zoned R-3 and reserved for future tennis court expansion. That did not bother us, but in fact was a reason we bought this lot because we knew we would always have a view of the sky. Now 37 years later, we are faced with this possibly being changed for commercial use with no buffer. We fought to keep the storage buildings to minimal height so those neighbors across the street of S. 75th E Ave. would not be looking at such unattractive tall structures. Now I'm asking for all parties to consider the 5 homes that will abut the land and look at nothing but a tall 2 story masonry (I assume) wall. It is not the same as a 1 1/2 or 2 story residence built behind your home, which would most likely be close to 40 feet from the rear property line. Who would want to sit outside, even with a pool and nice landscaping and look up to see nothing but a 2 story structure 20 feet away that is long and like a wall. Planting trees along fence line will not block the view. His proposal of a masonry wall with 20 ft green area is for their use, not the homeowners. We currently have fences - mine is 8 ft just replaced a year ago. We built our home with lots of glass at back so we can see pool and yard and SKY from inside living room, eating area and kitchen. (See pictures of my backyard) A commerical building as proposed WILL impact the values of our 5 homes, as well as the use and enjoyment of our backyards. My husband and I were in the mortgage business 50 years and I do know the negative impact it will have. We fought for no ingress or egress from S. 75th E. Ave. for the Quicktrip and for the storage buildings. Now if you change the zoning from R-3, we will have commercial traffic down S. 75th E. Ave., for potentially 120 vehicles. Most of these will cut through the neighborhood down S. 75th E. Ave. and E. 63rd Pl. to get to Memorial, 71st Street and Sheridan instead of going to 61st. This will also make it more dangerous for those that walk the neighborhood as well as the children that go to the park. I never dreamed they would propose 2-story buildings just 20 feet from our property line, much less end up having so much traffic through the residential neighborhood. Again, this will definitely be detrimental to our home values in the immediate vicinity, as well as the desirable quiet neighborhood we all enjoy.

I respectfully request the zoning change be denied.

Linda McAfee Harry, 7517 E. 63rd Pl., Tulsa, Ok 74133







17.16





7.17



812







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-187-A

Related to Z-7475

**Hearing Date:** 5/15/2019

(Continued from 3/20/2019 and 4/17/2019)

**Case Report Prepared by:**

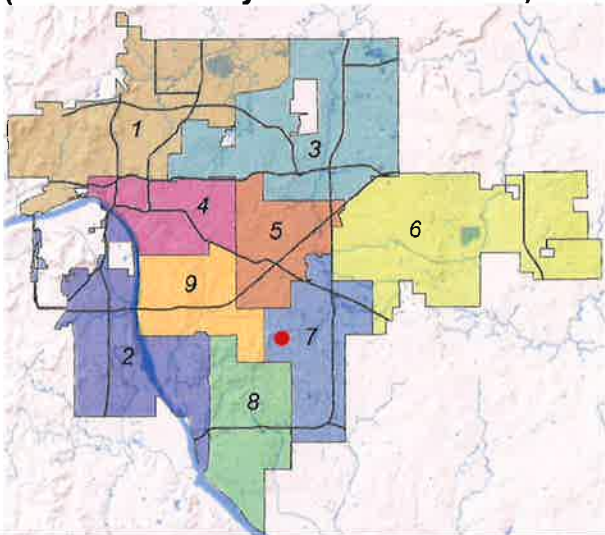
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Sheena Grewal

*Property Owner:* THEIMER, JACK WEST

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



**Applicant Proposal:**

*Present Use:* Vacant however PUD 187 only allowed tennis club expansion on this lot.

*Proposed Use:* Office Building

*Concept summary:* Applicant has requested a rezoning and major amendment to PUD 187 allow office use.

*Tract Size:* 1.58 ± acres

*Location:* North & East of the Northeast corner of South 75th East Avenue & East 63<sup>rd</sup> Place South

**Zoning:**

*Existing Zoning:* RS-3, PUD-187/

*Proposed Zoning:* OL with the accompanying PUD 187-A major amendment.

**Comprehensive Plan:**

*Land Use Map:* Town Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval of PUD 187-A to allow light office uses as outlined in the development standards identified in Section II below.**

**Staff Data:**

TRS: 8302

CZM: 53

**City Council District:** 7

*Councilor Name:* Lori Decter Wright

**County Commission District:** 3

*Commissioner Name:* Ron Peters

8.1

## **SECTION I: PUD-187-A**

### **APPLICANTS DEVELOPMENT CONCEPT:**

The subject property is part of a planned unit development located near 61st and Sheridan. Lot 1, Block 5 of the Shadow Mountain subdivision has been reserved solely for tennis courts as the larger lot north of this site had previously been occupied by the Shadow Mountain Racquet Club. Lot 1, Block 5 had also been historically used for excess parking for events at Shadow Mountain Racquet Club. In 2016, the north sections of the Shadow Mountain Racquet Club were rezoned CG with an optional development plan and developed into a QuikTrip and self-storage facility.

The property is currently zoned RS-3 and is subject to Planned Unit Development No. 187. This section of the PUD has undergone quite a bit of change with the commercial uses on the northern parts of the previous lot. We would like to apply for a rezoning to Office Light with a major amendment to the PUD. The Office Light designation will appeal to professional, predominantly day time users that seek a smaller and more personal alternative to the larger office buildings in the area. A park-like space to the west of the lot will incorporate landscape elements that create an aesthetically pleasing continuity with the landscaped border to the west of the masonry wall on the self-storage lot. This will effectively provide a buffer in the intensity of use between the self-storage and residential on either side of Lot 1, Block 5 to replace the current vacant lot. The development standards of OL shall supersede and replace prior development standards. The development standards have been formulated in respect for the neighboring residences.

### **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 included

## **SECTION II: PUD 187-A**

PUD 187-A shall conform with the provisions of OL zoning districts outline in the Tulsa Zoning Code OL along with all supplemental regulations in the Tulsa zoning code except where further refined below.

### **PERMITTED USE CATEGORIES:**

#### **COMMERCIAL**

- i. Office
  - a. Business or professional office
  - b. Medical, dental or health practitioner office
- i.

### **BUILDING REQUIRMENTS:**

- i. Maximum Building Height (35 feet)
- ii. Primary Building entrances shall face north. Only emergency exits shall be allowed on the south wall of any building.
- iii. Second floor windows facing south shall be at least 6 feet above the second-floor elevation.

## LANDSCAPE, SCREENING, LIGHTING and SIGNAGE REQUIREMENTS:

- i. Landscaping:
  - a. Applicant shall provide a tree survey indicating location, size and species of tree on the site. Any tree removed from the site must be replaced with 2 trees. Replacement trees shall be a minimum caliper of 3" and a minimum height of 12 feet. Those trees shall be placed between any building and the south boundary of PUD 187-A.
  - b. The west or south edge of any parking area within 100 feet of South 75<sup>th</sup> East Avenue shall be screening meeting the S1 or F1 standards defined in the Tulsa Zoning Code.
  - c. On the lot within 30 feet from the east right of way line of South 75<sup>th</sup> East Avenue street trees shall be installed with a maximum spacing of 30 feet.
- ii. Signage:
  - a. No wall mounted signage shall be placed on any north, south or west facing wall.
  - b. Temporary real estate signs are prohibited
  - c. One monument sign with a maximum height of 8 feet and display surface area not exceeding 64 square feet will be allowed. That monument sign may not be further than 50 feet from the north boundary of PUD 187-A
  - d. Pole signs are prohibited
- iii. Lighting:
  - a. All building wall lighting directed downward and shielded per Section 65.090 of the Zoning Code with a maximum mounting height not exceeding 12 feet.
  - b. Free-standing pole-mounted lighting taller than 16 feet tall is prohibited and limited to parking lot areas.
  - c. Light fixtures to be added at intervals along wall on western side of Development Area B to light Development Area C.
- iv. Waste Management:
  - a. Trash enclosure shall be placed at least 75 feet from the south boundary of PUD 187-A and the enclosure must be masonry complementary with the building materials and a height that exceeds the height of any dumpster.
- v. Vehicular Circulation:
  - a. Vehicular access is prohibited except from the S. 76<sup>th</sup> East Avenue.
  - b. No more than one emergency access as may be required by the fire department will be allowed from S. 75<sup>th</sup> East Avenue. If that access is required, the entrance must be gated and constructed of a material complimentary to the masonry wall and is not see through.
- vi. Mechanical Equipment Screening
  - a. Rooftop or ground mounted mechanical equipment shall be placed a minimum of 75 feet from residentially zoned lots.

## **DETAILED STAFF RECOMMENDATION:**

Staff recommends approval of PUD 187-A as outlined in Section II above.

8.3



PUD 187-A is consistent with the land use vision of the Tulsa Comprehensive Plan and,

PUD 187-A is in harmony with the existing and expected development of the surrounding areas and,

The PUD provides a unified treatment of the development possibilities of the project site,

The PUD is consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning Code therefore,

Staff recommends approval of PUD 187-A but cannot be approved without the concurrent approval of OL zoning in case Z-7475.

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

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

*Staff Summary: The office uses proposed at this location are consistent with those uses that can be normally found in a Town Center. The Planned Unit Development provides appropriate site design standards that help integrate this project into the edges of a residential neighborhood.*

#### **Land Use Vision:**

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

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

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

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

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

Transportation Vision:

Major Street and Highway Plan: None that affect this site.

Trail System Master Plan Considerations: None that affect this site.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant however PUD 187 reserved this site for an expansion of a Tennis and Racketball club for decades. The existing building and courts that were referenced in the original PUD 187 have been removed for a Convenience Store and Mini Storage.

Environmental Considerations: None that affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 75 <sup>th</sup> East Avenue	Residential Collector	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	CG with optional development plan	Town Center	Growth	Self-Storage
East	PUD 202	Town Center	Growth	Office
South	PUD 187 / RS-3	Existing Neighborhood	Stability	Detached house
West	PUD 187 / RS-3	Existing Neighborhood	Stability	

**SECTION IV: Relevant Zoning History**

**History: Z-7475**

**ZONING ORDINANCE:** Ordinance number 13693 dated August 27, 1976 established zoning for the subject property.

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

**PUD-187 August 1976:** All concurred in approval of a proposed Planned Unit Development on a 166± acre tract of land for a multi Development Area project that consists of residential use, with a mix of single-family, duplex and multifamily on property located between Sheridan Rd. and Memorial Dr. and between 61<sup>st</sup> St. and 71<sup>st</sup> St. and abutting the subject property to the west. (Ordinance 13693 August 27, 1976)

**Z-4109 February 1972:** All concurred in **approval** of a request for rezoning a tract of land from AG to CS, OM and RS-3, on property located at the Southwest corner of East 61<sup>st</sup> Street South and South Memorial Drive, including the subject property. (Ordinance 12459 May 2, 1972).

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

**Z-7407 September 2017:** All concurred in **approval** of a request for *rezoning* a 7.77± acre tract of land from RS-3 to CG with optional development plan per staff recommendation on property located South of the Southeast corner of south 75<sup>th</sup> Avenue & East 61<sup>st</sup> Street.

**Z-7335 June 2016:** All concurred in **approval** of a request for rezoning a 2± acre tract of land from RS-3 to CS with an optional development plan, for a convenience store and fueling station, QuikTrip, on property located southwest corner of E. 61<sup>st</sup> St. S. and S. 76<sup>th</sup> E. Ave.

**BOA-17834 September 1997:** The Board of Adjustment **approves** a *special exception* to permit a sign in an R district, on property located at south of East 61<sup>st</sup> Street, between South 75<sup>th</sup> East Avenue and South 76<sup>th</sup> East Avenue, and is also a part of the subject property.

**BOA-17768 July 1997:** The Board of Adjustment **approved** a *Special Exception* to amend a previously approved site plan to permit a removable bubble type cover over three tennis courts and the addition of a driveway access to 76<sup>th</sup> E. Avenue, on property located South of the Southeast corner of South 76<sup>th</sup> East Avenue & East 61<sup>st</sup> Street South.

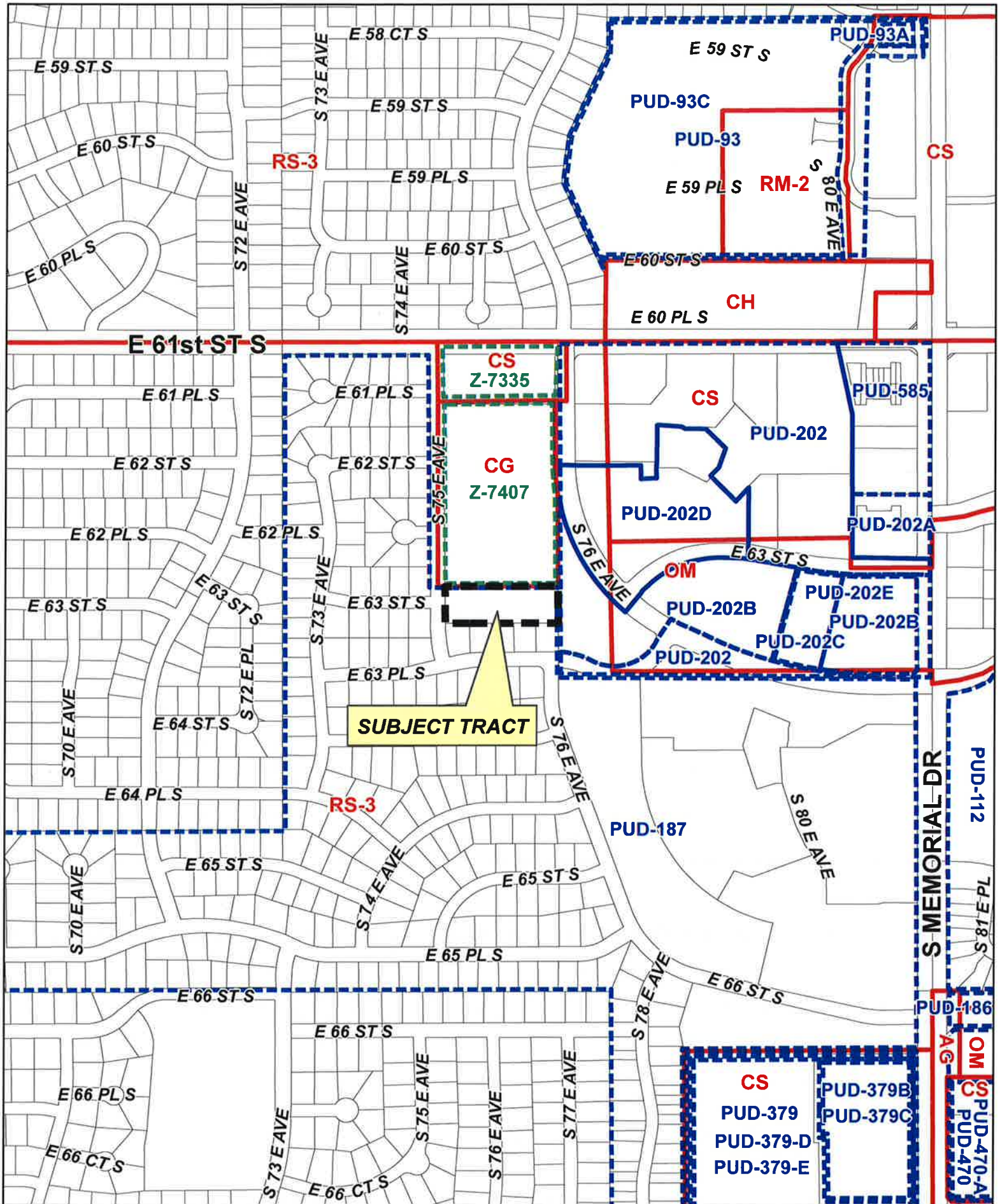
**BOA-17626 January 1997:** The Board of Adjustment voted to **uphold** the *Appeal* and **deny** the decision of the Administrative Official in issuing an occupancy permit to the Drug Enforcement Administration, on property located West and North of the Northwest corner of South memorial Drive & South 76<sup>th</sup> East Avenue.

**PUD-202 December 1977:** All concurred in **approval** of a proposed Planned Unit Development on a 46± acre tract of land for commercial use, office use and church use, on property located west of the southwest corner of East 61<sup>st</sup> Street and South Memorial Drive and abutting the subject property to the east.

**BOA-8566 May 1975:** The Board of Adjustment **approved** a *Special Exception* to permit a tennis club as presented and subject to the development standards submitted by the applicant, 16 parking spaces being provided for the clubhouse in addition to 4 being provided for each tennis court, for the courts that are to be lighted the light standards can be no higher than 30' and the light directed away from neighboring residential areas, and subject to the site plan and the architectural rendering presented, in an RS-3 district, on property located at south of East 61<sup>st</sup> Street, between South 75<sup>th</sup> East Avenue and South 76<sup>th</sup> East Avenue, and is also a part of the subject property.

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**PUD-187-A**

18-13 02







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0 250 500



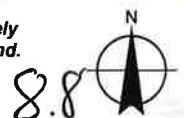
**Subject  
Tract**

**PUD-187-A**

18-13 02

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

**Aerial Photo Date: February 2018**







E62 PLS

S75 EAVE

S76 EAVE

E63 STS

E63 PLS

S76 EAVE



Subject  
Tract

**PUD-187-A**

18-13 02

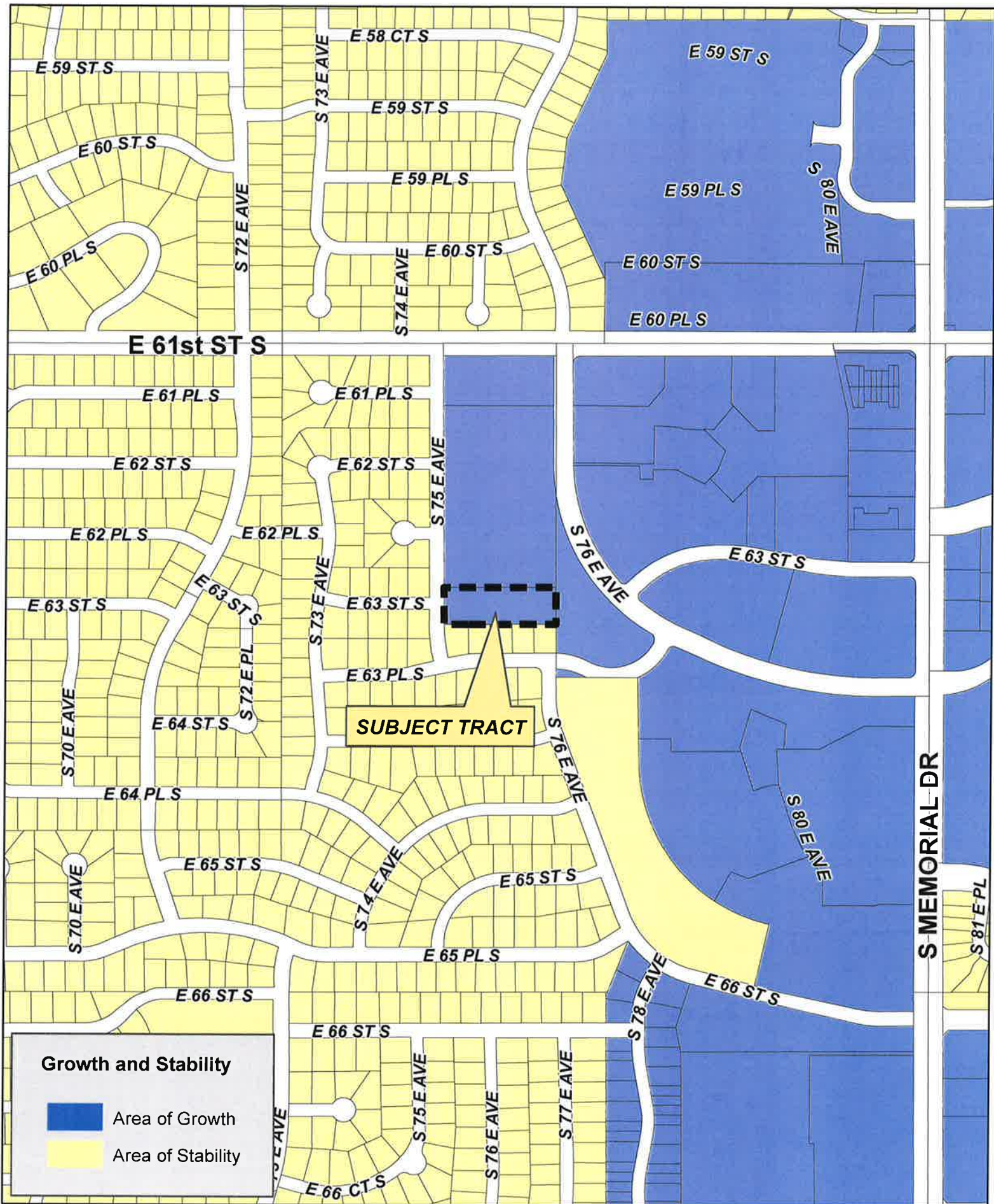
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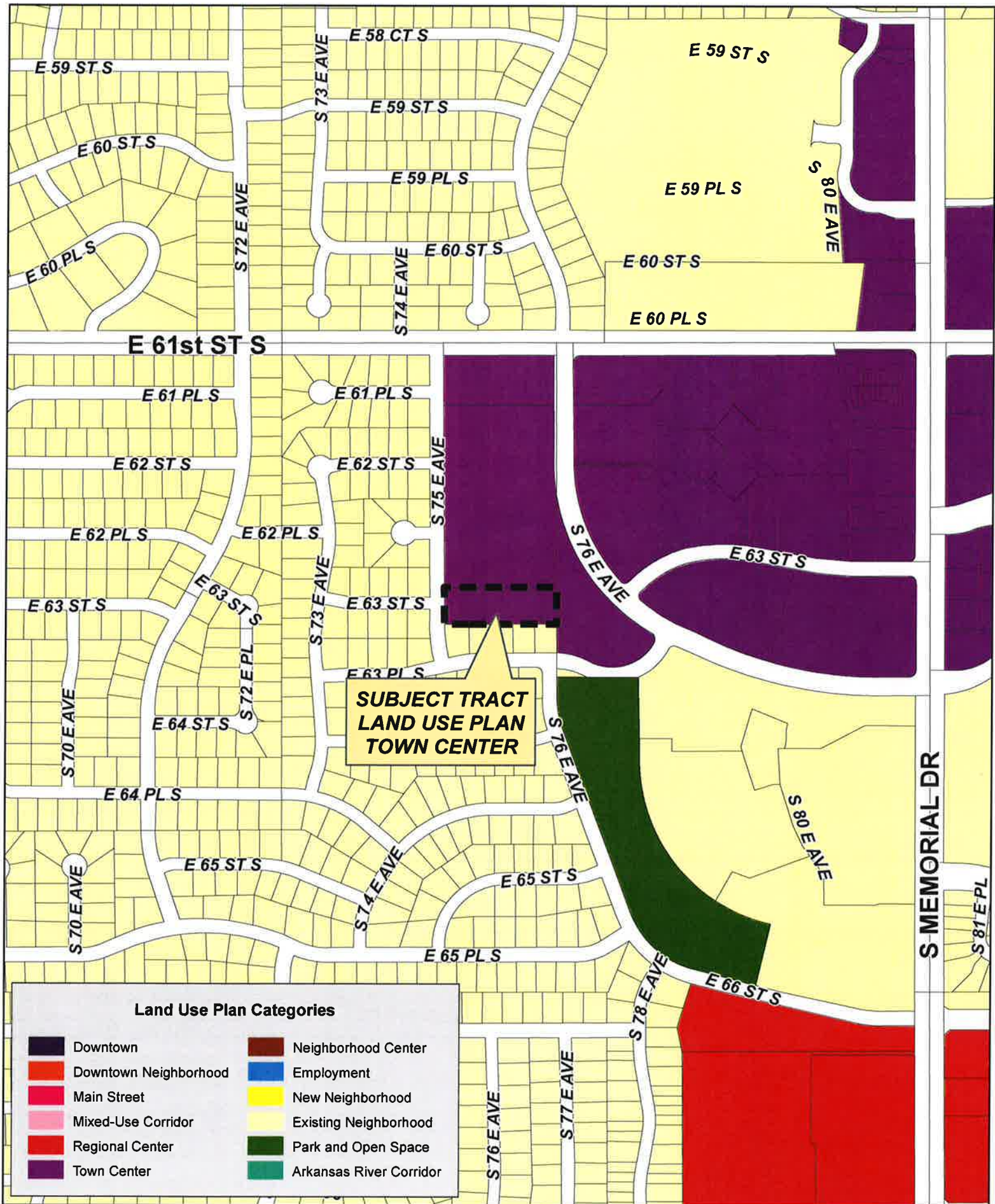
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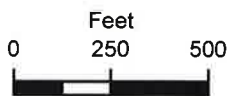






**PUD-187-A**

18-13 02



**Sawyer, Kim**

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**From:** Wilkerson, Dwayne  
**Sent:** Monday, April 29, 2019 3:30 PM  
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**Subject:** RE: Case Number Z-7475 /PUD-187-A

Good afternoon Mr. Duncan,

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The Tulsa Comprehensive Plan land use designation for this property has been considered part of a Town Center. That designation supports the idea of a light office use at this location. South 75<sup>th</sup> East Avenue is constructed as a collector street with wider pavement and right of way which anticipated this type of use. The major amendment to the PUD will include light pollution control, second story building window placement limitations, limitations on placement of any mechanical equipment and other design details including a large green space for the property facing 75<sup>th</sup> that help integrate this type of use into the edge of the neighborhood.

Please let me know if any uses could be supported by the property owners association for this parcel.

I am happy to meet with you in our office any time before the meeting scheduled for May 15<sup>th</sup>.

Respectfully,

**Dwayne Wilkerson, ASLA, RLA**  
Principal Planner | Current Planning  
**Tulsa Planning Office**  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9475  
dwilkerson@incog.org



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**Cc:** bod@shadowmountaintulsa.com; dist7@tulsacouncil.org  
**Subject:** Case Number Z-7475 /PUD-187-A

**SHADOW MOUNTAIN HOMEOWNERS ASSOCIATION, INC.**



Date: April 28, 2019

**RE: Notice of Hearing Before The Tulsa Metropolitan Planning Commission (TMAPC), Case Number: Z-7475/PUD-187-A, Proposed Amendment to the zoning map,**

**TO: Tulsa Metropolitan Area Planning Commission and Dwayne Wilkerson, INCOG**

**Cc: Lori Dector Wright, Councilor District 7, City of Tulsa; Land Regulation Specialist, INCOG**

**FR: Shadow Mountain Homeowners Association, Inc. (SMHA), Board of Directors**

Dear Mr. Wilkerson,

The SMHA Board of Directors, representing over 400 homes located in the subdivisions of Shadow Mountain, Shadow Mountain I and Shadow Mountain II, firmly object to the proposed amendment. After several meetings on the proposed re-zoning, soliciting comments from our members and inviting the Applicant to attend our April 16, 2019 monthly Board Meeting, it is our opinion, that this request is not in the best interest of our neighborhood or the City of Tulsa for the following reasons;

1. Applicant's proposed site plan indicates that the one and only access to the future commercial office complex will be located on S. 75<sup>th</sup> E. Ave. SMHA respectfully reminds TMAPC that commercial access along this residential thoroughfare was previously denied to QuikTrip and the mini storage developer. By collectively working with TMAPC Staff, Councilor Anna America and developers, it was agreed upon that the increased commercial traffic on S. 75<sup>th</sup> E. Ave., would have a negative impact on all three Shadow Mountain subdivisions now and forever more.
2. The Applicant proposes the construction of two, 2-story office buildings totaling approximately 13,000 sf. SMHA objects to this use on the basis that (a) the proposed 20 foot buffer zone between commercial and residential use will not be adequate to maintain quiet enjoyment by the residents along E. 63<sup>rd</sup> Place, (b) the proposed 2-story building(s), will completely block the view from the backyard of the adjacent homes on E. 63<sup>rd</sup> Place, (c) the 2<sup>nd</sup> floor occupants of the proposed office building(s) will have full visual access to the backyards and windows of the adjacent homes, (d) the current building(s) design requires that certain mechanical/HVAC equipment will be mounted on the roof adding to overall building height which only exacerbates the problem.
3. SMHA has deep concerns about the continued assault on privacy and public security in our neighborhood. If allowed, this proposed development, which is a higher density use, will encourage more traffic and opportunities for criminal activities. SMHA asks TMAPC to uphold the original PUD which was designed to minimize those exact concerns.
4. SMHA objects to any design that will contribute to overflow lighting and noise in our neighborhood. Homeowners already suffer from a great deal of excess commercial lighting and noise created by QuikTrip.
5. SMHA objects to any use that will allow and/or encourage curbside parking along S. 75<sup>th</sup> E. Ave.
6. SMHA questions the market demand for any additional suburban office space in the immediate 61<sup>st</sup> & Memorial area. Currently, the Memorial submarket has an inventory of 13 buildings totaling 980,030 sf. The average vacancy rate is 26.87%. SMHA believes that empty offices located next to desirable residential areas will have an adverse effect on future property values and quality of life. In short, there does not appear to be much of a demand for more office space. In the SMHA April 16th Board Meeting, the Developer stated that he planned to sell the property as soon as possible. This leaves little doubt that our neighborhood will be lucky to end up with a compatible corporate neighbor in the future.

SMHA believes that the current zoning provides assurances that we will have a strong, secure, stable neighborhood in the future. This is key to the long-term prosperity of all Shadow Mountain homeowners. SMHA asks that TMAPC deny this re-zoning request.

Paul Brown, President – [paul@shadowmountaintulsa.com](mailto:paul@shadowmountaintulsa.com)

Tom Duncan, Vice President – [tom@shadowmountaintulsa.com](mailto:tom@shadowmountaintulsa.com)

Shadow Mountain Homeowners Association, Inc.

Sawyer, Kim

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FILED

**From:** Linda Harry <linda\_mcafee@cox.net>  
**Sent:** Monday, May 6, 2019 12:41 PM  
**To:** Huntsinger, Barbara  
**Cc:** Sparger, Janet  
**Subject:** May 15, 2019 hearing on Z-7475/PUD-187-A  
**Attachments:** Ltr and pics for TMAPC.pdf

Please copy the attached and distribute to board members prior to the meeting.

Thank you.

Linda McAfee Harry  
7517 E. 63rd Pl.  
Tulsa, Ok 74133



Dwayne Wilkerson, TMAPC

May 6, 2019

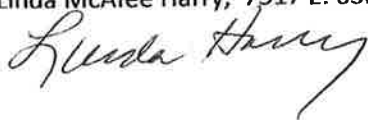
Lori Dector Wright, City Councilor, District 7

Re: Case Number: Z-7475/PUD-187-A

This letter is to strongly oppose the proposed rezoning from RS-3 to OL after meeting with the developer April 16th and being told they are proposing to build two 2- story office buildings only 20 feet from our property lines in the back. Of the 5 homes abutting the subject lot, my home is in the middle at 7517 E 63rd Pl. We built our home in 1983 and knew the lot to the north, abutting our lot, was zoned R-3 and reserved for future tennis court expansion. That did not bother us, but in fact was a reason we bought this lot because we knew we would always have a view of the sky. Now 37 years later, we are faced with this possibly being changed for commercial use with no buffer. We fought to keep the storage buildings to minimal height so those neighbors across the street of S. 75th E Ave. would not be looking at such unattractive tall structures. Now I'm asking for all parties to consider the 5 homes that will abut the land and look at nothing but a tall 2 story masonry (I assume) wall. It is not the same as a 1 1/2 or 2 story residence built behind your home, which would most likely be close to 40 feet from the rear property line. Who would want to sit outside, even with a pool and nice landscaping and look up to see nothing but a 2 story structure 20 feet away that is long and like a wall. Planting trees along fence line will not block the view. His proposal of a masonry wall with 20 ft green area is for their use, not the homeowners. We currently have fences - mine is 8 ft just replaced a year ago. We built our home with lots of glass at back so we can see pool and yard and SKY from inside living room, eating area and kitchen. (See pictures of my backyard) A commercial building as proposed WILL impact the values of our 5 homes, as well as the use and enjoyment of our backyards. My husband and I were in the mortgage business 50 years and I do know the negative impact it will have. We fought for no ingress or egress from S. 75th E. Ave. for the Quicktrip and for the storage buildings. Now if you change the zoning from R-3, we will have commercial traffic down S. 75th E. Ave., for potentially 120 vehicles. Most of these will cut through the neighborhood down S. 75th E. Ave. and E. 63rd Pl. to get to Memorial, 71st Street and Sheridan instead of going to 61st. This will also make it more dangerous for those that walk the neighborhood as well as the children that go to the park. I never dreamed they would propose 2- story buildings just 20 feet from our property line, much less end up having so much traffic through the residential neighborhood. Again, this will definitely be detrimental to our home values in the immediate vicinity, as well as the desirable quiet neighborhood we all enjoy.

I respectfully request the zoning change be denied.

Linda McAfee Harry, 7517 E. 63rd Pl., Tulsa, Ok 74133





8.17









8.19





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-823-A

**Hearing Date:** 5/15/2019

**Case Report Prepared by:**

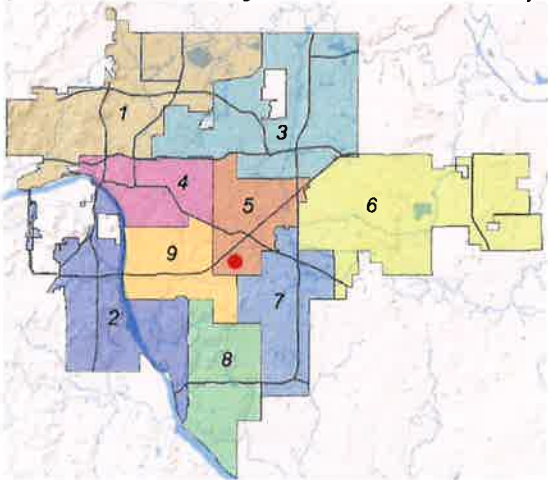
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* John Stava

*Property Owner:* HICKORY HOUSE PROPERTIES  
LLC

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Major amendment to the PUD to  
add a car wash as a permitted use.

*Concept summary:* Add Car Wash as a permitted  
use within the PUD.

*Tract Size:* 4.3 ± acres

*Location:* Northwest corner of East 46<sup>th</sup> Street  
South and South Sheridan Road

**Zoning:**

*Existing Zoning:* CS,PUD-823

*Proposed Zoning:* PUD-823-A

**Comprehensive Plan:**

*Land Use Map:* Employment

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9327  
CZM: 48

**City Council District:** 5

*Councilor Name:* Cass Fahler

**County Commission District:** 3

*Commissioner Name:* Ron Peters

9.1



## **SECTION I: PUD-823-A**

**DEVELOPMENT CONCEPT:** The applicant is proposing to add a car wash as a permitted use in the PUD. Currently, the PUD limits the uses to Use Units 1, 11, 12, 13, 14 and certain uses in 15.

At the time of the establishment of this PUD, a Car Wash use would have been considered a Special Exception use in the, underlying, CS zone. After the zoning code was updated, that use became considered a "by right " use. The purpose of this amendment is to add Car Wash as an allowable use within the PUD. If the PUD had been established after the adoption of the current zoning code, the addition of this use would have been a minor amendment. A major amendment to the PUD is required due to the fact that, at the time of the PUD's establishment, the use was a special exception. Special Exception uses require a major amendment to the PUD in order to be allowable.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Amendment Letter
  - Proposed Site Plan

### **DETAILED STAFF RECOMMENDATION:**

The applicants proposal is consistent with the Tulsa Comprehensive Plan, and;

The applicant's proposal is consistent with the provisions of the PUD chapter of the Tulsa Zoning Code, and;

The PUD development standards are consistent with the anticipated growth and future uses in this area, and;

The Car Wash use shall be limited to Lot 2, as shown on the attached Site Plan, and;

The Landscape and Signage standards shall conform to the requirements of the PUD and the current City of Tulsa Zoning Code, adopted in 2016, and;

The development standards identified in this PUD are non-injurious to the existing proximate neighborhood, therefore;

**Staff recommends Approval of PUD-823-A to rezone property to PUD-823-A to allow a Car Wash as an allowed use.**

### **PUD-823-A DEVELOPMENT STANDARDS:**

Allowable uses to remain as currently permitted, with the addition of a Car Wash, limited to Lot 2, as an allowable use within the PUD. Landscape and signage will comply with current PUD-823 development standards, as well as the current City of Tulsa Zoning Code, adopted in 2016.

## **SECTION II: Supporting Documentation**

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

8.2

Staff Summary: The site is located within an Employment Land Use designation area. The proposed use is compatible with the Land Use designation.

Land Use Vision:

*Land Use Plan map designation:* Employment

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

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

*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:* S Sheridan Rd is a Secondary Arterial

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently being developed as an office/retail development.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S Sheridan Rd	Secondary Arterial	100 Feet	4

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	CS	Employment	Growth	Retail
South	RS-3	Existing Neighborhood	Stability	Single-Family Residential
East	IL	Employment	Growth	Retail
West	RS-2	Existing Neighborhood	Stability	Single-Family Residential

### **SECTION III: Relevant Zoning History**

**History: PUD-823-A**

**ZONING ORDINANCE:** Ordinance number 11824 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

**Z-7285/PUD-823 November 2014:** All concurred in **approval** of a request for *rezoning* a 6.64± acre tract of land from OM to OM/ CS/ PUD-823 on subject property. (Ordinance 23227)

**BOA-15432 May 1990:** The Board of Adjustment **approved** a *special exception* to permit a nail salon as an accessory use and as a principal use, on subject property.

**Z-3989 January 1972:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-2/ RS-3/ OL to RD/ OM/ CS, on property including the subject property.



***Surrounding Property:***

**BOA-21005 January 2010:** The Board of Adjustment **approved** an *amendment* to a condition of a previously approved *special exception* to change the limitation of Trade School use from an "automotive technical school" to permit general Use Unit 15 "trade school" uses in a CS district, on property located North of the Northwest corner of South Sheridan Road and East 46<sup>th</sup> Street South.

**BOA-20795 October 2008:** The Board of Adjustment approved a variance of the minimum parking requirement for a commercial use with conditions, on property located North of the Northwest corner of South Sheridan Road and East 46<sup>th</sup> Street South.

**BOA-20793 October 2008:** The Board of Adjustment **approved** a *special exception* to permit a trade school in a CS district with conditions, on property located North of the Northwest corner of South Sheridan Road and East 46<sup>th</sup> Street South.

**BOA-15365 February 1990:** The Board of Adjustment **approved** a *variance* of the maximum of one ground sign per lot of record to permit one additional ground sign, or a total of four ground signs only; and to **approve** a *variance* to exceed the permitted square footage for signage per sign plan submitted, on property located North of the Northwest corner of South Sheridan Road and East 46<sup>th</sup> Street South.

**BOA-9709 October 1977:** The Board of Adjustment **approved** a *special exception* to use property for sale of new and used automobiles and related activities, subject to conditions, on property located North of the Northwest corner of South Sheridan Road and East 46<sup>th</sup> Street South.

**PUD-823-A**



19-13 27







**Subject  
Tract**

***PUD-823-A***

19-13 27

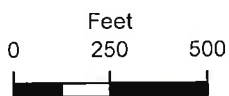
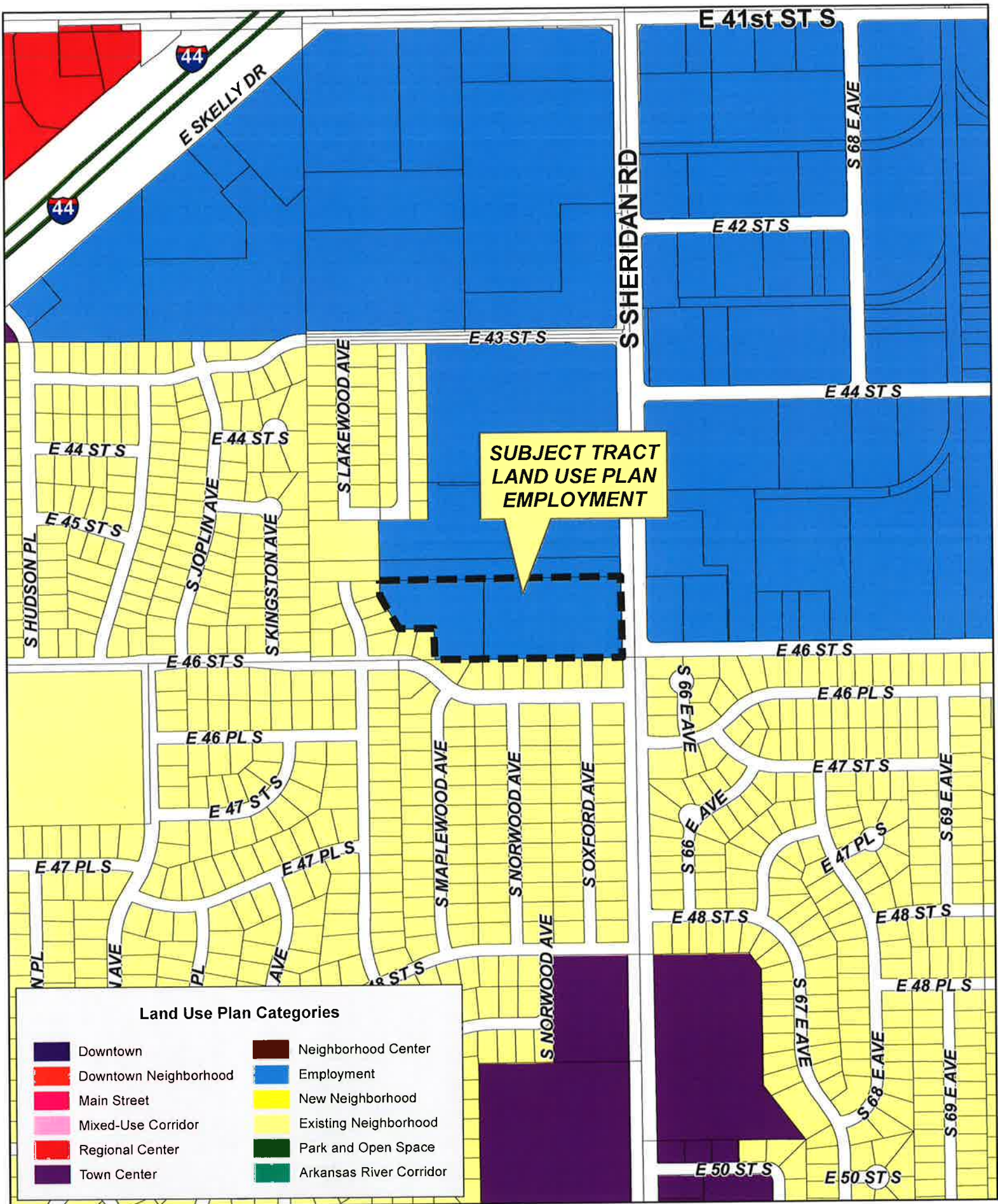
**Note: Graphic overlays may not precisely align with physical features on the ground.**

**Aerial Photo Date: February 2018**



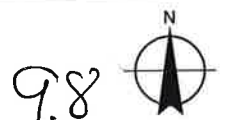
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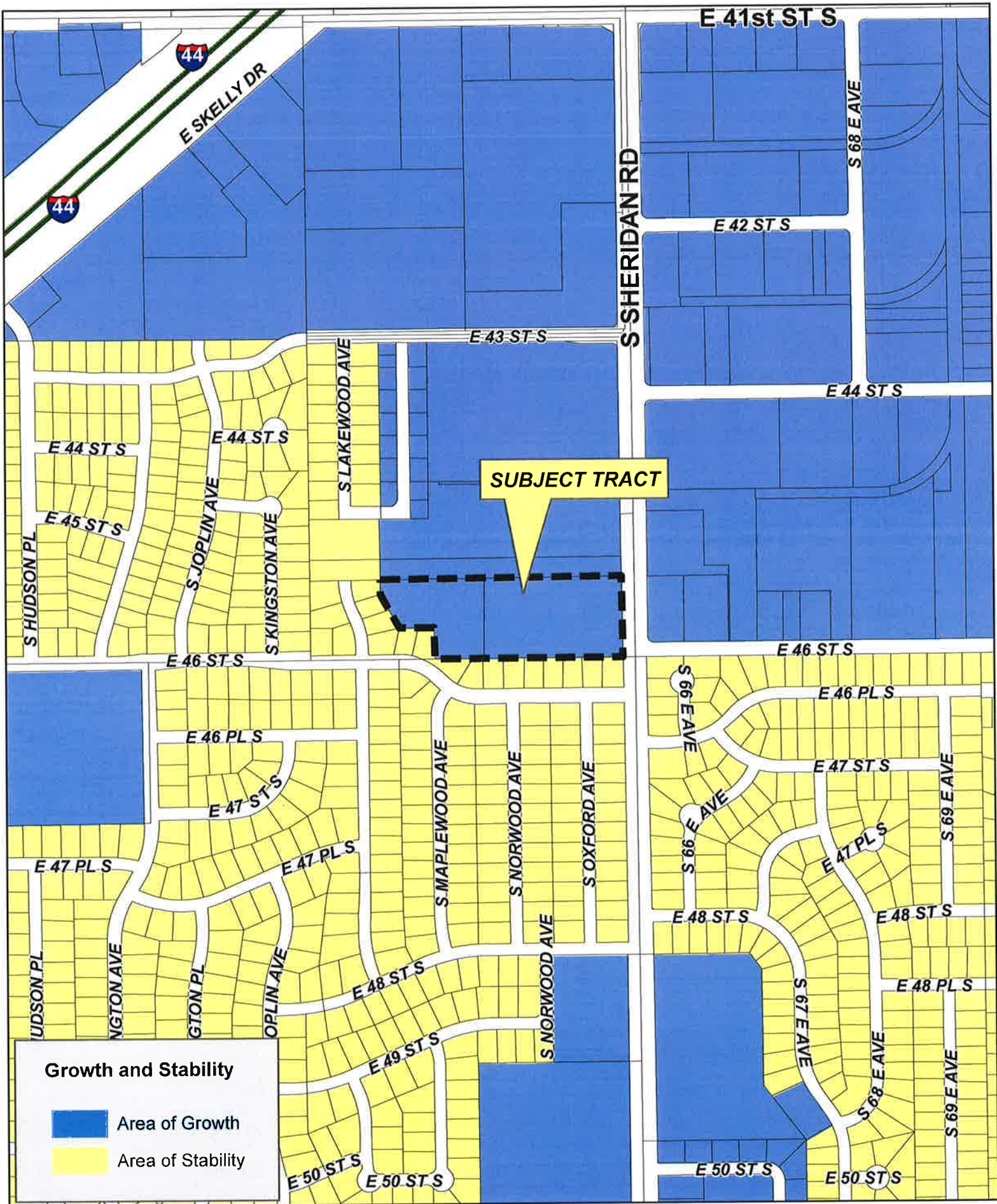


**PUD-823-A**

19-13 27







Contact Applicant:  
John Stava  
1525 W. 36<sup>th</sup> Place  
Tulsa, OK 74107  
918-710-2020  
918-260-7221

Application for a Minor Amendment to PUD 823.

Reference Lot 2

History:

PUD 823 Was approved by the City Planning Commission on 11/05/2014 and Approved by the City Commission on 12/11/2014. City Ordinance # 23227 passed 1/02/2015.

The purpose of the PUD is to "rezone approx. 6.64 acres in order to develop WillSam Business Park, which will include restaurants, retail, offices and small businesses. The PUD provides a unified treatment for development of the project. PUD 823 is consistent with the goals and vision of the Comprehensive Plan and is in harmony with the existing and expected development pattern of the surrounding area."

The PUD development plan calls for the frontage on Sheridan to be zoned CS for the following Use Units, 1, 11, 12, 13, 14, and 15 Other Trades and Services. Since the adoption of the new Zoning Code and the elimination of use units, the construction of an automatic carwash is considered under the proposed use of "personal vehicle repair and maintenance" and is allowed by right.

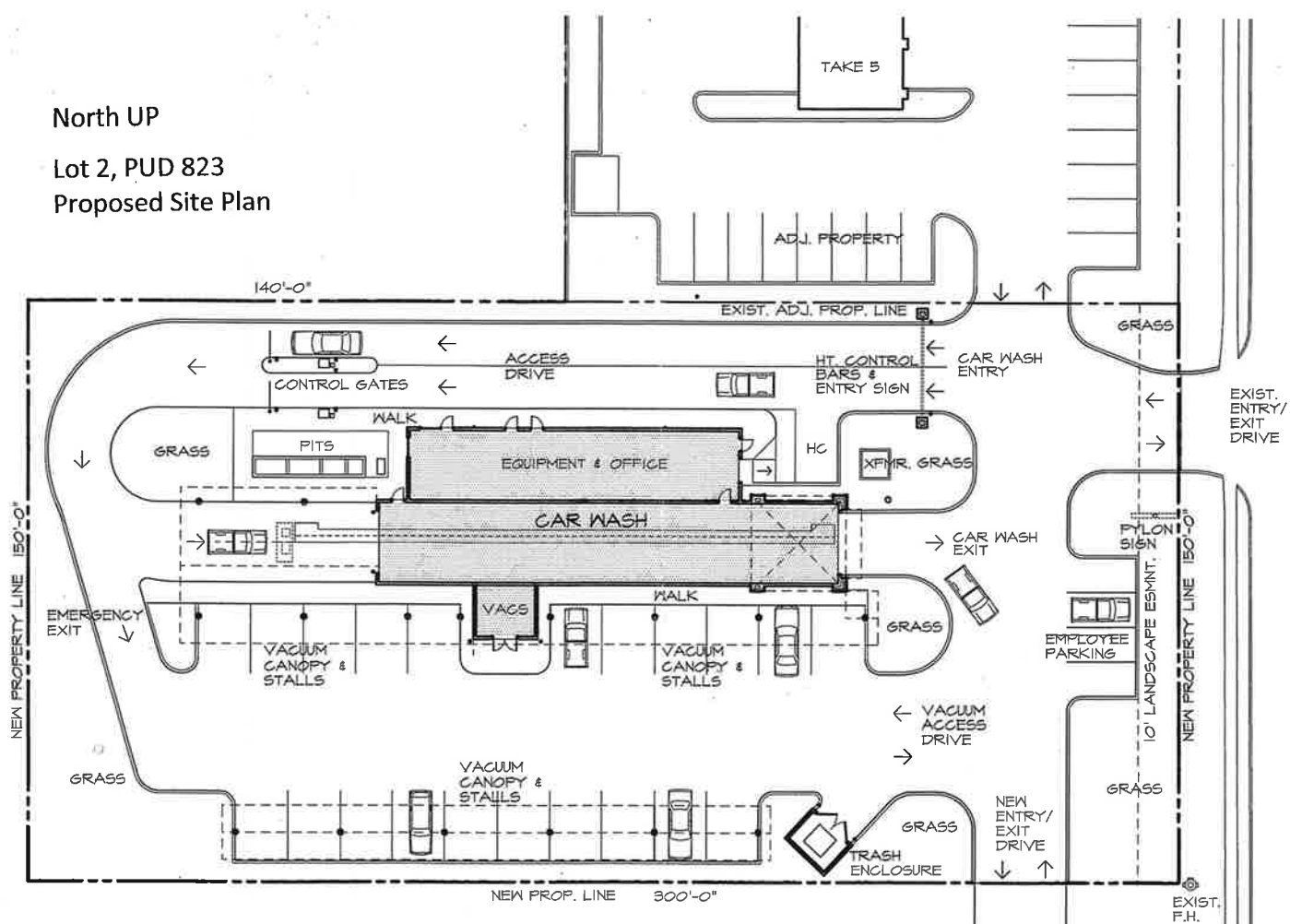
Summary:

The proposed use is consistent with the Comprehensive Plan, is consistent with the intent of the PUD, is also consistent with the automotive use of the adjacent property to the north and is consistent with the zoning code as allowed by right.

Therefore, we request that the PUD be amended to include the proposed use of a carwash in the North East one-acre site along the north boundary of the property, and immediately adjacent Take 5 Oil change facility immediately to its' north.



North UP  
 Lot 2, PUD 823  
 Proposed Site Plan



# CAR WASH AT 46TH & SHERIDAN SITE LAYOUT

1" = 30'

0 5 10 30 60



TULSA, OKLA.  
 918-492-2987  
 3-22-19

NEW MUTUAL  
 ACCESS  
 DRIVE TO  
 EXIST. SOUTH  
 ENTRY/EXIT  
 DRIVE

9.11





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** MPD-2

**Hearing Date:** May 15, 2019

(Continued from 2/20/2019, 3/6/2019, 3/20/2019,  
4/17/2019 and 5/1/2019.)

**Case Report Prepared by:**

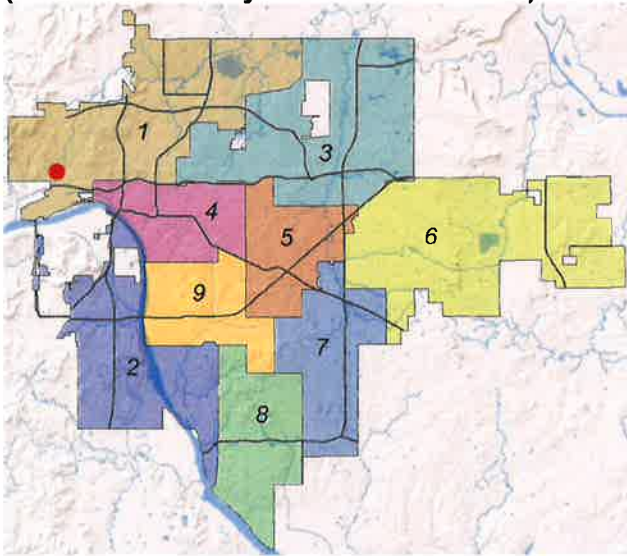
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Nathan Cross

*Property Owner:* Harlow Creek Investment, LLC

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



**Applicant Proposal:**

*Present Use:* vacant and agricultural

*Proposed Use:* Mixed Use (Residential with  
Neighborhood Commercial Town Center)

*Concept summary:* Master Planned Development  
for some private streets, mixed use and lot  
configurations that cannot be accomplished by the  
normal zoning code provisions.

*Tract Size:* 141.88 ± acres

*Location:* West and north of the northwest corner  
of West Edison Street & North 41<sup>st</sup> West Avenue

**Zoning:**

*Existing Zoning:* RS-3/AG

*Proposed Zoning:* MPD-2

**Comprehensive Plan:**

*Land Use Map:* New Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval of HARLOW a  
Master Planned Development as defined in  
Section II of the staff report.**

**Staff Data:**

TRS: 9204

CZM: 35

Atlas:

**City Council District:** 1

*Councilor Name:* Vanessa Hall Harper

**Osage County Commission District:** 3

*Commissioner Name:* Darren McKinney

10.1



## **SECTION I: MPD-2 (HARLOW)**

### **DEVELOPMENT CONCEPT:**

The Harlow Neighborhood was designated to promote the health, safety and general welfare of Tulsa and its citizens, including protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of a pedestrian environment, education and recreation, reduction in sprawl development and improvement of the built environment.

The property is a parcel of vacant land located in northwest Tulsa and in Osage County. The concept is to redevelop the entirety of the subject property into a new urbanist housing and mixed-use development. The concept draws inspiration from the Smart Code Version 9.2 as distributed by the nonprofit Center for Applied Transect Studies which promotes understanding of the built environment as part of the natural environment but has been modified to be in general alignment with the Tulsa Zoning Code in the following Section II.

The building placement, mixed use opportunities and residential building types proposed in this MPD cannot be accomplished by the normal Tulsa Zoning Code. The Master Planned development is consistent with the city's adopted plans and provides greater public benefits than could be achieved using conventional zoning regulations.

To facilitate the redevelopment of the property into a mixed use new-urbanist style concept, the applicant is requesting a rezoning from AG to MPD-2. Consequently, the applicant proposes to divide the property into six distinct development types (transect zones).

All development types are defined in Table 1 – Transect Zone Descriptions and the Site Development Plan are Included in Section II below and are the only Transect Zone Descriptions and

Only the text and exhibits illustrated in Section II of the staff recommendation below will be regulatory in MPD-2.

### **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
- Transect Zones Map
- Public and Private Street designation

### **DETAILED STAFF RECOMMENDATION:**

MPD-2 is consistent with the New Neighborhood Land Use designation in the Comprehensive Plan and is compatible with the existing and expected development of surrounding areas and,

MPD-2 provides a unified treatment of the development possibilities of the project site and,

Permitted uses and building types identified in MPD-2 are consistent with the uses that may be permitted in a Master Plan Development District as identified in the Tulsa Zoning Code and,

10.2

MPD-2 identifies development standards that are consistent with the mandatory development plan standards in the Tulsa Zoning Code and,

MPD-2 is consistent with the purpose and intent of Master Planned Development Districts as identified in the Tulsa Zoning Code therefore,

Staff recommends **Approval** of MPD-2 as defined in Section II below:

## **SECTION II**

### **MPD-2 DEVELOPMENT STANDARDS:**

MPD-2 shall allow only those specific functions and uses as defined below along with customary accessory uses and supplemental regulations of the Tulsa Zoning Code.

Specific Functions and Uses that cannot be reasonably interpreted in the Tulsa Zoning Code and have not been defined in the development plan must be approved as through the amendment process defined in the Tulsa Zoning Code for any Development Plan. That process must be completed prior to site plan approval.

Detailed site plans for all lots shall be reviewed and approved by the Architectural Review Board of the Harlow Property Owners Association prior to submittal to the Tulsa Planning Office or prior to submittal to the City of Tulsa Building Permit Office. The Tulsa Planning Office will review all site plans prior to release of any building permit.

Minor or major amendment to MPD-2 must be submitted to the Tulsa Planning Office staff by the Architectural Review Board of the Harlow Property owners Association.

The following use modifications may be considered minor amendments:

- 1) Limitation or elimination of previously approved specific functions and uses provided the character of the development is not substantially altered.
- 2) Interpretations of approved specific functions and uses not adequately defined in MPD-2.
- 3) Specific function and Use (not allowed by right) that may be approved by the architectural review board of the Harlow POA.

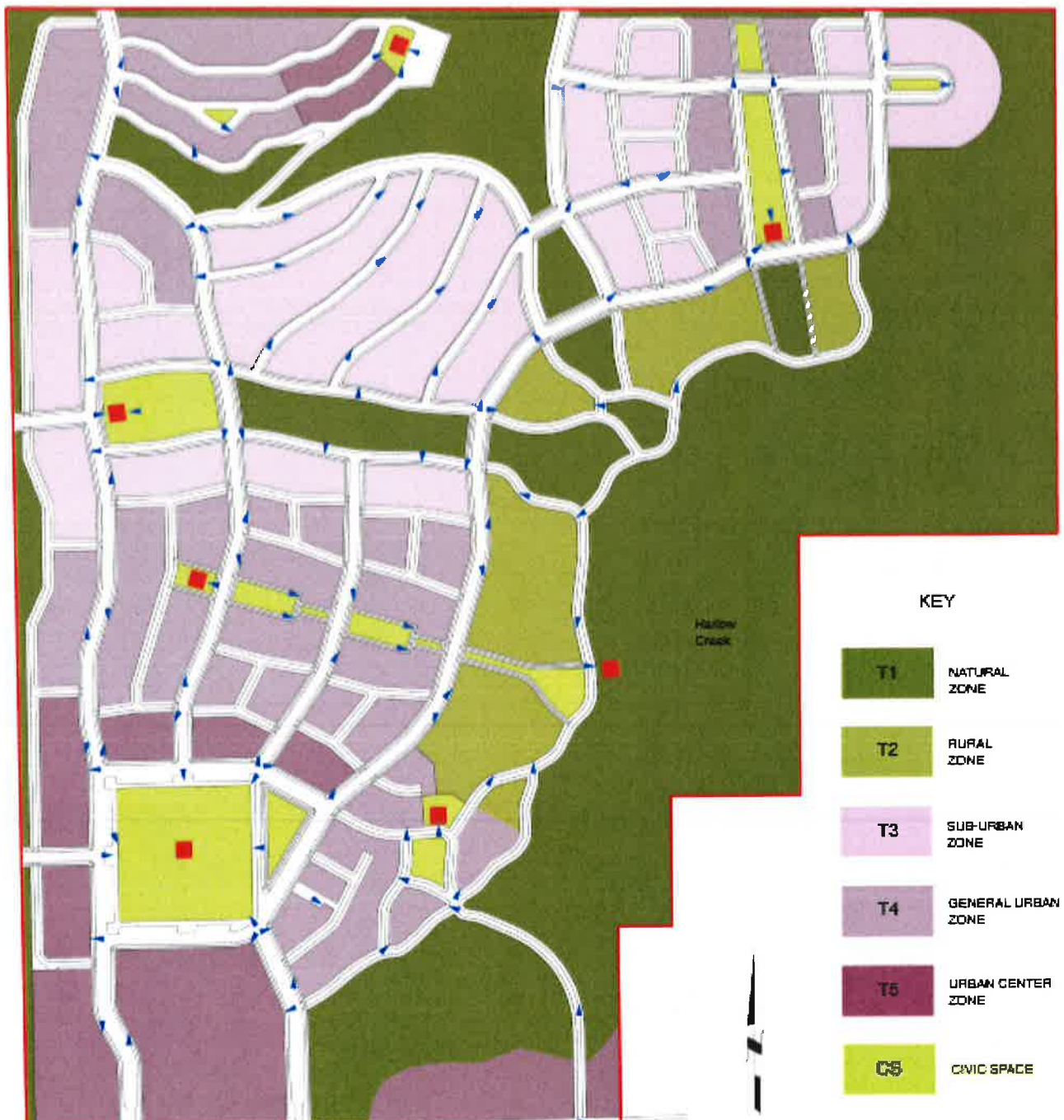
Any specific function or use that is prohibited in or not included in Table 12 shall be considered a major amendment.

## SECTION II CONTINUED TRANSECT ZONE MAP (SITE DEVELOPMENT PLAN)

Each Transect Zone will have its own development standards that are designed to differentiate current and future development options and allowances in those areas.

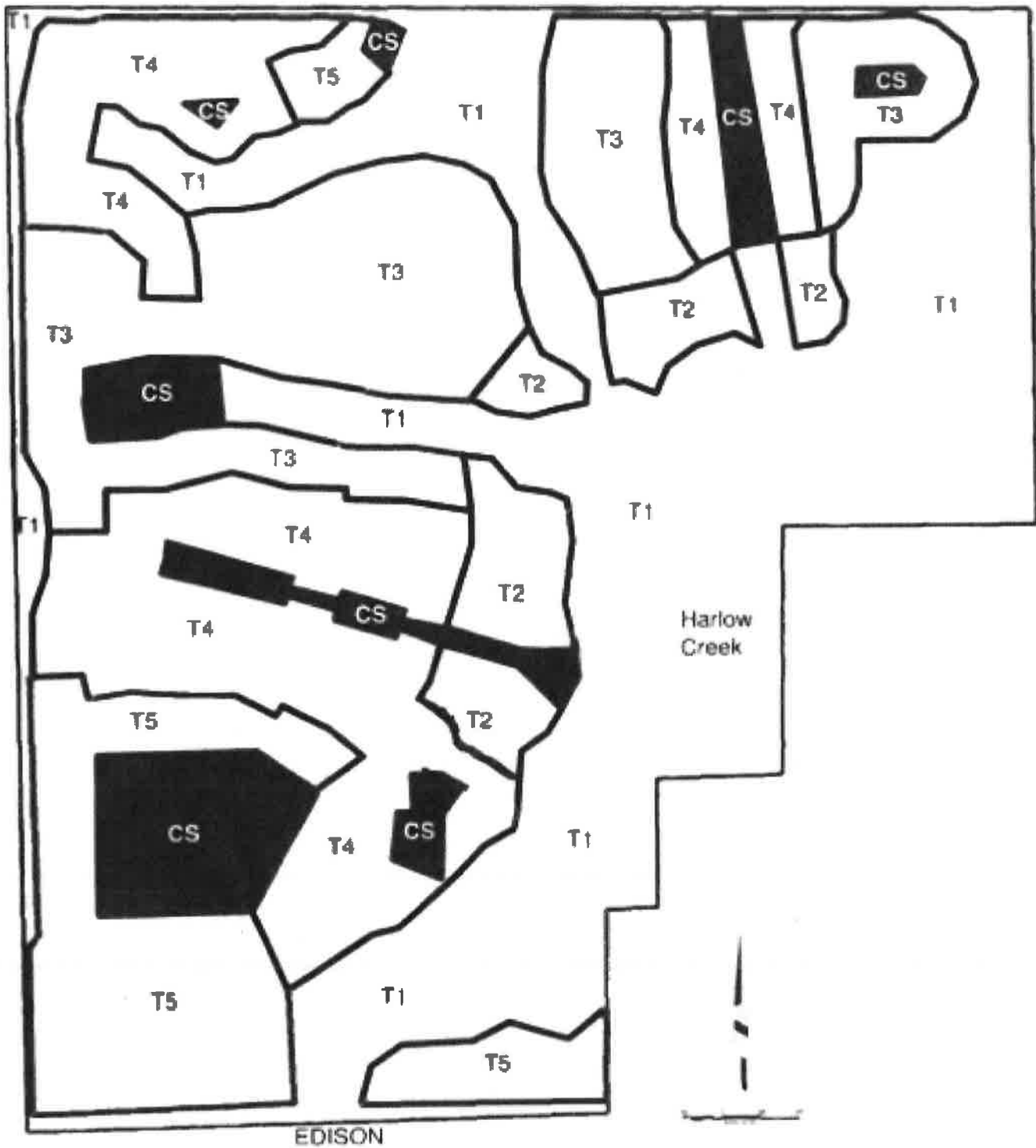
MPD-2 provides six separate transect zones (development areas) and defines the general street alignment and identifies the general location of the transect zone boundaries and illustrates the allowed uses and building types in the following transect zone chart.

Transect zones shall be defined on the face of the plat.





SECTION II CONTINUED  
TRANSECT ZONE MAP  
(same as above but labeled in black text for ordinance clarity)



**SECTION II CONTINUED**  
**USE REGULATIONS TABLE**

**USE REGULATIONS BY TRANSECT ZONE**<sup>1</sup>

In the event that a use set forth below conflicts with any City of Tulsa Ordinance outside of the City of Tulsa Zoning Code, said City of Tulsa Ordinance will govern over this MPD.

All supplemental regulations not specifically set forth herein including, but not limited to, regulations related to spacing of uses, shall be established and governed by private restrictive covenant.

MPD-2 shall allow all uses defined below, customary accessory uses, and supplemental regulations of the Tulsa Zoning as allowed and further defined below. All uses categories and subcategories or specific uses that are not part of the applicant's submittal are prohibited.

<b>AGRICULTURAL USE CATEGORY</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>	<b>CS</b>
Animal Husbandry and all specific uses	P	P	P	P	P	P
Community Garden	P	P	P	--	--	--
Farm, Market or Community Supported	--	P	P	P	P	P
Horticulture Nursery	P	P	P	--	--	--

<b>RESIDENTIAL USE CATEGORY</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>	<b>CS</b>
<b>Household Living</b>						
Single Household	--	P	P	P	P	P
Two households on a single lot	--	--	P	P	P	P
Three or more households on a single lot	--	--	--	P	P	P
<b>Group Living</b>						
Fraternity/sorority	--	--	--	--	P	P

<b>Public, Civic and Institutional Use Category</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>	<b>CS</b>
College or University	--	--	--	--	P	P
Day Care	--	P	P	P	P	P
Library or Cultural Exhibit	--	--	--	P	P	P
Government Service	--	--	--	P	P	P
Hospital	--	--	--	--	P	--
Parks and Recreation	P	P	P	P	P	P
Postal Services	--	--	--	P	P	P
Religious Assembly	--	P	P	P	P	P
Safety Service	--	--	P	P	P	P
School	--	--	P	P	P	P
Utilities and Public Service Facility – Major and Minor	P	P	P	P	P	P
Wireless Communication Facility and all specific uses	P	P	P	P	P	P

<sup>1</sup> For purposes of continuity and future reference, "Transect Zones" shall have the same meaning as "Development Areas"

**SECTION II CONTINUED**  
**USE REGULATIONS TABLE**

<b>Commercial Use Category</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>	<b>CS</b>
Animal Services and all specific uses	P	P	P	P	P	P
Assembly and Entertainment and all specific uses	--	P	P	P	P	P
Commercial Service and all specific uses	--	P	P	P	P	P
Funeral or Mortuary Service	--	--	--	--	P	--
Lodging and all specific uses	--	P	P	P	P	--
Office						
Business or Professional Office	--	P	P	P	P	P
Medical, dental or health practitioner office	--	--	--	P	P	--
Parking Non-Accessory						
Surface Parking, Non-accessory	--	--	--	P	P	P
Parking Garage	--	--	--	P	P	P
Vehicle Service	--	--	--	--	P	--
Fueling Station Only						
Restaurant and Bar with all specific uses	--	--	--	P	P	P
Retail Sales and all specific uses	--	P	P	P	P	P
Studio, Artist or Instructional Service	--	P	P	P	P	P
Trade School	--	--	--	--	P	P
Low-impact Manufacturing and Industry	--	--	--	P	P	P

<b>OTHER USE CATEGORY</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>	<b>CS</b>
Drive-in or Drive-through Facility	--	--	--	--	P	--
Off premise Outdoor Advertising Sign	--	--	--	--	P	P

P Allowed use

-- prohibited use

Note: any use that is not listed requires a major amendment to MPD-2



**SECTION II (Continued)**  
**RESIDENTIAL BUILDING TYPE TABLE**

RESIDENTIAL BUILDING TYPES	T1	T2	T3	T4	T5	CS
<b>Household Living</b>						
Single Household	--					
Detached House	--	P	P	P	P	P
Patio Home	--	P	P	P	P	P
Townhouse	--	P	P	P	P	P
Accessory Dwelling	--	P	P	P	P	P
<b>Two households on a single lot</b>						
Duplex	--	--	P	P	P	P
Mixed use building	--	--	P	P	P	P
Vertical mixed-use building	--	--	P	P	P	P
Accessory Dwelling	--	--	P	P	P	P
<b>Three or more households on a single lot</b>						
Cottage house	--	--	P	P	P	P
Multi-unit house	--	--	P	P	P	P
Apartment/condo	--	--	--	P	P	P
Mixed use building	--	--	--	P	P	P
Vertical mixed-use building	--	--	--	P	P	P
Accessory Dwelling	--	--	P	P	P	P

P Allowed building type

-- prohibited building type

Note: any building type that is not listed requires a major amendment to MPD-2

**DETACHED ACCESSORY DWELLING UNITS:**

1. Accessory dwelling units are allowed only in transect zones occupied solely by a single detached house
2. No more than one accessory dwelling unit is allowed per lot.
3. May not cover more than 50% of the actual rear yard.
4. The floor area of a detached accessory dwelling unit may not exceed 750 square feet or more than 60% of the principal structure whichever is greater.
5. Entrances may not face any side or rear property line except when an alley abuts that property line

10.8

**SECTION II (Continued)**  
**LOT AND BUILDING REGULATIONS TABLE**

**LOT AND BUILDING REGULATIONS BY TRANSECT ZONE**

	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5</b>	<b>CS</b>
Minimum lot size Square feet	na	7200	3600	1000	1000	1000
Lot Width Standards	na	72 ft min	36 ft min	18ft min	18ft min	25 ft min
Maximum lot building coverage <sup>2</sup>	na	60%	60%	70%	80%	100%
<b>Principal building setbacks</b>						
Minimum street setback	na	4 ft	4 ft	4 ft	0ft	0 ft
Minimum side setback	na	4 ft	4 ft	0 ft	0 ft	0 ft
Minimum rear setback	na	4 ft	4ft	4 ft	0 ft	0 ft
<b>Accessory buildings setback</b>						
Minimum street setback	na	44 ft	32 ft	26 ft	22 ft	20 ft
Minimum side setback	na	3 ft	3 ft	0 ft	0 ft	0 ft
Minimum rear setback	na	3 ft	3 ft	3 ft	0 ft	0 ft
Principal building height		30 ft	30 ft	55 ft	75 ft	215 ft
Accessory building height <sup>3</sup>		30 ft	30 ft	30 ft	30 ft	30

**LANDSCAPING**

All landscaping standards shall be set through private restrictive covenant and maintained by private ownership association except as follows:

- a. Street trees shall be installed on both sides of any public street.
- b. On the lot within 20 feet of the street right of way or in the public right of way within 7 feet of a lot line trees shall be planted and maintained prior to acceptance of the street by the City of Tulsa in the infrastructure development plan process
- c. Trees may be deciduous or evergreen and shall be a minimum 2.5" caliper with a minimum height of 10 feet and shall be placed with a spacing not greater than 75 feet.

**SIGNAGE**

General Signage:

Signage may only be placed on lots with mixed use buildings or lots with public, civic and institutional uses, commercial uses, or agricultural uses. Said signage shall be limited to one sign on a lot with a maximum display surface area of 120 square feet with a maximum height of 20 feet except as further defined below.

<sup>2</sup> Includes aggregate of all buildings on the lot

<sup>3</sup> Maximum square footage of individual accessory buildings to be set by private restrictive covenant.

Signage Within 200 feet of the Edison Street right of way, the following signage standards will be applicable:

- a. A maximum of two (2) ground signs in each transect zone with a maximum display surface area of 120 feet and a maximum sign height of 30 feet shall be allowed.
- b. No dynamic display shall be allowed.
- c. Any wall signage shall be regulated by private restrictive covenant with the exception that no wall signage shall contain dynamic display.

All other signage standards shall be set through private restrictive covenant and maintained by private ownership association.

## **STREETS**

### **Public Streets**

All public street standards shall meet or exceed the minimum standards of public streets within the City of Tulsa.

### **Private Streets and Alleys**

All private street pavement shall conform to City of Tulsa standards for private streets.

Design standards in the street reserve areas may be established by restrictive covenant and maintained by private ownership association. Further, any measurement of setbacks related to garage access shall be established by private restrictive covenant.

All alleys will be considered private and will be established by private restrictive covenant and maintained by private ownership association.

## **PARKING**

All parking requirements shall be set by restrictive covenant and maintained by private ownership association.

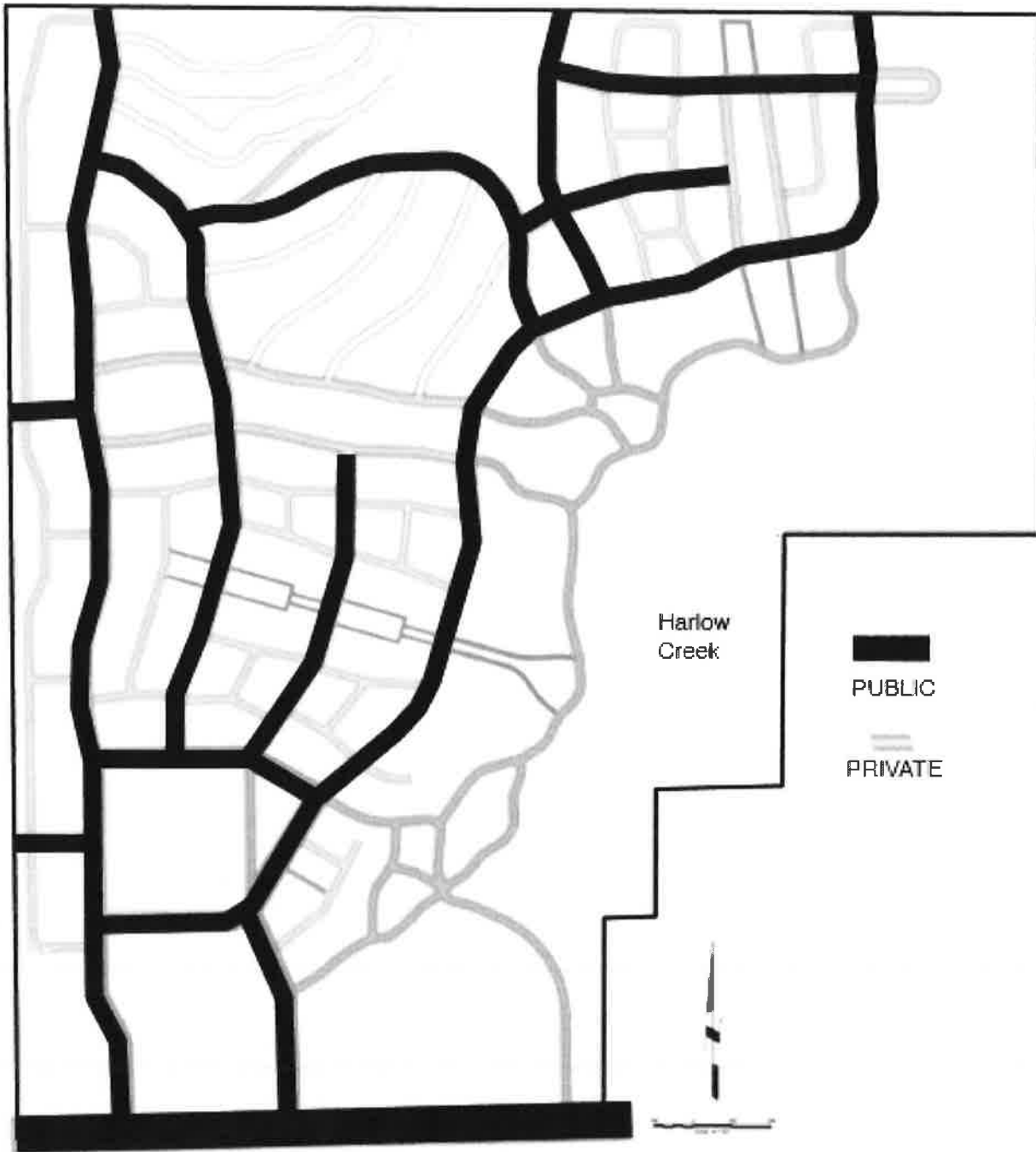
Any parking on public streets shall be subject to the minimum standards of the City of Tulsa and shall be approved at the platting stage.

## **PERMITTING**

All building permits for proposed structures and improvements in this development shall be submitted first to the private governing body established by the private restrictive covenants for review and analysis related to compatibility with the private restrictive covenants governing this MPD. Upon approval and verification by such private governing body, the permit application will be submitted to the City of Tulsa for building permit review and approval.



**SECTION II CONTINUED  
THOROUGHFARES PLAN**



4/18/20, 2019

EDISON

THOROUGHFARES PLAN

10.11

REVISED 5/9/2019

**Supplemental staff requirements:**

Minor or major amendments to MPD-2 must be submitted to TMAPC staff by the private governing body.

The following use modifications may be considered minor amendments:

1. Limitation or elimination of previously approved uses provided the character of the development is not substantially altered.
2. Addition to previously approved uses, provided the character of the development is not substantially altered.

**Building permit submittals**

1. Prior to submittal of any building permit to the City of Tulsa the authorized representative from the private governing body shall review proposed plans and certify that the plans satisfy the requirements of the MPD. A certification statement by the said representative shall be added on all pages of any building permit site plan package and shall be signed by that representative. The statement shall say that the plans conform to the provisions of the approved MPD-2 standards.
2. No building permit may be issued until a subdivision plat has been filed at Osage County Clerk's office.

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: *MPD-2 is consistent with a New Neighborhood vision of the comprehensive plan.*

**Land Use Vision:**

*Land Use Plan map designation:* New Neighborhood

New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

*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

10.12

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:* None that affects site development as proposed in MPD-2.

*Trail System Master Plan Considerations:* None that affects site development as proposed in MPD-2.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The existing site is partially wooded and gently rolling hills on the majority of the site. The south east edge included in the Harlow Creek floodplain. Other than the floodplain limitations the existing condition of the property is suitable for this type of development.*

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Edison Street	Secondary Arterial	100 feet	2
49 <sup>th</sup> West Avenue (West Boundary)	Secondary Arterial	100 feet	Unpaved/no right of way

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	AG	New Neighborhood and Neighborhood Center at NW corner	Growth	Vacant



East	AG and RS-3	New Neighborhood	Growth	Large Lot Single family residential
South across W. Edison	CH at SW corner RS-3 elsewhere	Neighborhood center at SW corner Existing Neighborhood elsewhere	Growth except small area at SE corner that is Stable	Church
West	AG	New Neighborhood	Growth	Vacant

#### SECTION IV: Relevant Zoning History

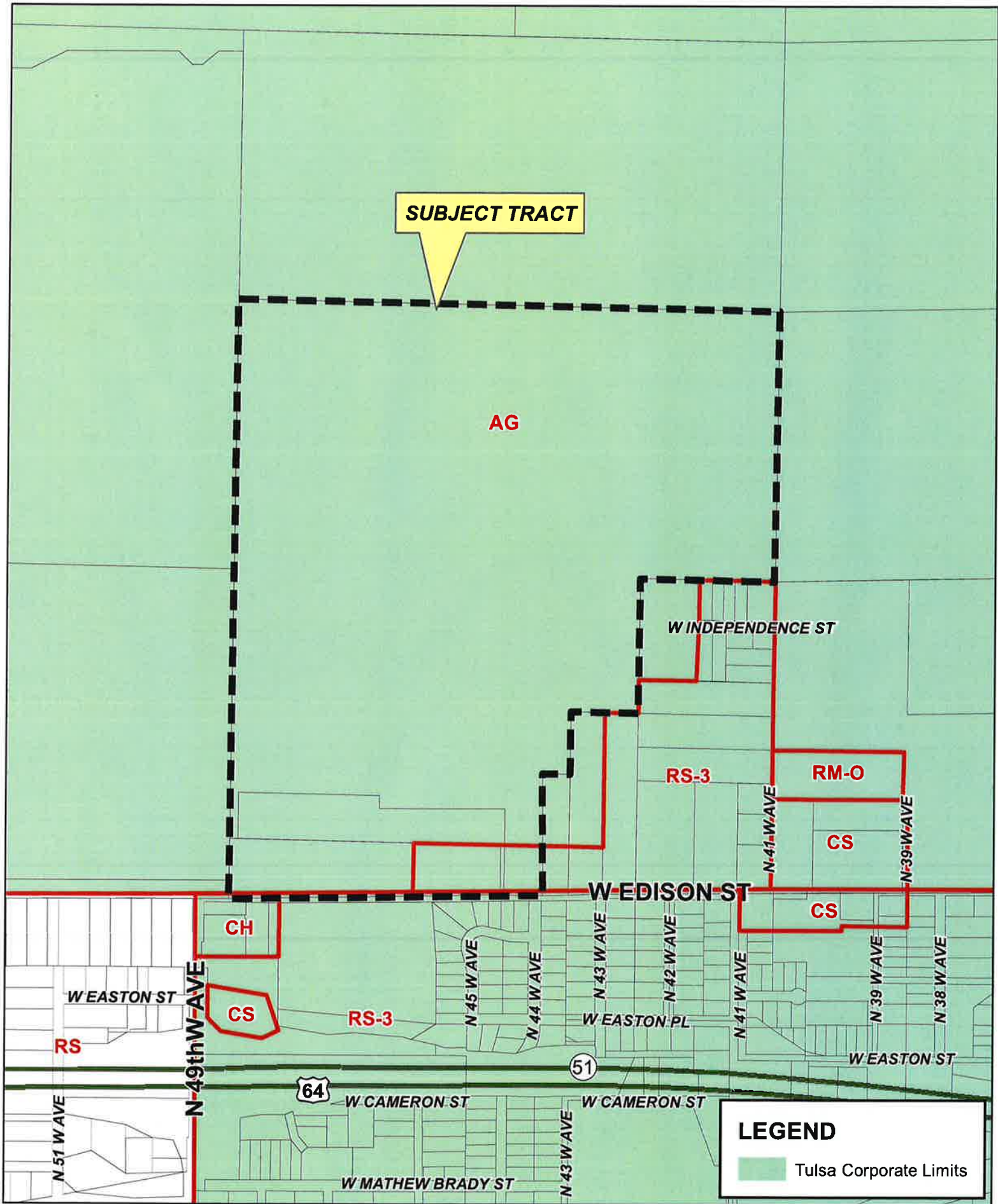
**ZONING ORDINANCE:** Ordinance number 11917 dated September 1, 1970, established zoning for the subject property.

**Subject Property:** No relevant history

#### **Surrounding Property:**

**BOA-20856 February 2009:** The Board of Adjustment **accepted** applicant's *verification of spacing* between outdoor advertising signs to permit a digital/conventional outdoor advertising sign of 1200 ft. from another outdoor advertising sign on the same side of the highway, on property located at 515 North 49<sup>th</sup> West Avenue.

10.14



SUBJECT TRACT

AG

W INDEPENDENCE ST

RS-3

RM-O

CS

CS

CH

CS

RS-3

W EASTON ST

RS

W EDISON ST

W EASTON PL

W EASTON ST

64

W CAMERON ST

51

W CAMERON ST

W MATHEW BRADY ST

LEGEND

Tulsa Corporate Limits

MPD-2

20-12 32

10.15





0 300 600  
Feet



Subject  
Tract

**MPD-2**

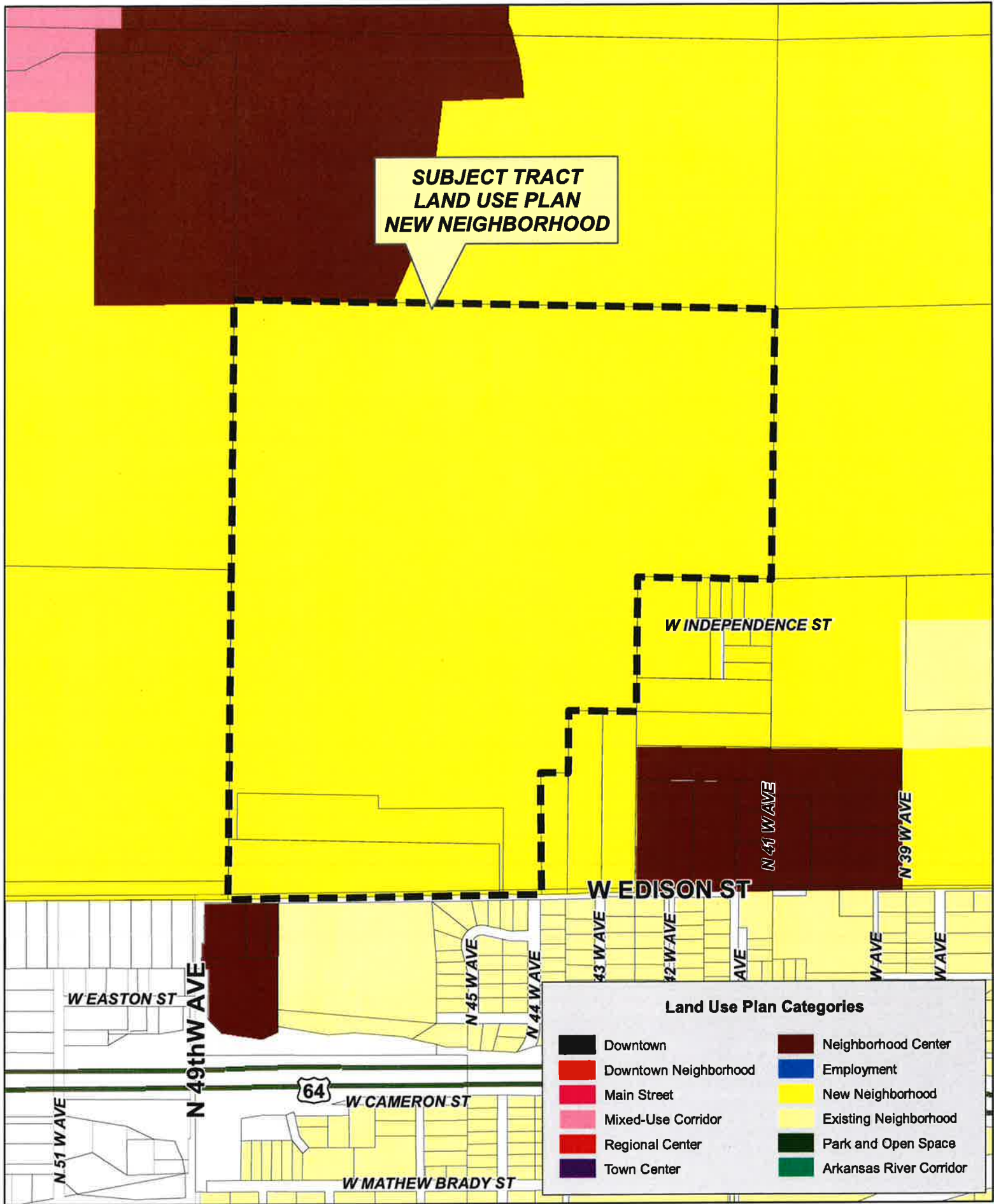
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align with physical features on the ground.

Aerial Photo Date: February 2018

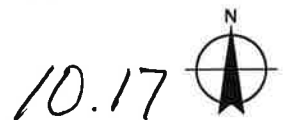


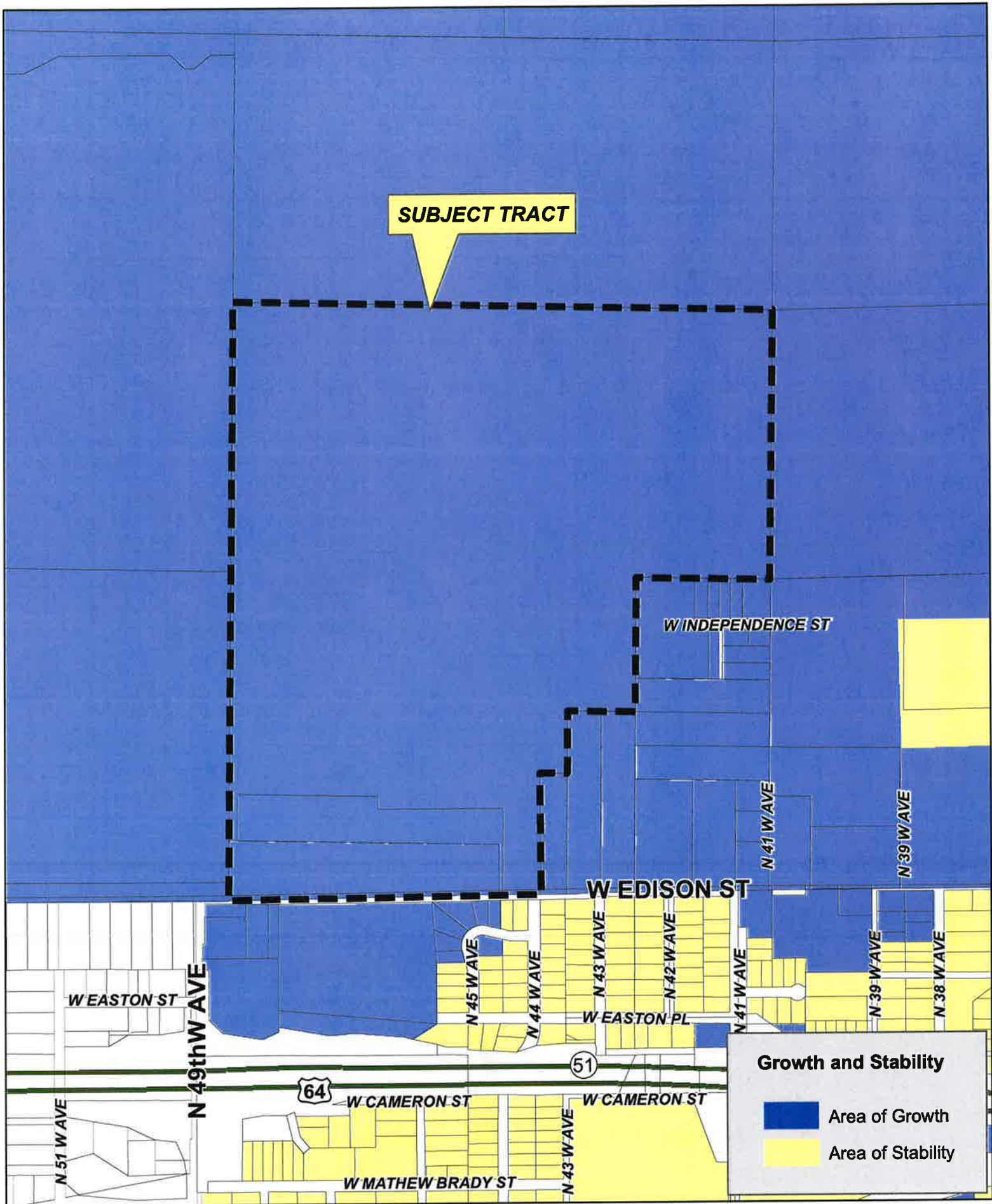




**MPD-2**

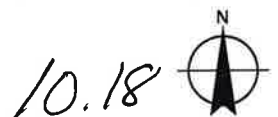
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**MPD-2**

20-12 32





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CPA-83  
**Comprehensive Plan Amendment**  
(related to Z-7478)

**Hearing Date:** 5/15/2019

**Case Report Prepared by:**

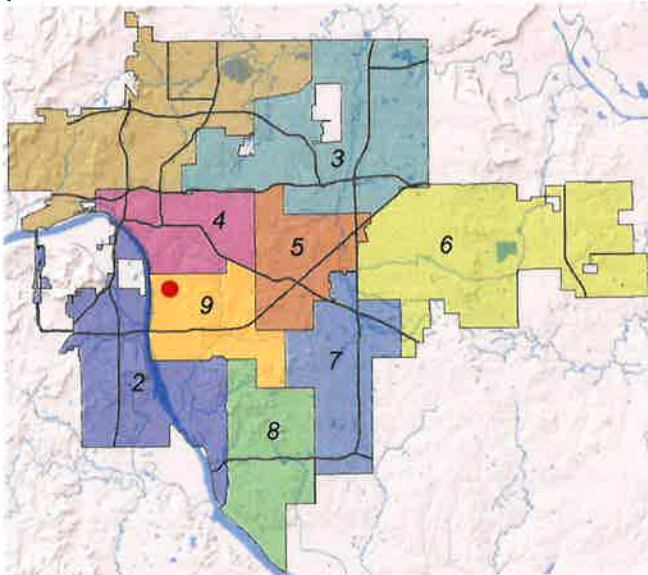
Austin Chapman

**Owner and Applicant Information:**

Applicant: Alan Betchan, AAB Engineering

Property Owners: Brookside Baptist Church

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



**Applicant Proposal:**

Land Use Map change from ***Existing Neighborhood*** to ***Main Street***

No change in Stability and Growth Map, property to remain ***Area of Growth***

Existing Use: Single Family Residence

Proposed Use: Mixed-Use

Tract Size:  $\pm 0.15$  acres

Location: East of the southeast corner of South Peoria Avenue & East 36<sup>th</sup> St S

**Comprehensive Plan:**

Land Use Map:

Existing: *Existing Neighborhood*

Proposed: *Main Street*

Stability and Growth Map:

Existing: *Area of Growth*

Proposed: *Area of Growth*

**Zoning:**

Existing Zoning: RS-3

Proposed Zoning: MX1-P-U

**Staff Recommendation:**

Staff recommends **approval** of the *Main Street* Land Use Designation.

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 2**

*Commissioner Name:* Karen Keith



## COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

East of the southeast corner of South Peoria Avenue & East 36<sup>th</sup> Street South

### I. PROPERTY INFORMATION AND LAND USE REQUEST

<b>Existing Land Use:</b> <i>Existing Neighborhood</i> <b>Existing Stability and Growth designation:</b> <i>Area of Growth</i>
<b>Proposed Land Use:</b> <i>Main Street</i> <b>Proposed Stability and Growth designation:</b> <i>Area of Growth</i>
<b>Location:</b> East of the northeast corner of South Peoria Avenue & East 36 <sup>th</sup> St S
<b>Size:</b> <u>±</u> 0.15 acres

#### A. Background

The land use assigned for this area at the time of adoption of the 2010 Tulsa Comprehensive plan was *Existing Neighborhood*, with a Stability and Growth Map designation of *Area of Growth*. The site that is subject to this Comprehensive Plan amendment application is in midtown Tulsa along the Bus Rapid Transit Corridor. The subject property is surrounded by Residential Single-family zoning to the East and North and an existing Church use to the West and South. The property has frontage on 36<sup>th</sup> St S which is classified as a Residential Collector according to the Major Street and Highway Plan.

The owner, Brookside Baptist Church, has submitted a corresponding rezoning application (Z-7478) for the subject site which is to rezone this and the parcel immediate West to MX1-P-U. This rezoning is included in the City of Tulsa Voluntary opt-in Mixed-use (MX) rezoning incentive program for which the Tulsa City Council is serving as the applicant.

## B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

When the Tulsa Comprehensive Plan was developed and adopted in 2010 the subject tract was designated as an *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.”

A *Existing Neighborhood* land use designation was assigned for the area subject at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

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

### C. Proposed Land Use Designations (Tulsa Comprehensive Plan)

The applicant is proposing a *Main Street* land use designation and to maintain the *Area of Growth* designation on the subject site.

“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.”

### D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Residential Subdivision (Oliver’s Addition)
South (Included in Z-7478)	RS-3	<i>Main Street</i>	<i>Area of Growth</i>	Brookside Baptist Church Parking
East	RS-3	<i>Existing Neighborhood</i>	<i>Area of Growth</i>	Existing Residential Subdivision (Peorian Addition)
West (Included in Z-7478)	RS-3	<i>Main Street</i>	<i>Area of Growth</i>	Brookside Baptist Church

### E. Applicant’s Justification:

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;



3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following justification as part of their application:



**AAB Engineering, LLC**  
PO Box 2136  
Sand Springs, OK 74063  
Office: 918.514.4283  
Fax: 918.514.4288

April 11, 2019

Tulsa Metropolitan Area Planning Commission  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, OK 74103

Re: Comprehensive Plan Amendment

To Whom It May Concern,

The subject property has been owned by the Brookside Baptist Church for a number of years and the rear yard of the home is currently used as a playground for the church. The church also owns and is using the lots to the south and west as parking. The comprehensive plan only identified the areas used as parking as main street and this identification was mirrored in the MX recommendations with the Bus Rapid Transit study. The church has requested a uniform MX rezoning for the property which is conformance with the comprehensive plan for all of the parcels except the subject tract. This comprehensive plan amendment is necessary to bring the plan into conformance with the current use of the land and will accommodate a unified MX zoning for the entire property.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Alan Betchan'.

Alan Betchan, P.E., CFM  
President  
AAB Engineering, LLC  
CA# 6318 Exp: June 30, 2020

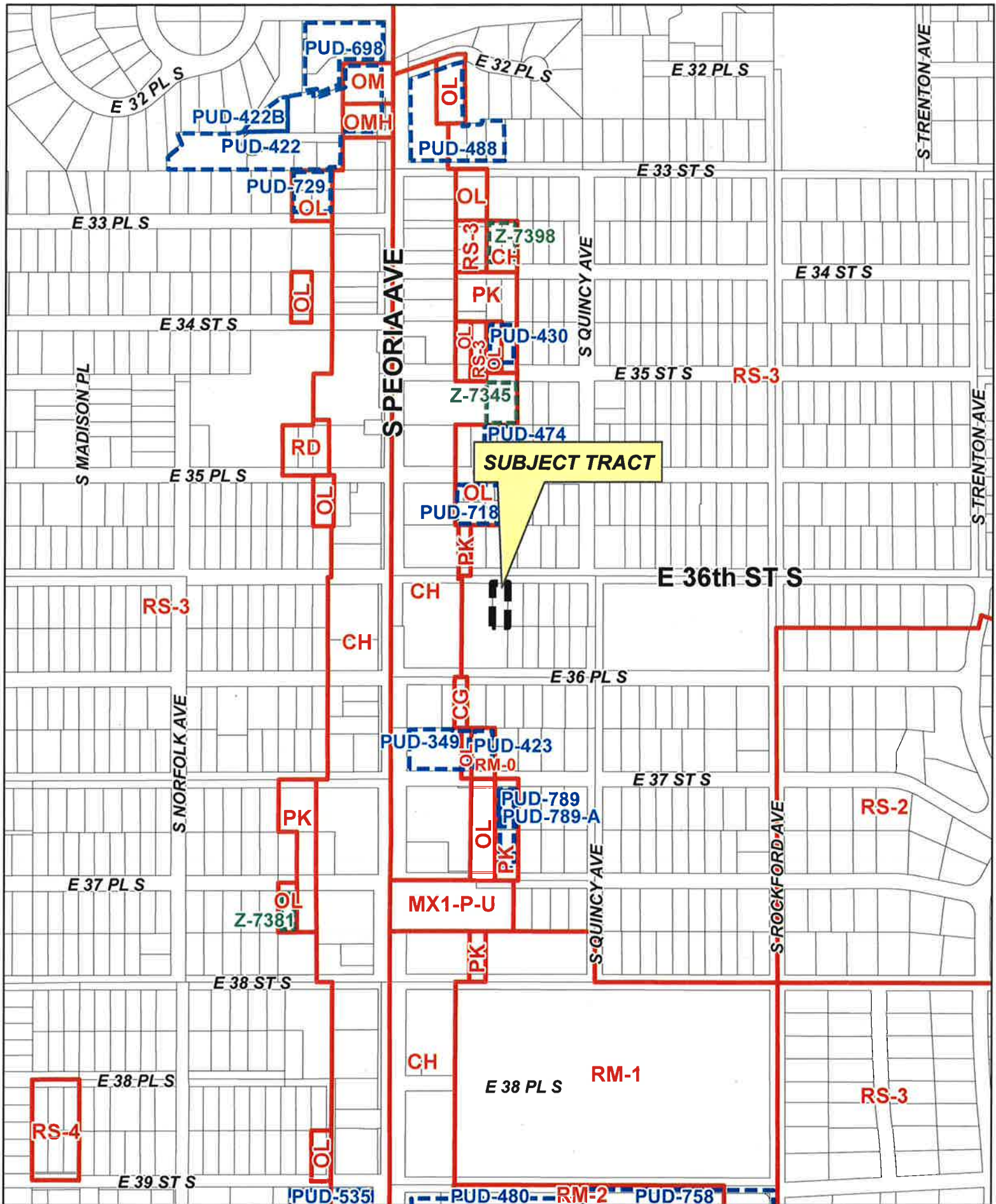
#### F. Staff Summary:

The applicant is proposing a *Main Street* land use designation and to maintain the *Area of Growth* designation on the site. The proposed land use designation will help create a more uniform boundary between the existing single-family subdivision and the Peoria commercial corridor and to resolve a conflict between the *Area of Growth* and the *Existing Neighborhood* land use designation. The limitations imposed by the MX1-P-U zoning district will provide protections to the existing character of the Brookside area by preserving the pedestrian oriented nature of the neighborhood and allowing uses that can be complementary to the neighborhood. The MX1-P-U zoning designation provides the

built-in protections for the neighborhood that an optional development plan could provide in other zoning districts.

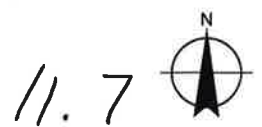
## II. STAFF RECOMMENDATION

Staff recommends approval of the *Main Street* land use designations as submitted by the applicant.



CPA-83

19-13 19







0 200 400  
Feet



Subject  
Tract

**CPA-83**

19-13 19

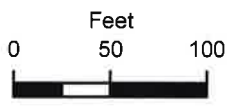
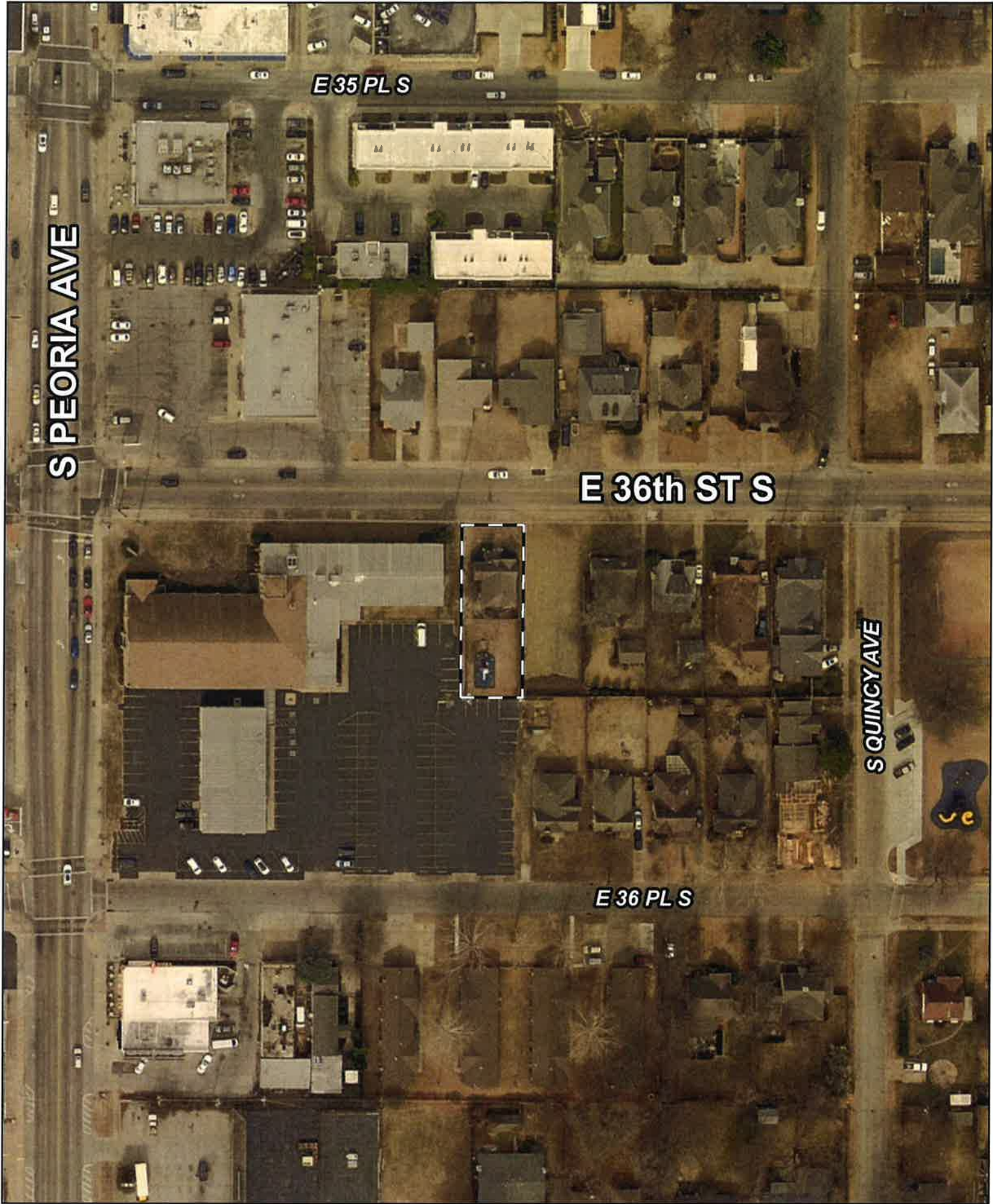
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Aerial Photo Date: February 2018

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Subject  
Tract

**CPA-83**

19-13 19

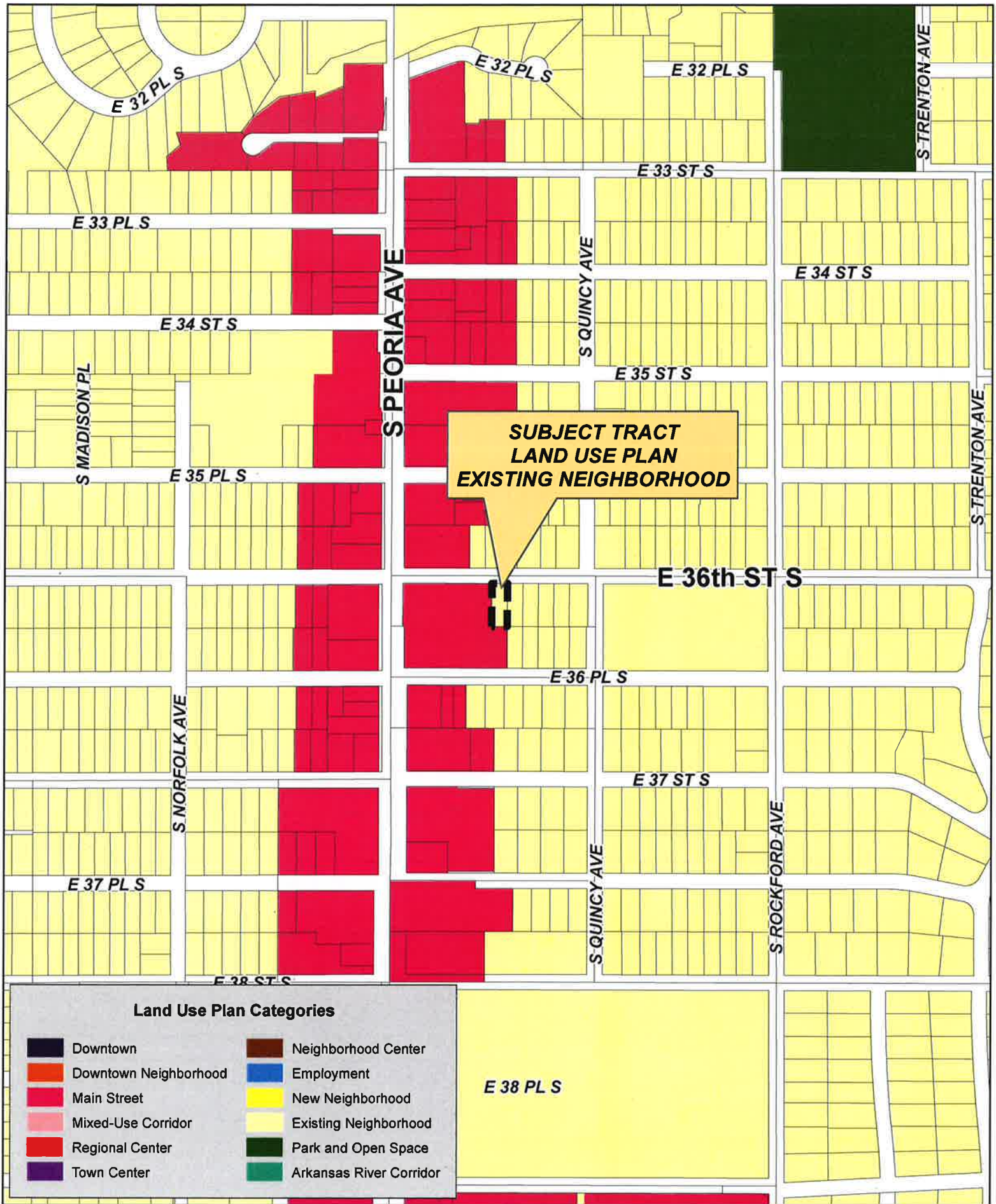
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Aerial Photo Date: February 2018

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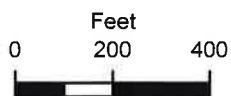
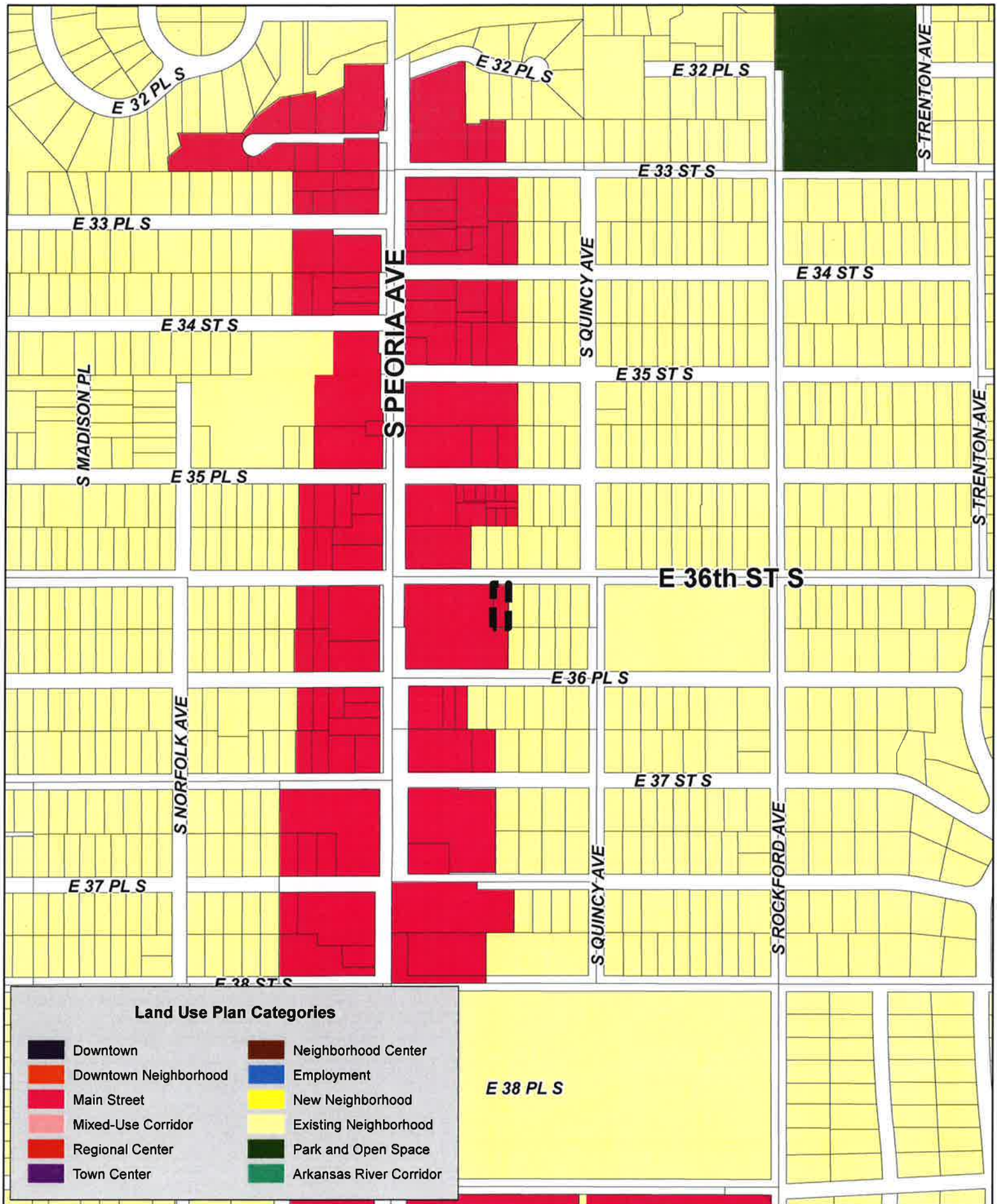


**CPA-83**

19-13 19

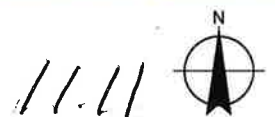


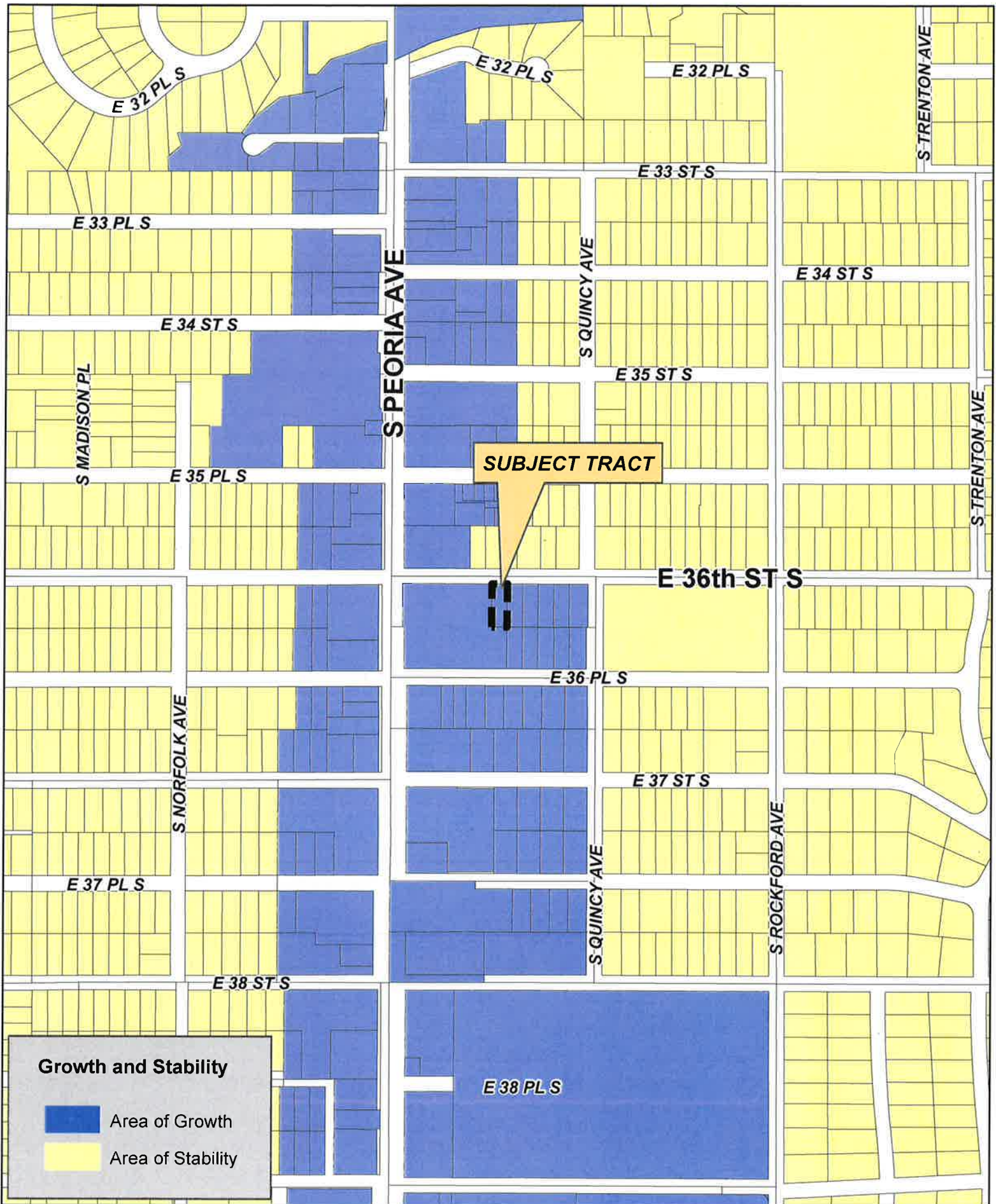




**CPA-83**

19-13 19









Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7478**  
(related to CPA-83)

**Hearing Date: 5/15/2019**

**Case Report Prepared by:**

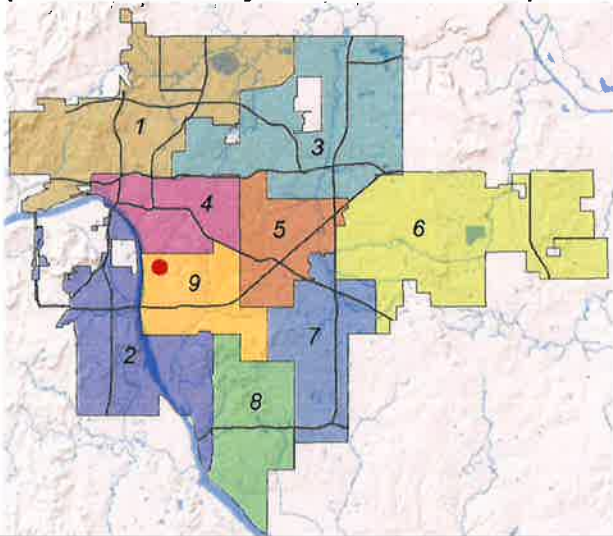
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Danny Stockstill

*Property Owner:* BROOKSIDE BAPTIST CHURCH

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



**Applicant Proposal:**

*Present Use:* church

*Concept summary:* Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue.

*Tract Size:* 2.14 ± acres

*Location:* Several properties at the southeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue.

**Zoning:**

*Existing Zoning:* RS-3,CH

*Proposed Zoning:* MX1-P-U

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood, Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9319

CZM: 47

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 2**

*Commissioner Name:* Karen Keith



## SECTION I: Z-7478

**DEVELOPMENT CONCEPT:** This request for rezoning is responsive to the City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is RS-3 and PK. The CH portion of the site has unlimited height along South Peoria. The proposed MX zoning supports the type of development and building placement that will be necessary for a successful bus rapid transit system investment by the City.

The current property owner owns a lot at the northeast corner of the request that is not included in the Main Street Corridor land use designation therefore a companion comprehensive plan amendment (CPA-83) has been submitted for a single RS-3 lot at the northeast corner of the site. That lot is not included in the bus rapid transit system recommendation area.

### **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:

### **DETAILED STAFF RECOMMENDATION:**

Case Z-7478 requesting MX1-P-U is consistent with the expected development pattern in the area and,

MX1-P-U is not injurious to the surrounding property owners and,

The MX1 requested is considered a Neighborhood Mixed-use district intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types and supports open space sites. The rezoning request is consistent with the Bus Rapid Transit System initiative and its land use recommendations and,

MX1-P-U is consistent with the Main Street land use vision in the Tulsa Comprehensive Plan therefore

**Staff recommends Approval of Z-7478 to rezone property from RS-3 and CH to MX1-P-U.**

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

*Staff Summary: MX1-P-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is consistent with the goals and objectives that support the Bus Rapid Transit System. The existing zoning pattern creates obstacles that prohibit urban development that is desired as part of the Bus Rapid Transit System and the Town Center vision of the Tulsa Comprehensive Plan.*

### **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

12.2

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:*

South Peoria is considered an Urban Arterial classification. This section of Peoria is also designated as a Main Street with a 70' minimum street right of way width.

East 36<sup>th</sup> Street South is considered a residential collector with a 60 foot wide street right of way width.

*Trail System Master Plan Considerations: None*

Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Small area plan concept statement: "As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and should be implemented through City regulations, policies and philosophies in order to ensure quality and consistency in future development".

Staff comment: *This was a statement from the infill task force prepared by the Mayor's office and the Planning Commission in 1999 and continues to be more relevant today with implementation of the Bus Rapid Transit system and the construction of the Gathering Place. The City has adopted zoning categories to support infill development strategies that will encourage design standards and building placement strategies to help create an urban fabric along Peoria from East 36<sup>th</sup> South street to I-44.*

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is occupied by a church facility that has been part of the Brookside area since the 1940's and includes a residential building owned by the church at the north east corner of the subject tract.*

Environmental Considerations: None that will affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Urban Arterial / Main Street	70 feet	4 lanes with parallel parking on both sides
East 36 <sup>th</sup> Street South	Residential Collector	60 feet	3 lanes at intersection tapering to 2 lanes at east end of property

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	CH, PK and RS-3	Main Street and Existing Neighborhood	Growth	Commercial building and single family residential
East	RS-3	Existing Neighborhood	Growth	Single family residential
South	CH, CG and RS-3	Main Street and Existing Neighborhood	Growth	Commercial, office and single family residential
West	CH	Main Street	Growth	Convenience Store

**SECTION III: Relevant Zoning History**

**History: Z-7478**

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

***Subject Property:***

**BOA-6400 August 1969:** The Board of Adjustment **approved** a *special exception* to permit off-street parking for church use in a U-1C district, on subject property.

12.4



**BOA-3878 August 1962:** The Board of Adjustment **approved** permission for the Brookside Baptist Church to use Lot 7, Peorian Addition and Lots 4, 6, 7, 8, Block 1, Peorian Second Addition for church purposes, on subject property.

**BOA-2164 October 1950:** The Board of Adjustment **approved** to permit Lot 9 for use as a parking lot or for church purposes, and that the dwelling on Lot 8 be used for nursery purposes for children three years of age or less for a period of two years from date, on subject property.

**BOA-1606 July 1943:** The Board of Adjustment **approved** to permit Lots 10 and 11 Peorian Addition to be a site for a church, on subject property. (staff note: when this was approved property south of this site was outside the city limits of Tulsa)

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

**Z-7438 April 2018:** All concurred in **approval** of a request for *rezoning* a tract of land from CH/PK to MX1-P-U on property located at the Southeast corner of East 37<sup>th</sup> Place South.

**BOA-21490 October 2012:** The Board of Adjustment **approved** a *variance* of the parking requirement with conditions, on property located at the Southeast corner of East 36<sup>th</sup> Place South and South Peoria Avenue.

**BOA-21225 March 2011:** The Board of Adjustment **approved** a *variance* of the minimum lot width required in the RS-3 district from 60ft to 50ft; **approved** a *variance* of the minimum land area required in the RS-3 district to permit lot splits; **approved** a *variance* of the side yard requirement; **approved** a *special exception* to reduce the required front yard in the RS-3 district; on property located east of the Southeast corner of South Peoria Avenue and East 35<sup>th</sup> Place South.

**BOA-20631 January 2008:** The Board of Adjustment **denied** a *variance* to permit an outdoor advertising sign outside a freeway corridor, finding a lack of hardship, on property located at the Southeast corner of East 36<sup>th</sup> Place South and South Peoria Avenue.

**PUD-718 June 2005 :** All concurred in **approval** of a proposed *Planned Unit Development* on a .64+ acre tract of land for on property located at the Southeast corner of East 35 Place South and South Peoria Avenue (Ordinance 21137).

**BOA-18582 December 1999:** The Board of Adjustment **approved** a *special exception* modifying requirements for off-street parking spaces and screening upon change of non-conformity with respect to parking and screening (associated with change of use): 1. To permit some of required parking spaces to be located on an adjoining lot other than the lot containing the principal use, allowing mutual and reciprocal parking arrangement between adjoining property owners, and 2. To waive requirement that Use Unit 12 uses be screened from abutting R district or within existing parking lots which are situated on either side of zoning district boundaries, on property located at the Southeast corner of East 37<sup>th</sup> Place South.

**BOA-15995 April 1992:** The Board of Adjustment **approved** a *variance* of the maximum permitted 3 sq. ft. of wall signage to permit a back lit awning with conditions, on property located at the Northeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue.

**Z-6334 December 1991:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to PK on property at the Northeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue (Ordinance 17631).

**BOA-15851 October 1991:** The Board of Adjustment **approved** a *variance* of the required 50' setback from the centerline of South Peoria to 40' to permit a sign with conditions, on property located at the Southwest corner of East 36<sup>th</sup> Street South and South Peoria Avenue.

**BOA-15185 July 1989:** The Board of Adjustment **approved** a *variance* of spacing from a signalized intersection from 50' to 18' to allow for a flashing sign; **approved** a *variance* of spacing from a residential district from 200' to 160' to allow for said sign subject to conditions, on property located at the Southwest corner of East 36<sup>th</sup> Street South and South Peoria Avenue.

**BOA-14762 March 1988:** The Board of Adjustment **approved** a *variance* of the setback from 37<sup>th</sup> Street from 50' to 36' to allow for an addition to an existing building and a *variance* of the floor area ratio to allow for a 13,962 sq. ft. building; **approved** a *variance* of parking spaces from 54 to 39 with conditions, on property located at the Northeast corner of East 37<sup>th</sup> Street South and South Peoria Avenue.

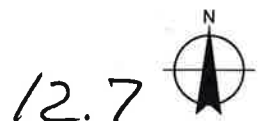
**PUD-423 December 1986:** All concurred in **approval** of a proposed *Planned Unit Development* on a .28± acre tract of land for on property located East of the Northeast corner of East 37<sup>th</sup> Street South and South Peoria Avenue (Ordinance 16776).

**BOA-13589 May 1985:** The Board of Adjustment **approved** a *variance* of the setback from the centerline of Peoria from 50' to 35', and a *variance* of the setback from the centerline of 36<sup>th</sup> Street to 27' to permit a sign in a CH zoned district, on property located at the Southwest corner of East 36<sup>th</sup> Street South and South Peoria Avenue.

**PUD-349 January 1984:** All concurred in **approval** of a proposed *Planned Unit Development* on a 1± acre tract of land for on property located at the Northeast corner of East 37<sup>th</sup> Street South and South Peoria Avenue (Ordinance 15962).

**BOA-7436 May 1972:** The Board of Adjustment **approved** a *special exception* to permit parking use for employees and customers, with the restriction that the lot not be used for retail operations, on property located at the Northeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue.

**BOA-2198 November 1950:** The Board of Adjustment **approved** a *variance* to permit business use of the East 60' of Lots 1 and 2, Block 4, Olivers Addition, on property located at the Northeast corner of East 36<sup>th</sup> Street South and South Peoria Avenue.







E 36th ST S

E 36 PL S

S PEORIA AVE

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Feet



Subject  
Tract

**Z-7478**

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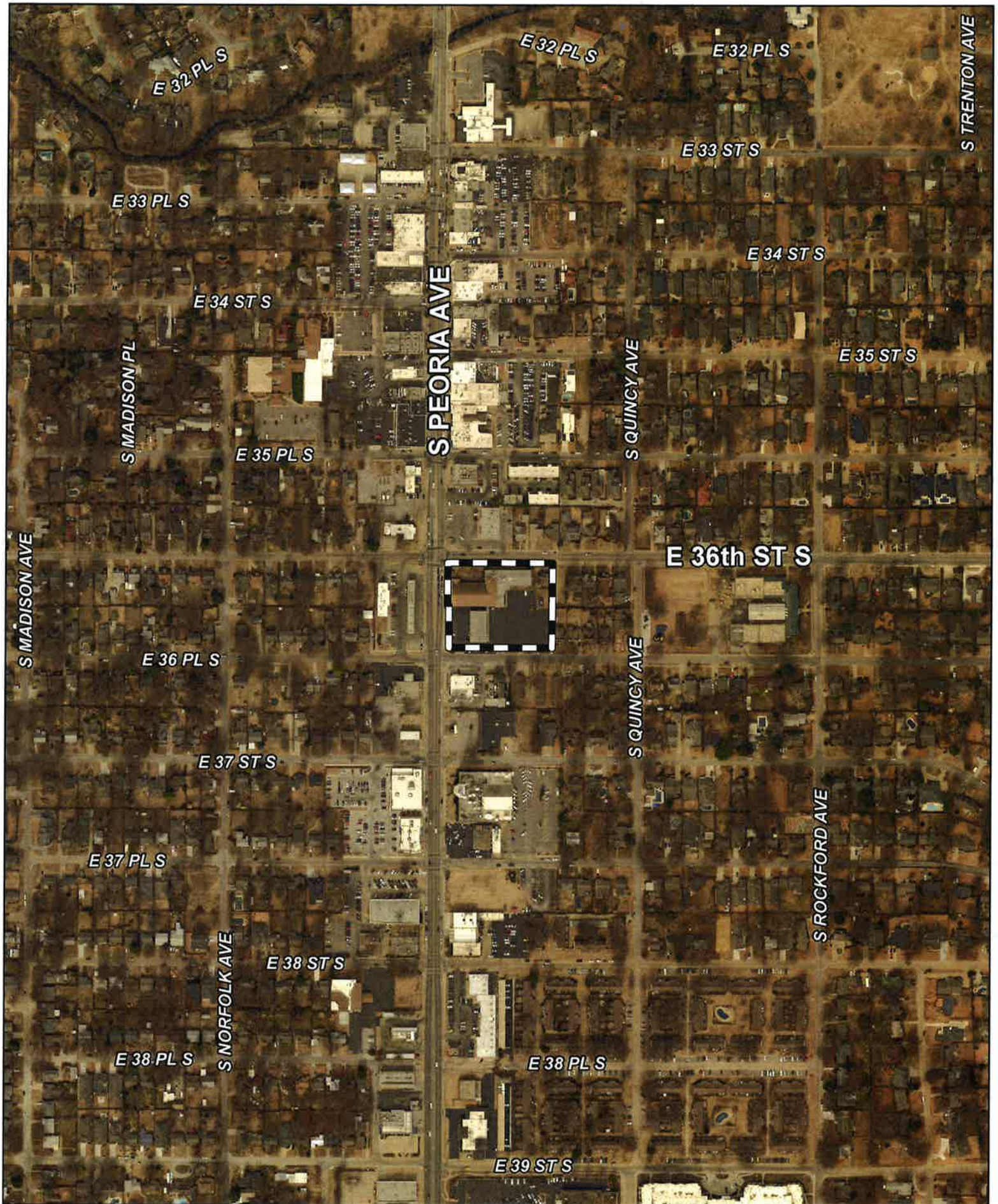
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align with physical features on the ground.

Aerial Photo Date: February 2018

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Subject Tract

**Z-7478**

19-13 19

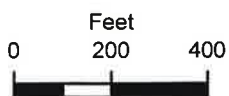
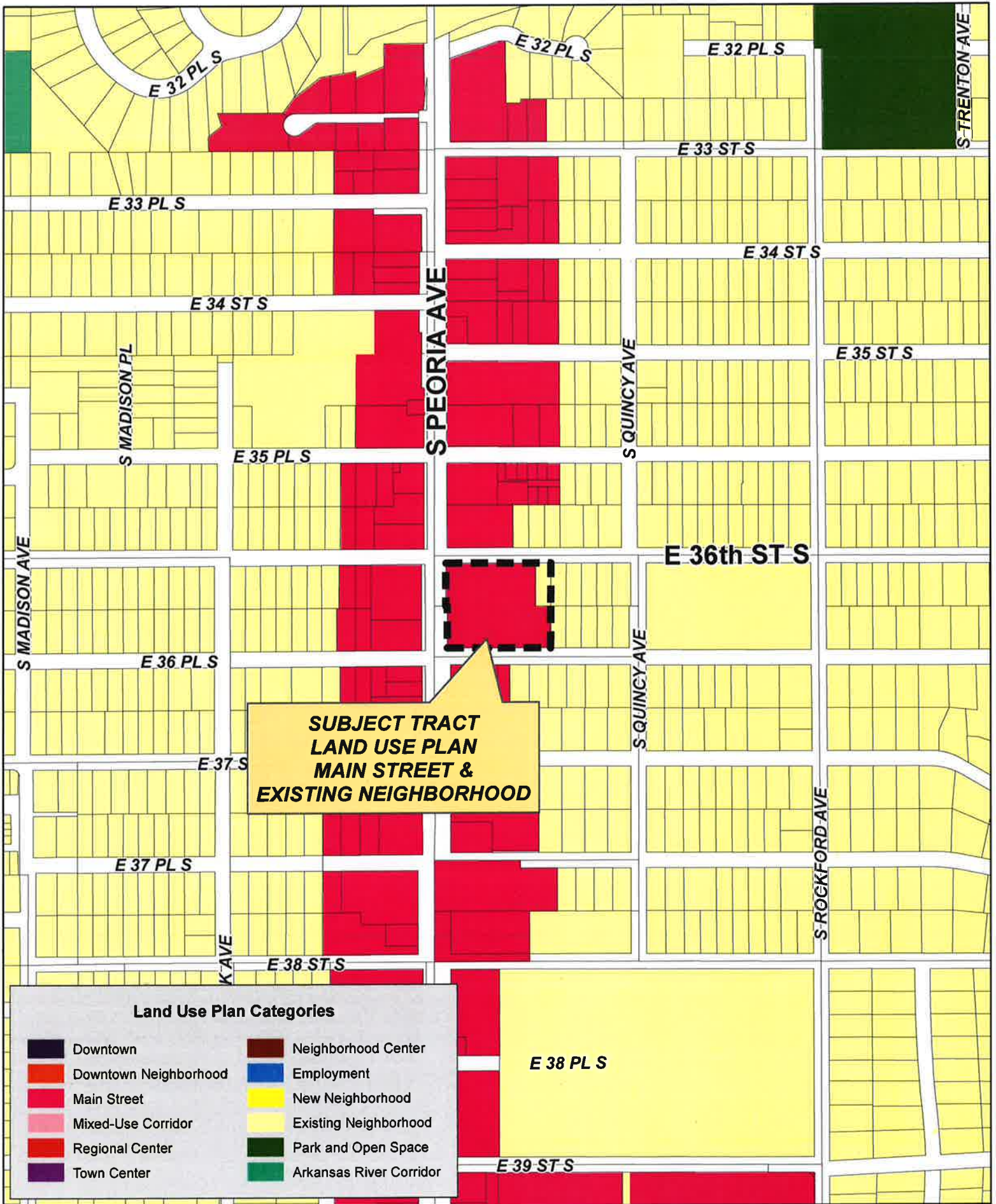
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Aerial Photo Date: February 2018

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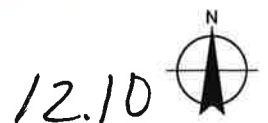




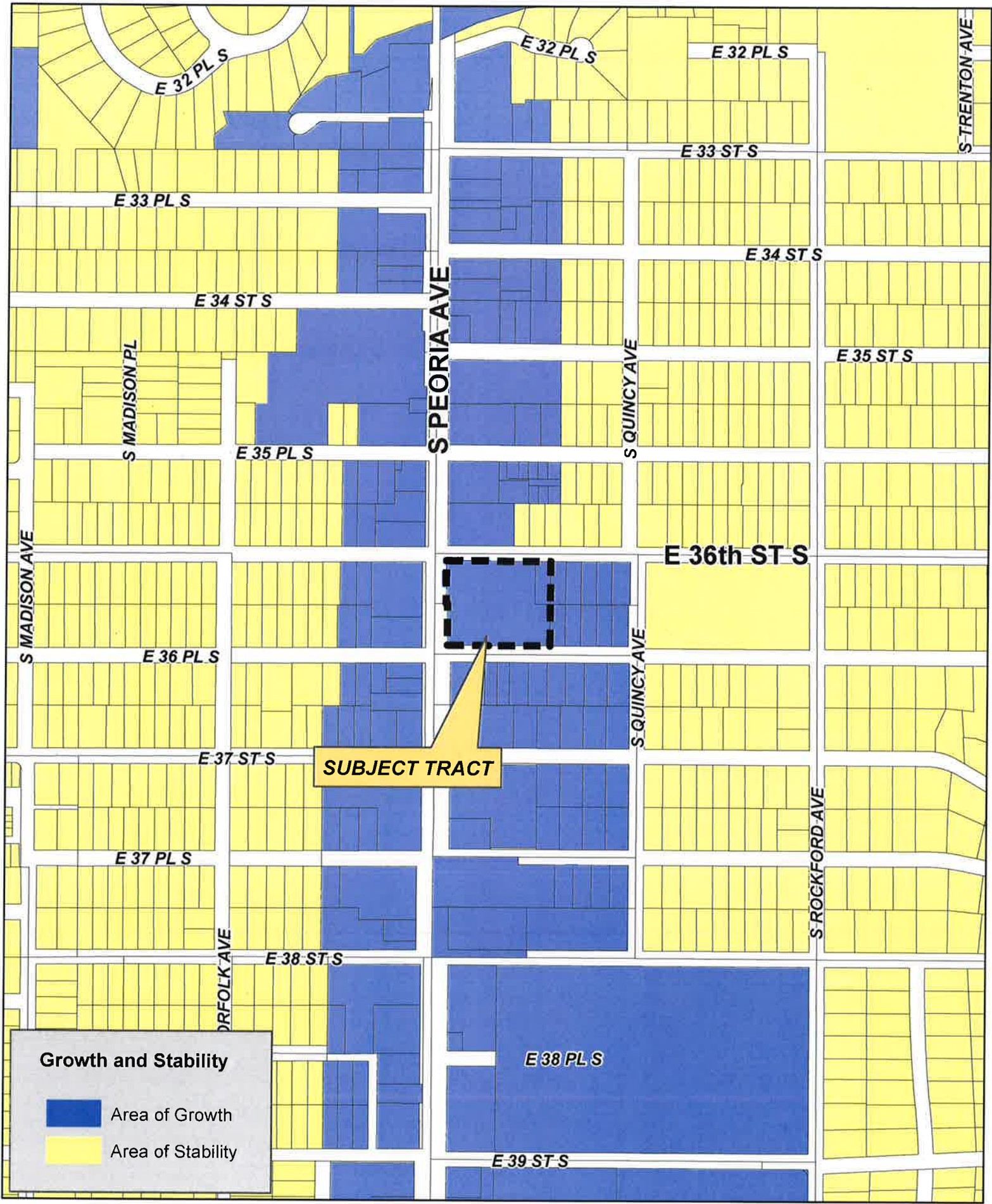


**Z-7478**



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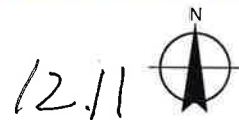
**Growth and Stability**

-  Area of Growth
-  Area of Stability



**Z-7478**

19-13 19







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7479

**Hearing Date:** 5/15/2019

**Case Report Prepared by:**

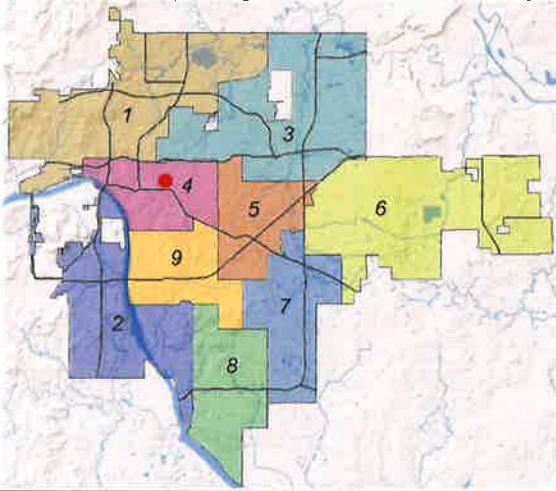
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Mary Huckabee

*Property Owner:* TMP PROPERTIES LLC

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



**Applicant Proposal:**

*Present Use:* vacant

*Proposed Use:* parking

*Concept summary:* Applicant plans to combine the parcels into one tract and rezone both tracts to allow redevelopment consistent with CH zoning.

*Tract Size:* 1.2  $\pm$  acres

*Location:* East of the Southeast corner of East 11<sup>th</sup> Street South and South Utica Avenue

**Zoning:**

*Existing Zoning:* IM / RM-2

*Proposed Zoning:* CH

**Comprehensive Plan:**

*Land Use Map:* Downtown Neighborhood

*Stability and Growth Map:* Area of Growth,  
Area of Stability

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9307

CZM: 37

**City Council District:** 4

*Councilor Name:* Kara Joy McKee

**County Commission District:** 2

*Commissioner Name:* Karen Keith

13.1



## SECTION I: Z-7479

**DEVELOPMENT CONCEPT:** Applicant plans to combine parcels into one tract and rezone both tracts to allow redevelopment consistent with CH zoning. Anticipated short term and long term uses are consistent with the Downtown Neighborhood land use designation.

### 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 included

### **DETAILED STAFF RECOMMENDATION:**

Uses allowed in the CH zoning district are consistent with the Downtown Neighborhood land use designation in areas near arterial streets and,

Uses allowed in the CH zoning district are consistent with the expected development pattern in the area and,

The Tulsa Zoning Code provides adequate design standards where CH zoning abuts residential uses. Those standards help to provide a predictable edge that may not be injurious to the surrounding properties therefore,

Staff recommends Approval of Z-7479 to rezone property from IM, RM-2 to CH.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: CH zoning is consistent with the Downtown Neighborhood and with the Area of Growth. The Area of Stability mapped on the two parcels along the south boundary of the application did not anticipate this type of growth along East 11<sup>th</sup> Street South.*

### Land Use Vision:

*Land Use Plan map designation:* Downtown Neighborhood

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

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

Areas of growth cover the north portion of property currently zoned IM and is intended 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.”

#### **Area of Stability (on south two parcels):**

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

#### **Transportation Vision:**

*Major Street and Highway Plan:* 11<sup>th</sup> Street is considered an urban arterial and a multi modal street.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

*Trail System Master Plan Considerations:* None

**Small Area Plan:** None

**Special District Considerations:** The site is included in the Route 66 Corridor Overlay. The overlay provides greater flexibility in signage allowed.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is primarily a surface parking lot with two vacant parcels on the south boundary.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 11 <sup>th</sup> Street South	Urban Arterial	70 feet	4
South Yorktown	None	50 feet	2

Utilities:

The subject tract none 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	IM	Mixed Use Corridor	Growth	Empty lot
East	IM	Main Street	Growth	Industrial uses
South	RM2	Existing Neighborhood	Stability	Single Family
West	CH / RM-2	Downtown Neighborhood and Existing Neighborhood	Growth and Stability	Warehouse and storage

**SECTION III: Relevant Zoning History**

**History: Z-7479**

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

***Subject Property:***

*No relevant history.*

***Surrounding Property:***

**BOA-18172 September 1998:** The Board of Adjustment **approved** a *variance* of height requirement for a pole sign of 25' to 35' overall height, on property located at the Northeast corner of East 11<sup>th</sup> Street South and South Yorktown Avenue.

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**BOA-17085 July 1995:** The Board of Adjustment **approved** a *special exception* to permit an indoor shooting range, on property located South of the Southeast corner of East 11<sup>th</sup> Street South and South Zunis Avenue.

**BOA-16929 February 1995:** The Board of Adjustment **approved** a *variance* of the required setback from the centerline of East 11<sup>th</sup> Street to permit an addition to an existing sign, on property located South of the Southeast corner of East 11<sup>th</sup> Street South and South Zunis Avenue.

**BOA-15208 August 1989:** The Board of Adjustment **approved** a *variance* of setback from the centerline of East 11<sup>th</sup> Street from 50' to 34' to allow for a sign, on property located at the Southeast corner of East 11<sup>th</sup> Street South and South Zunis Avenue.

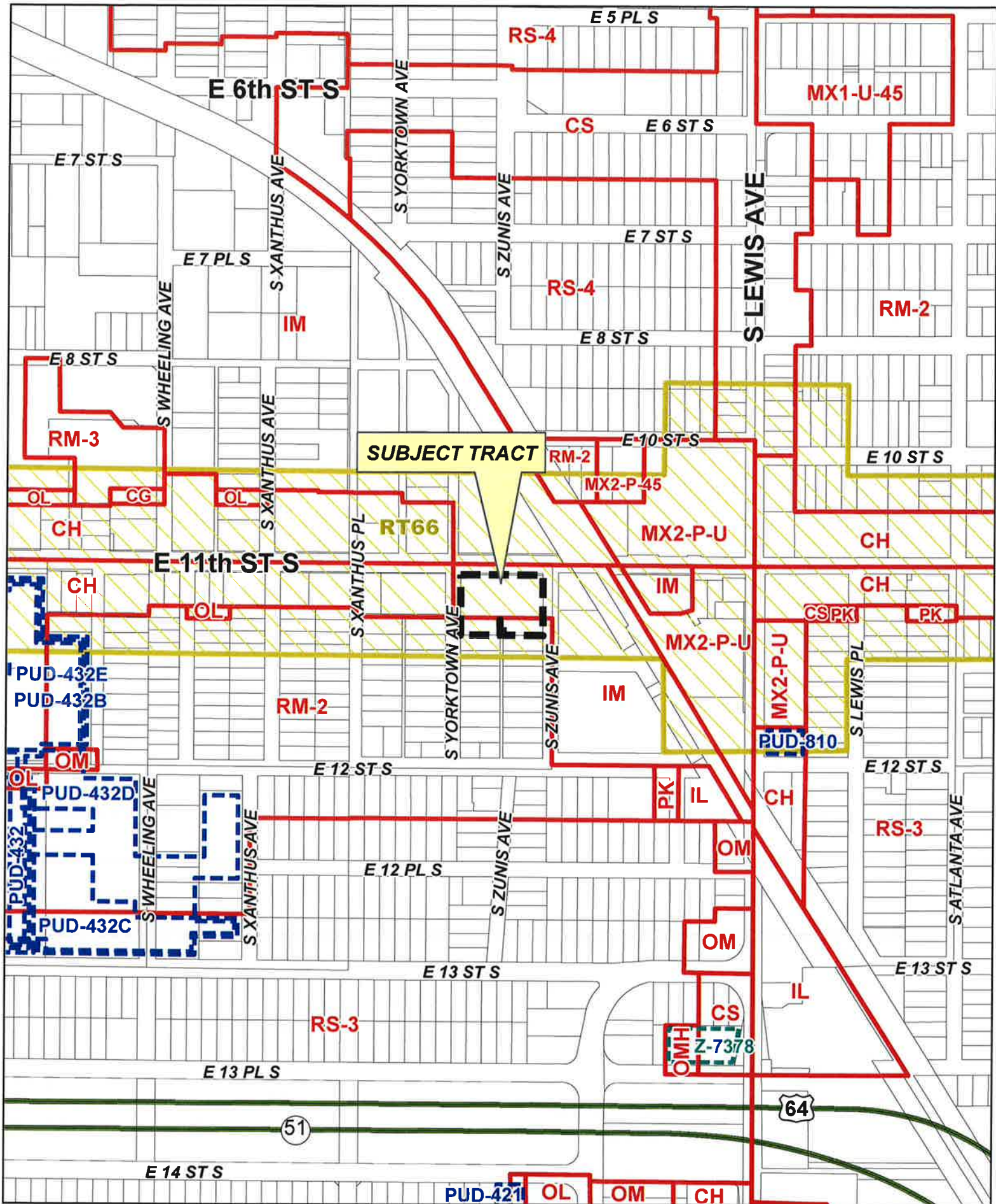
**BOA-13511 April 1985:** The Board of Adjustment **approved** a *variance* of the 50' setback from the centerline of 11<sup>th</sup> Street to 45' to permit construction of a metal canopy, on property located at the Northeast corner of South Xanthus Avenue and East 11<sup>th</sup> Street South.

**BOA-13341 October 1984:** The Board of Adjustment **denied** a *variance* of the 15 required off-street parking spaces to 8 spaces to permit a drinking establishment in a CH zoned district, on property located at the Southwest corner of South Xanthus Place and East 11<sup>th</sup> Street South.

**BOA-8620 June 1975:** The Board of Adjustment **approved** a minor variance for a variance of setback requirements to permit two signs subject to conditions, on property located at the Northeast corner of East 11<sup>th</sup> Street South and South Yorktown Avenue.

**BOA-5189 September 1966:** The Board of Adjustment **approved** a request for a modification of setback requirements, on property located at the Northeast corner of East 11<sup>th</sup> Street South and South Yorktown Avenue.

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**Z-7479**

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Feet



Subject  
Tract

**Z-7479**

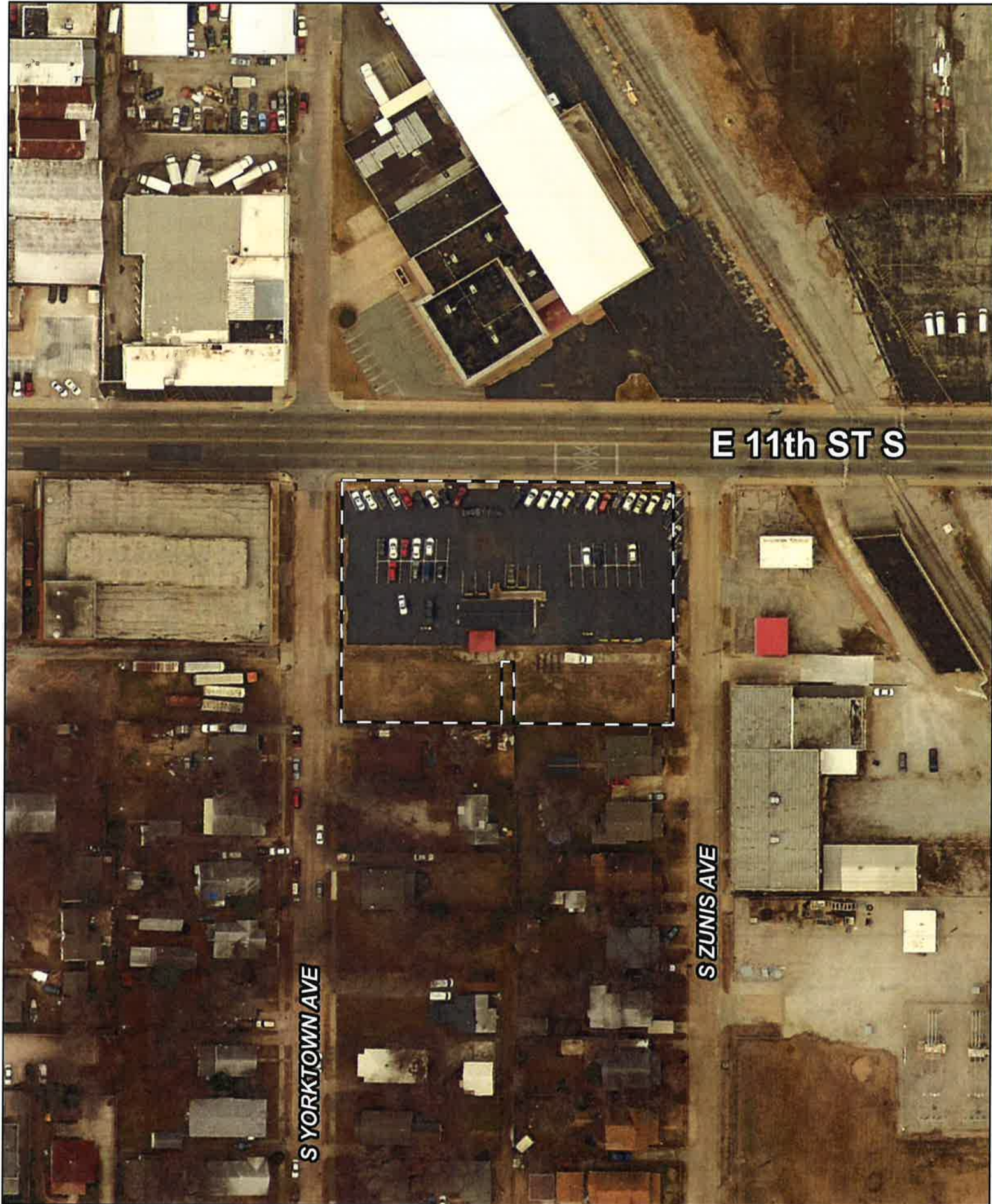
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Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018







E 11th ST S

S ZUNIS AVE

S YORKTOWN AVE

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Feet



Subject  
Tract

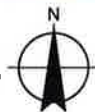
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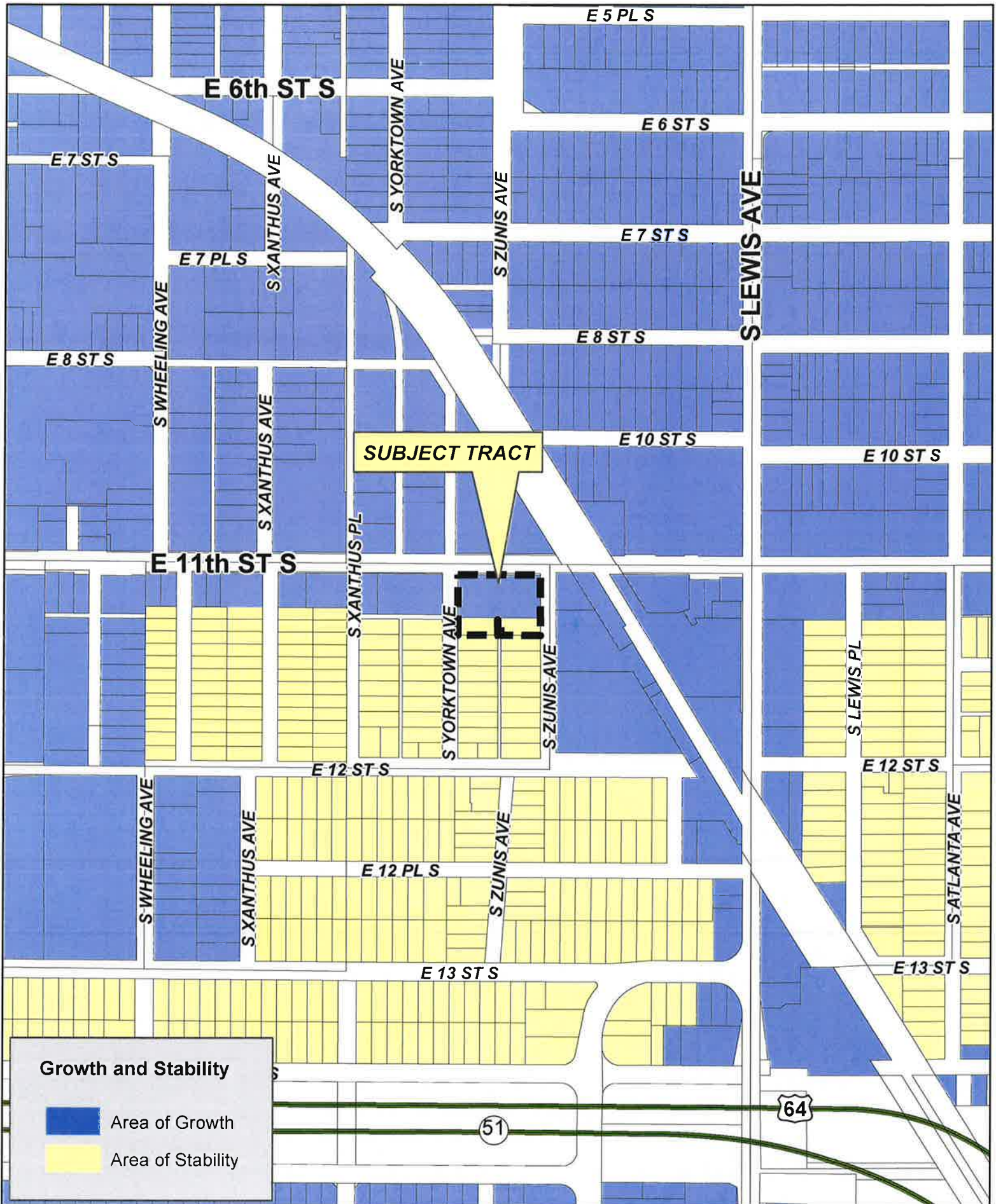
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Aerial Photo Date: February 2018

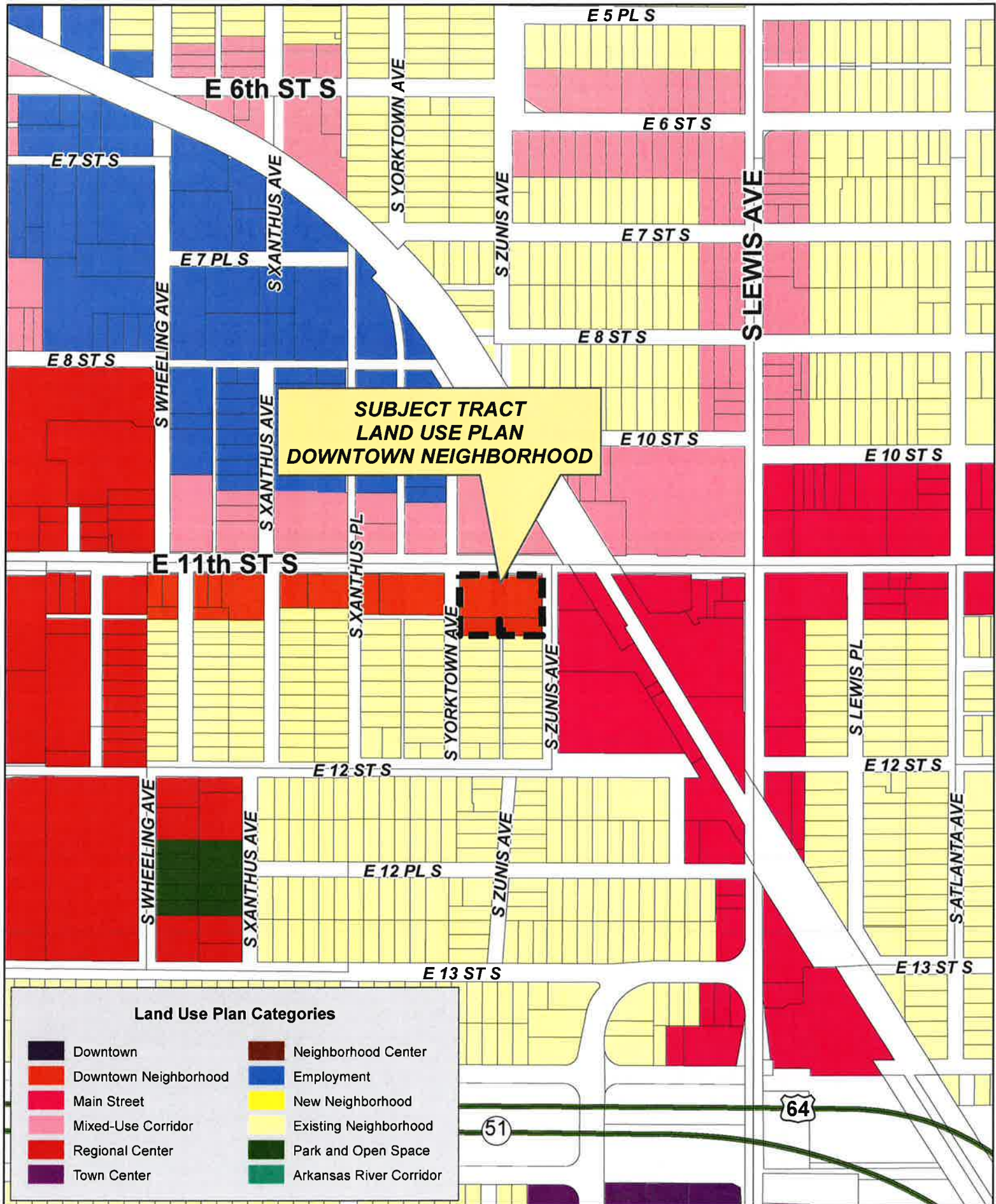
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**Z-7479**

19-13 07

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Tulsa Metropolitan Area  
Planning Commission

**Case :** MR-9 – 2315 S. Columbia Ave.

**Hearing Date:** May 15, 2019

**Case Report Prepared by:**

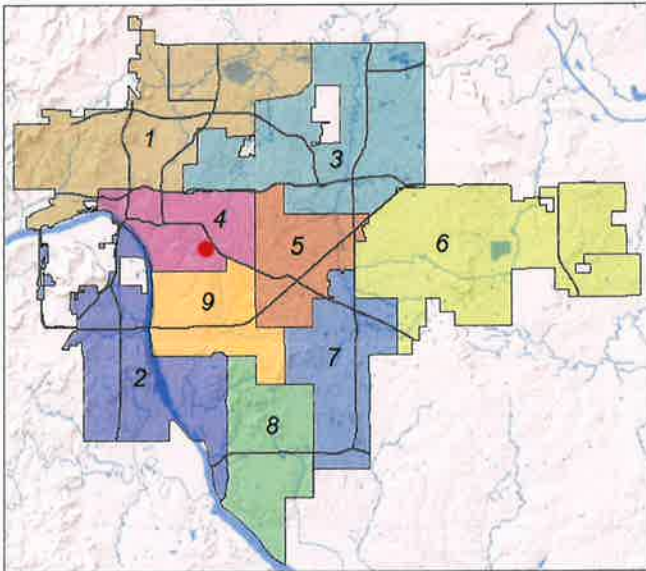
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Keith Sprik, Biltmore Homes

*Owner:* Biltmore Homes, LLC

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



**Applicant Proposal:**

Modification to the Subdivision and  
Development Regulations

Purpose: Requesting a modification to the  
sidewalk requirements of Section 5.070 to  
remove the requirement for construction of  
sidewalks.

*Location:* South of the southeast corner of  
East 23<sup>rd</sup> Street South and South  
Columbia Avenue

Lot 3 Block 2 – Quinlan 2<sup>nd</sup> Addition

**Zoning:** RS-2

**Staff Recommendation:**

Staff recommends **approval** of the  
modification

**City Council District: 4**

*Councilor Name:* Kara Joy McKee

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Plan, Applicant's Request, Site Map, Aerial, Aerial w/Sidewalks

## MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

### MR-9 – 2315 S. Columbia Ave. - (CD 4)

South of the southeast corner of East 23<sup>rd</sup> Street South and South Columbia Avenue

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

As alternative solutions for sidewalks are explored, staff will begin evaluating each request for modification based on a set of criteria. Any future program would utilize similar criteria when making eligibility determinations for alternatives. Examples of criteria include the following:

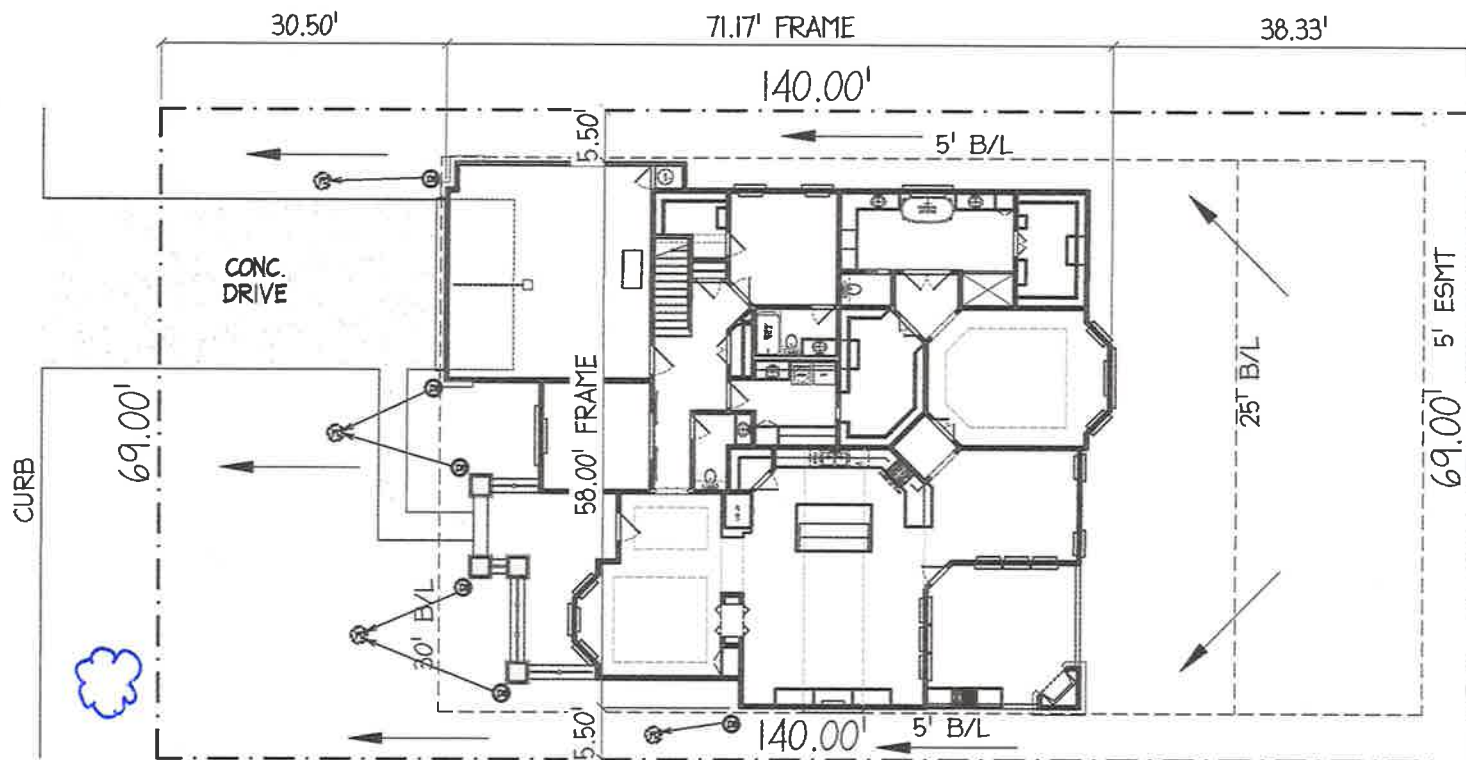
1. Proximity to major pedestrian destinations such as parks, schools, public amenities, and retail areas.
2. Presence of existing pedestrian infrastructure within a walkable area of the subject property
3. Funded capital improvement projects that will impact property under application
4. Proximity and ability to connect to collector or arterial streets
5. Topographical or environmental challenges that make sidewalk installation impossible or impractical

Based on the selected criteria, staff finds the following facts to be **favorable** to the modification request:

1. The subject property is located in the middle of an established neighborhood with no existing sidewalks.
2. Subject property is located in the middle of a block.
3. South Columbia Avenue does not provide connections to vital destinations within the neighborhood.
4. Planning Commission has approved requests for modification on two other properties within the same neighborhood.

Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.

CENTERLINE OF S. COLUMBIA AVE.



## LEGEND



FRENCH DRAIN FROM DOWNSPOUT  
TO CURB OR DAYLIGHT



DOWNSPOUT



INDICATES DRAINAGE FLOW  
(SCALE AS NEC.)

## OPEN SPACE CALCULATIONS

LOT AREA	9660		
MAIN LEVEL	2563	DRIVEWAY	549
GARAGE	507	COV'D PORCH	471
OPEN SPACE	5570		

## NOTE!

IT IS THE RESPONSIBILITY OF THE BUILDER TO ENSURE THIS SITE PLAN IS CORRECT AND THIS PROPOSED DWELLING HAS NO ENCROACHMENTS AT FORM BOARD STAGE. BUILDER WILL VERIFY WITH A FORM BOARD SURVEY FROM A REGISTERED SURVEYOR THAT PROPOSED SLAB FOOTPRINT DOES NOT ENCROACH INTO RECORDED EASEMENTS, AERIAL AND UTILITY EASEMENTS, BUILDING LINES, PROPERTY LINES OR SETBACKS PRIOR TO ANY CONSTRUCTION WHATSOEVER TO PREVENT POSSIBLE ENCROACHMENTS.



7318 S. Yale Ave Ste. C, Tulsa, OK 74136 918.499.1497



TRUE NORTH

SCALE = 1"=20'

FIELD VERIFY  
LOCATION OF HOUSE

Client:

Helwege-Eberts Residence

Project:

18.05.17 - Plot Plan

Legal Description:

LOT 3, BLOCK 2, GUINLAN 2nd ADDITION,  
TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA  
2315 S. COLUMBIA AVE.

14.3



# **Biltmore Homes, LLC**

**4527 E. 91st St.  
Tulsa, OK 74137  
918-495-3535**

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**April 4, 2019**

**Modification request  
2315 S. Columbia Avenue  
Tulsa, OK**

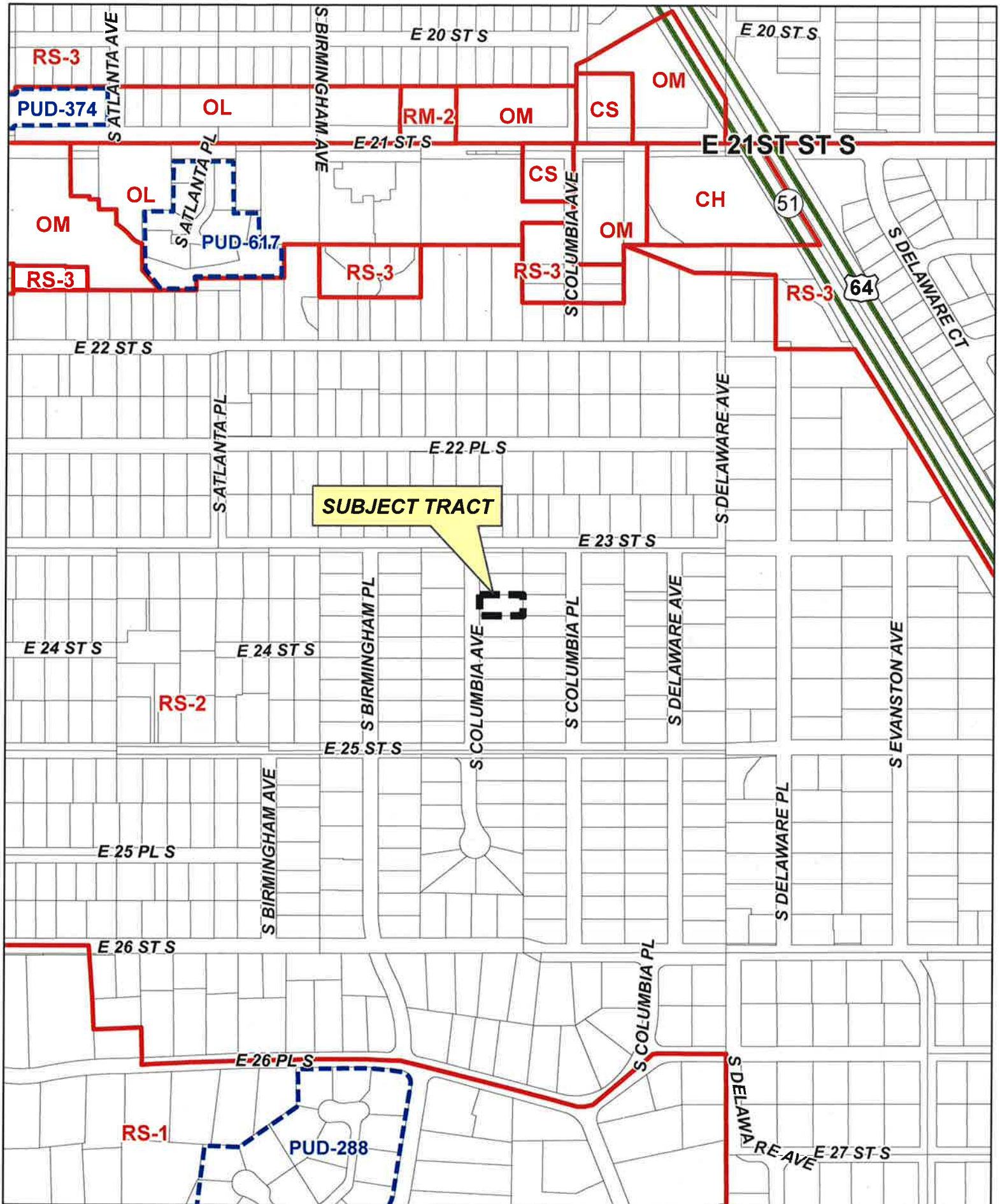
**Pursuant to section 5.070.2 of the subdivision development regulations, we are requesting a modification to exclude the sidewalk requirement at 2315 S. Columbia Avenue. The reason is that there are no other sidewalks in the area and a major tree that our buyer wants to preserve would have to be removed.**

**Thank you for your consideration in this matter. We look forward to your response.**

**Regards,**



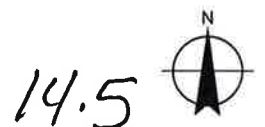
**Keith Sprik  
Biltmore Homes, LLC**



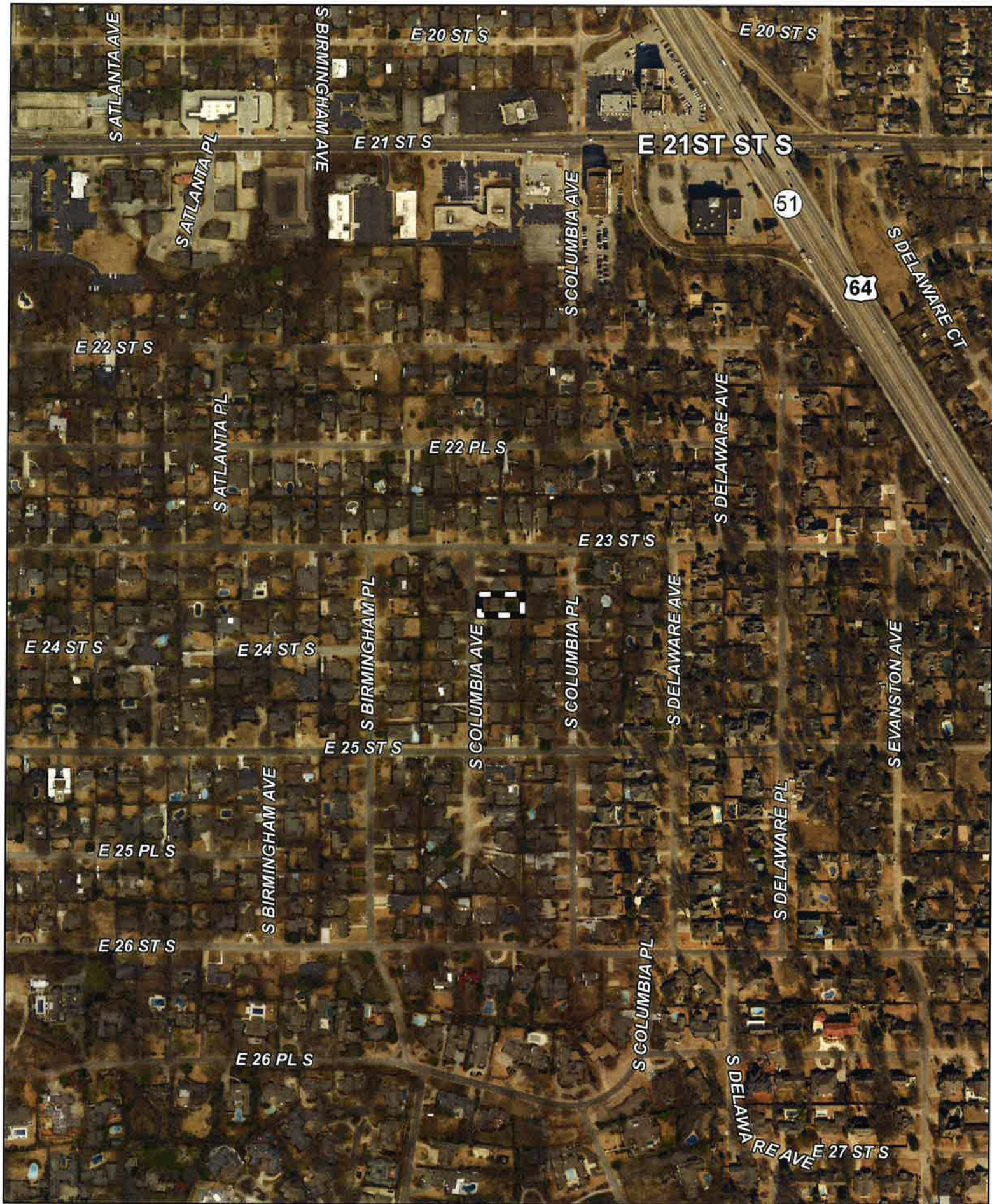
SUBJECT TRACT

MR-9

19-13 17







0 Feet 200 400



Subject Tract

**MR-9**

19-13 17

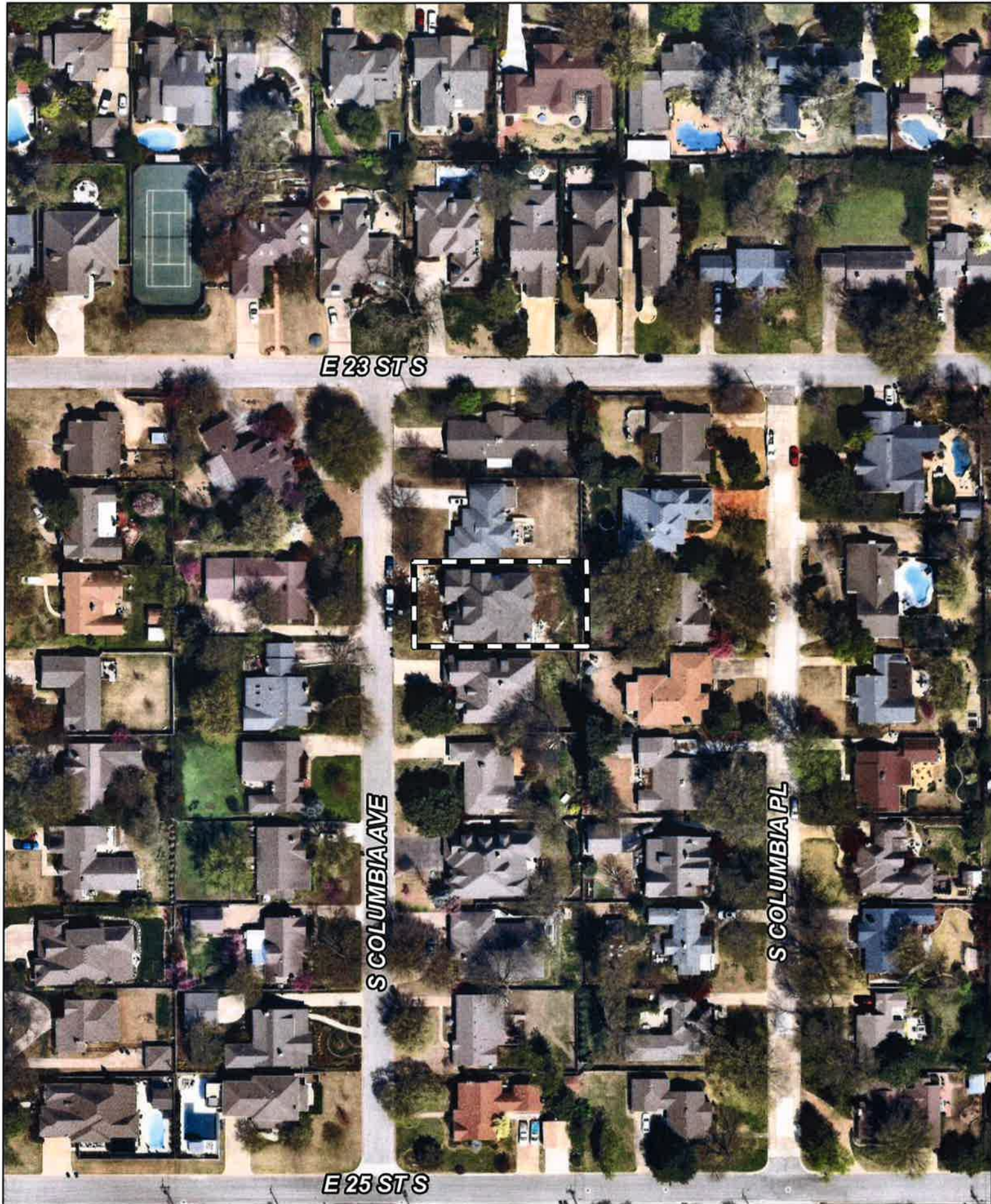
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



14.6





0 50 100  
Feet



Subject  
Tract

**MR-9**

19-13 17

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

Aerial Photo Date: April 2019  
Source: Nearmap



14.7





0 200 400  
Feet



Subject  
Tract

**MR-9**

19-13 17

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

Aerial Photo Date: February 2018



14.8





Tulsa Metropolitan Area  
Planning Commission

**Case :** MR-10 – 1916 N. Quannah Ave.

**Hearing Date:** May 15, 2019

**Case Report Prepared by:**

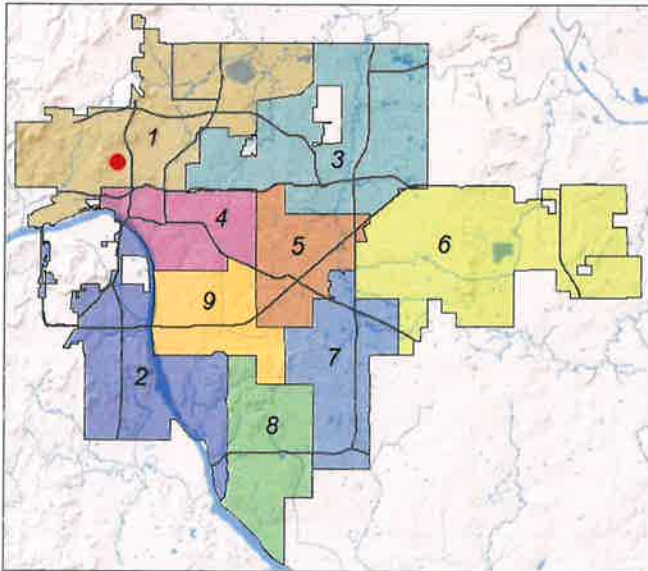
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Jeff Starkweather

*Owner:* Felix Hutchins

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



**Applicant Proposal:**

Modification to the Subdivision and  
Development Regulations

**Purpose:** Requesting a modification to the  
sidewalk requirements of Section 5.070 to  
remove the requirement for construction of  
sidewalks.

**Location:** North of the northwest corner of  
West Tecumseh Place and North Quannah  
Avenue

Lot 2-3 and Reserve A, Block 18 –  
Gilcrease Hills Village II

**Zoning:** RS-3

**Staff Recommendation:**

Staff recommends **approval** of the  
modification

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: Osage 2**

*Commissioner Name:* Kevin Paslay

**EXHIBITS:** Site Plan, Site Map, Aerial



## MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

### MR-10 – 1916 N. Quannah Ave. - (CD 1)

North of the northwest corner of West Tecumseh Place and North Quannah Avenue

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

As alternative solutions for sidewalks are explored, staff will begin evaluating each request for modification based on a set of criteria. Any future program would utilize similar criteria when making eligibility determinations for alternatives. Examples of criteria include the following:

1. Proximity to major pedestrian destinations such as parks, schools, public amenities, and retail areas.
2. Presence of existing pedestrian infrastructure within a walkable area of the subject property
3. Funded capital improvement projects that will impact property under application
4. Proximity and ability to connect to collector or arterial streets
5. Topographical or environmental challenges that make sidewalk installation impossible or impractical

Based on the selected criteria, staff finds the following facts to be **favorable** to the modification request:

1. The subject property is located in the middle of an established neighborhood with no existing sidewalks.
2. Subject property is located on the end of a cul-de-sac containing 3 houses.
3. North Quannah Avenue does not provide connections to vital destinations within the neighborhood.
4. Sidewalk would only serve the subject property
5. Currently no sidewalks provided on the West Tecumseh Place or North Union Avenue to connect area to other destinations

Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.

**Mark E. Nelson,**  
ARCHITECT P.L.C.  
OF CARMEL  
1977 E. BOSTON AVE. STE 207  
PUEBLO, COLORADO 81001

[info@grainharvest.org](mailto:info@grainharvest.org)

#### Abstract of contents



THE HUTCHINS RESIDENCE  
1916 N.QUANAH AVE. TULSA,OK

Total Earnings 3955  
 Subscribable 6000 - 204  
 From in house 9140  
 Grants 1950  
 Donor 5000 + 296  
 S M Big Box  
 (1002)  
 1002  
 AC Davis 33  
 BNY  
 Bank of 3000 (605)

JOHANNES KEPLER UNIVERSITY LINZ

THE NEW YORK  
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ASTOR LENOX TILDEN FOUNDATION  
125 WEST 47TH STREET  
NEW YORK, N. Y. 10036

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100

1974

Year	1990-2000	2000-2010
1990	100	100
2000	100	100
2010	100	100
2020	100	100
2030	100	100
2040	100	100
2050	100	100
2060	100	100
2070	100	100
2080	100	100
2090	100	100
2100	100	100



FIGURE 1

---

2000

\_\_\_\_\_

January 1992

### PROPOSED SITE PLAN

100

SP-102

**THE CODE**

**LEGAL DESCRIPTION**  
LOT 2, LOT 3, AND RESERVE A BLOCK 10  
SILVERCREST HILLS VILLAGE I, AN ADDITION  
TO THE CITY OF TULSA, OSAGE COUNTY  
STATE OF OKLAHOMA, ACCORDING TO THE  
RECORDED PLAT THEREOF.

ZONING REQUIREMENTS

ZONING: R3-3  
FRONT YARD = 25'  
REAR YARD = 20'  
SIDE YARD = 5'  
MAXIMUM HEIGHT = 35'

- 1. ALL BUTTERS AND SURFACE AREA DRAINS TO CONVEY BY TIGHTLINE DRAIN TO STORM DRAIN SYSTEM (GUTTER)
- 2. ALL GRADES SHALL SLOPE AWAY FROM STRUCTURE AT A RATE OF 8" OF DRAINAGE PER 10' OF DISTANCE
- 3. SURFACE DRAINAGE OTHER THAN WHAT OCCURS NATURALLY ON THE EXISTING SITE SHALL BE ALLOWED TO IMPACT NEIGHBORING SITES
- 4. UTILITY LOCATIONS IF INDICATED AND NOTED ON PLANS SHALL BE VERIFIED ALL LOCATIONS
- 5. ELECTRICAL SERVICE SHALL BE RELOCATED OR RELOCATED OR MODIFIED IN ANY WAY
- 6. POOL, SPA, AND HARDSCAPE LAYOUTS SHALL BE VERIFIED AND SHALL NOT BE RELIED ON FOR FINAL CONSTRUCTION
- 7. COORDINATE WITH LANDSCAPE ARCHITECT AND LANDSCAPE DESIGNER AS APPLICABLE
- 8. DRAINAGE CONTROL SYSTEMS INCLUDING CURBS, DITCHES, AND ETC. SHALL BE IN PLACE BEFORE CONSTRUCTION BEGINS

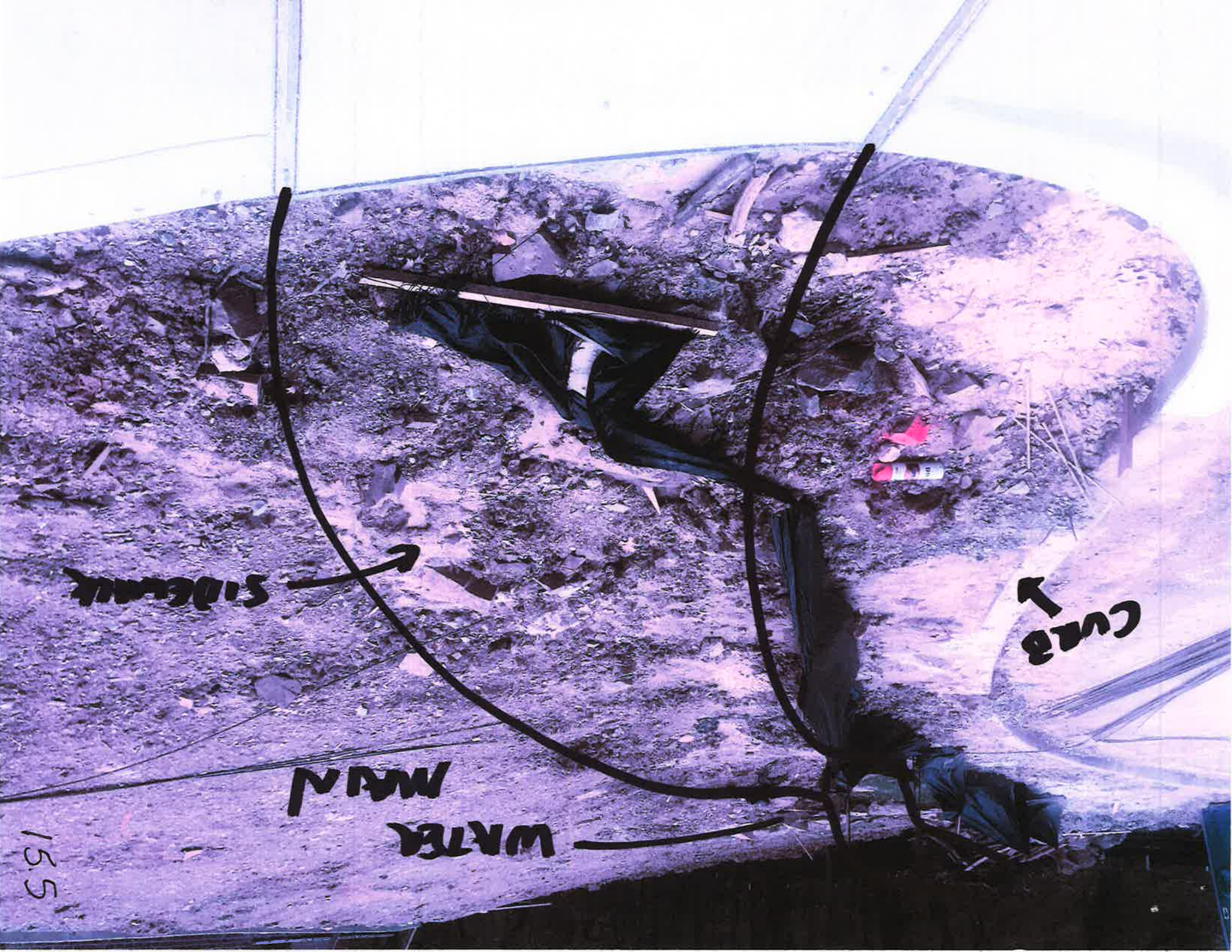
## 1 PROPOSED SITE PLAN



SP-1.02







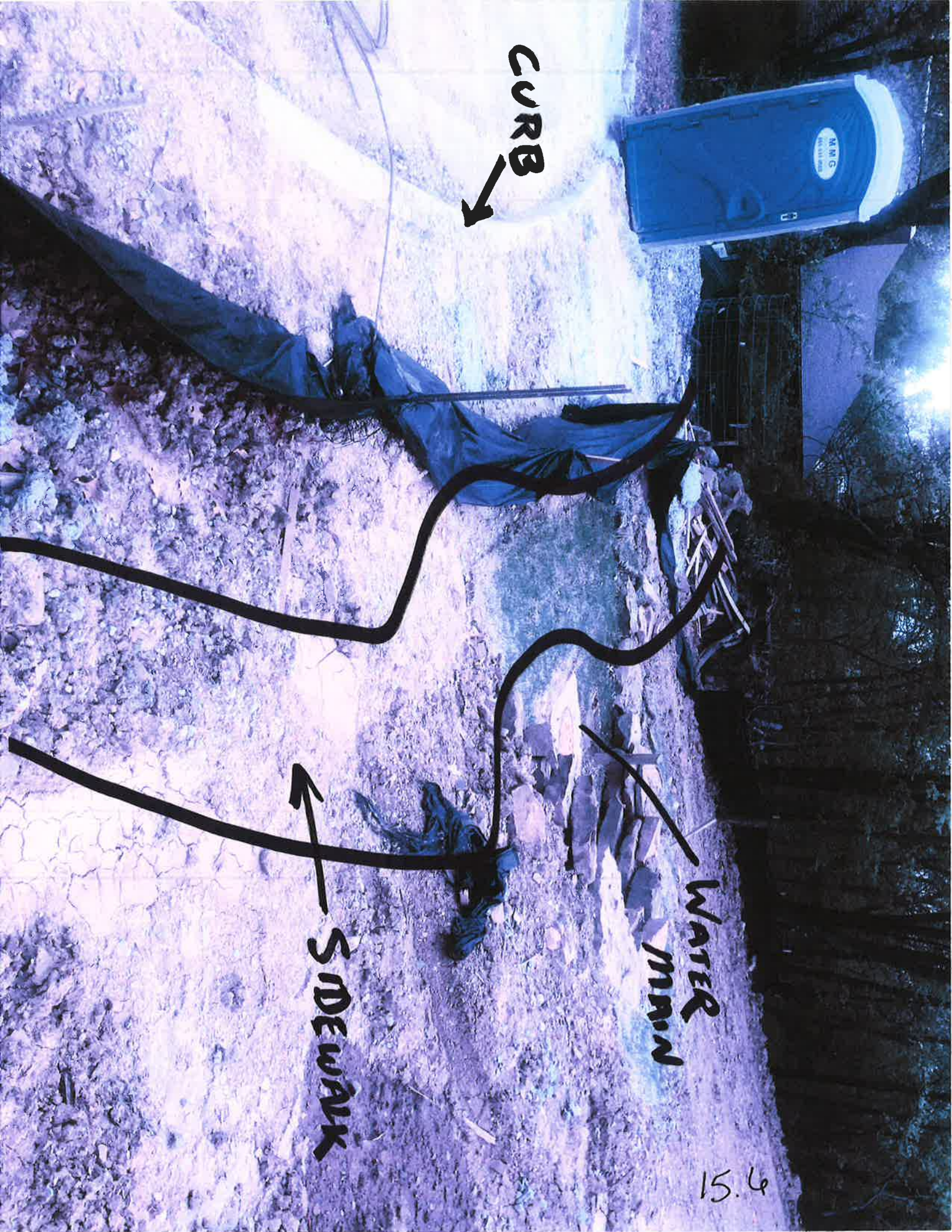
CURB  
↓

SIDEWALK  
↑

WATER  
MAIN  
↑

15.5





CURB

WATER  
main

SIDEWALK

15.6





SIDEWALK

NORTH

15.7

FOR SALE  
RE/MAX  
918.280.9940





SIDEWALK

NEWTON  
TO SOUTH

AHEAD

158



NEUBER TO  
SOOT ARMS  
CORNER



*Neighborhood*

15.10





PUD-624-A  
PUD-624

W APACHE ST

W YOUNG ST

W YOUNG ST

N QUANAHA AVE

W XYLER ST

N UNION PL

N UNION AVE

W WOODROW ST

W WOODROW ST

N ROSEDALE AVE

SUBJECT TRACT

RS-3

W TECUMSEH ST

W TECUMSEH PL

TISDALE EXPWY

RM-1

N OSAGE AVE

N MAYBELLE AVE

TISDALE EXPWY

W SEMINOLE ST

RM-1

N UNION AVE

N TACOMA AVE

N SANTA FE AVE

W SEMINOLE PL

W READING PL

RM-1

W QUEEN ST

PUD-232 B

W PINE PL

PUD-232

RM-1

PUD-441

CS

RM-1

W READING ST

W QUEEN ST

W PINE ST

MR-10

20-12 27

Feet  
0 250 500



15.11





0 250 500  
Feet



Subject  
Tract

**MR-10**

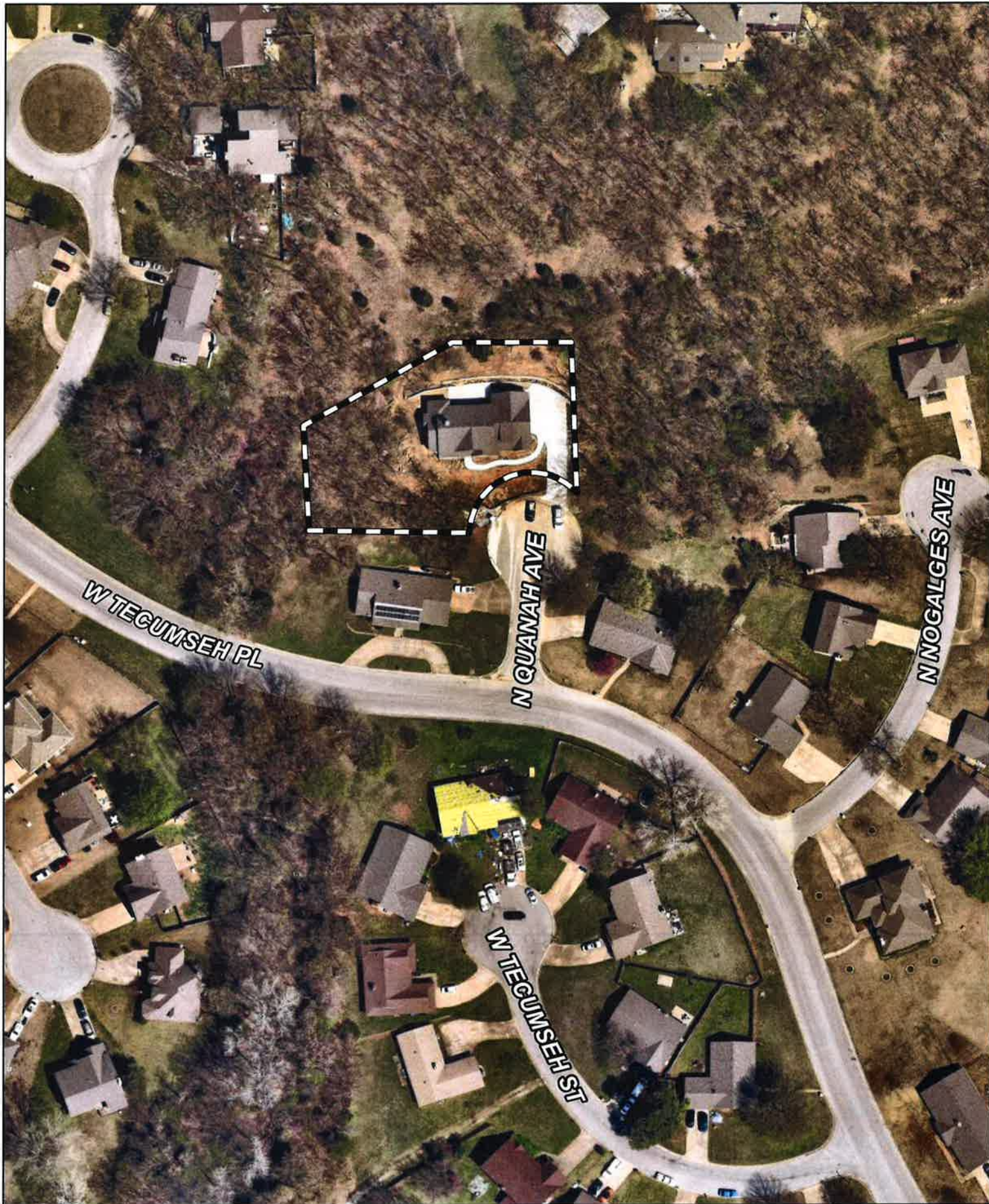
20-12 27

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

Aerial Photo Date: February 2018







0 50 100  
Feet



Subject  
Tract

**MR-10**

20-12 27

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

Aerial Photo Date: April 2019  
Source: Nearmap



15.13





0 Feet 250 500



Subject  
Tract

**MR-10**

20-12 27

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

Aerial Photo Date: February 2018



15.14



**Item**

Consider amending the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, Chapter 65 Landscaping, Screening and Lighting, to retitle Chapter 65 as Landscaping and Screening, to establish new minimum requirements for landscaping and screening, to renumber Outdoor Lighting regulations, establishing it as a separate Chapter 67, and to add and revise related provisions in Chapter 5 Residential Districts, Chapter 10 Mixed-Use Districts, Chapter 15 Office, Commercial and Industrial Districts, Chapter 55 Parking and Chapter 85 Violations, Penalties and Enforcement.

**Background**

The 2016 Tulsa Zoning Code was adopted to provide the City, residents, and builders updated regulations to reflect recommendations and vision of the Tulsa Comprehensive Plan. During the process of updating the zoning code, it was agreed that the landscape chapter would be updated separately. Kirk Bishop of Duncan and Associates was selected as the consultant for the 2016 zoning code update, as well as in February 2017 for the landscape chapter update.

As part of the process to update the landscape chapter, a technical team of city and utility staff as well as a working group of local professionals, stakeholders, and leaders were formed to provide guidance and feedback. A kick-off meeting was held on February 15, 2017 with both groups and the consultant. Additional meetings over the past couple of years have refined these items and established the details needed to produce draft regulations.

The TMAPC has been presented with status updates during the process, at Work Sessions on April 19, 2017, September 6, 2017 and April 3, 2019. In addition, public review and open houses were held on October 31, 2017 and March 21st, 2019.

Following a February 14, 2018 technical team and working group meeting, it was determined that the outdoor lighting provisions of the code would be separated into a separate chapter and that cost estimates related to anticipated new landscape requirements should be presented concurrent with the proposed modifications. The contract with Duncan and Associates was modified to add cost analysis and comparison which were completed in February 2019. The cost comparisons looked at several scenarios and cost estimates were included to illustrate existing landscape requirements and the proposed landscape requirements.





During the latest open house on March 21, 2019 the Tulsa Planning Office provided illustrations and discussed the proposed landscape requirements with the participants. TMAPC staff also met independently with members of the Home Builders Association (HBA) and NAIOP on March 20, 2019.

**Comprehensive Plan Considerations**

The Tulsa Comprehensive Plan recognizes the value of landscapes in all land use categories.

In Summary: Goal 3 of the Land Use Priorities in the Comprehensive Plan provides guidance for all new development that promotes pedestrian friendly streetscapes by encouraging pedestrian oriented amenities and enhancement. The pedestrian experiences should include trees and landscaping to visually enhance open space as well as providing shade for a cooler micro climate. Native or drought resistant species should be encouraged.

The Comprehensive Plan recognizes that landscaping is part of an existing neighborhood, however this amendment does not include any landscape provisions that affect single family residential development.

All the street designations in the Comprehensive Plan including Commuter Streets, Multi Modal Corridors, Main Streets and Residential Collector Streets recognize the values of providing an attractive landscape corridor to promote walking, bicycling, and transit use. Every conceptual street cross section includes anticipated tree placement in the street right of way

**Staff Recommendation**

Approval of the proposed amendments to the Tulsa Zoning Code in Chapter 65, Chapter 67, and all companion amendments as attached.

**Attachment(s)**

Chapter 65 | Landscaping and Screening

Chapter 67 | Outdoor Lighting

Companion Amendments

## Chapter 65 | Landscaping and Screening

Section 65.010	Purposes.....	65-1
Section 65.020	Principles.....	65-1
Section 65.030	Applicability.....	65-2
Section 65.040	Street Trees.....	65-2
Section 65.050	Interior Parking Lot Landscaping.....	65-3
Section 65.060	Vehicular Use Area Buffers .....	65-5
Section 65.070	Screening.....	65-7
Section 65.080	Landscape and Screening Material .....	65-9
Section 65.090	Landscape Installation, Irrigation and Maintenance.....	65-12
Section 65.100	Landscape Plans.....	65-14

### Section 65.010 Purposes

The landscaping and screening regulations of this chapter establish minimum requirements for landscaping and screening. The regulations are intended to advance the general purposes of this zoning code and to help:

- 65.010-A** Maintain and enhance the city's appearance;
- 65.010-B** Mitigate possible adverse impacts of higher intensity land uses abutting lower intensity land uses;
- 65.010-C** Reduce the impacts of noise and glare.
- 65.010-D** Maintain and improve air quality;
- 65.010-E** Protect surface water quality and reduce the negative impacts of stormwater runoff by reducing impervious surface area and providing vegetated areas that filter and retain greater amounts of stormwater on site;
- 65.010-F** Moderate heat by providing shade;
- 65.010-G** Encourage wise use of water resources;
- 65.010-H** Encourage preservation and replacement of existing trees and landscaping; and
- 65.010-I** Encourage greater use of low-impact development practices.

### Section 65.020 Principles

The regulations of this chapter will be interpreted, administered and enforced in accordance with the following general principles:

- 65.020-A** Preservation of existing, healthy trees and shrubs is a top priority and is strongly encouraged.
- 65.020-B** Trees, shrubs, groundcover and turf must be the primary sources of landscaping and must be installed and maintained to reduce stormwater runoff and ensure safe visibility at intersections and points of vehicular access.
- 65.020-C** The design of landscape areas to promote low-impact development practices (e.g., bioretention basins, rain gardens, filter strips, and grassed swales) is strongly encouraged and may be used to satisfy the landscaping regulations of this zoning code, subject to compliance with all applicable standards of the *Stormwater Management Criteria Manual*.
- 65.020-D** The alternative compliance provisions of Sec. ~~65.100-D~~ are intended to accommodate creativity in landscape and screening design and address site-specific barriers that prevent strict compliance with the regulations of this chapter.



**Section 65.030 Applicability**

The landscaping and screening regulations of this chapter apply as set forth in the individual sections of this chapter. The following are expressly exempt from the landscaping and screening regulations of this chapter:

- 65.030-A** Agricultural uses;
- 65.030-B** Public parks and open spaces;
- 65.030-C** Household living uses consisting of a single household on one lot or 2 households on one lot (existing or proposed); and
- 65.030-D** Reconstruction of any building that is damaged or destroyed by tornadoes, straight-line winds, ice storms, accidental fire, floods, hail, lightning, or other forces beyond the reasonable control of the property owner.

**Section 65.040 Street Trees****65.040-A Purpose**

Street trees help maintain and enhance the appearance of the city, contribute to pedestrian safety and comfort and offer environmental benefits by allowing the infiltration of stormwater, reducing urban heating and improving air quality.

**65.040-B Applicability**

The street tree planting requirements of this section apply to all the following, except as otherwise expressly stated:

1. Construction of any principal building or non-accessory parking;
2. Any addition to or enlargement of an existing principal building when the addition or enlargement exceeds 20% of the building's existing floor area; and
3. Any increase in impervious coverage on the subject lot that exceeds 20% of the lot's existing impervious coverage.

**65.040-C Requirements****1. Number**

At least one large tree is required per 30 feet of street frontage. If large trees are not appropriate due to the presence of overhead lines, other obstructions or site visibility considerations, as determined by the land use administrator, at least one small tree is required per 25 feet of street frontage. Street tree requirements may be satisfied by the installation of new trees or by the preservation of existing trees (see Sec. 65.080-B4 to determine available incentives for preservation of existing trees). The tree list prepared by the planning director (see 65.080-A2) identifies and classifies street trees by size.

**2. Location**

- a. Required street trees must be located on the subject property within 20 feet of the planned street right-of-way unless the land use administrator determines that the presence of buildings or obstructions or other factors prevent viable tree planting within this area, in which case required street trees must be installed in the first 7 feet of the planned street right-of-way, as measured from the outer edge of the right-of-way. Street tree planting in the right-of-way must comply with the regulations of Title 35, Chapter 6 of the Tulsa Revised Ordinances.
- b. The land use administrator is expressly authorized to approve an alternative compliance landscape plan for installation of street trees in alternative locations when circumstances prevent tree planting within the areas described in Sec. 65.040-

C2.a or when compliance with Sec. 65.040-C2.a would result in a poor growing environment for the tree or damage to public or private improvements.

Figure 65-1: Street Tree

**3. Spacing**

Street trees are not required to be evenly spaced, but the distance between street trees may not exceed 75 feet.

**4. Materials, Installation and Maintenance**

See Section 65.080 and Section 65.090.



**Section 65.050 Interior Parking Lot Landscaping**

**65.050-A Purpose**

The interior parking lot landscaping regulations of this section are intended to help mitigate the visual and storm-water runoff impacts of parking lots and provide shade for parked vehicles and pedestrians.

**65.050-B Applicability**

Unless otherwise expressly stated, the interior parking lot landscaping regulations of this section apply to all the following:

1. The construction of any new principal building or addition to a principal building that increases the floor area of principal buildings on the subject lot by more than 20%;
2. The construction or installation of any new parking lot containing 10 or more parking spaces; and
3. The expansion of any existing parking lot that increases the number of parking spaces or amount of paved area by more than 33%.

**65.050-C Exception**

Parking areas used solely for the display of motor vehicles for sale, lease or rental are exempt from the interior parking lot landscaping requirements of this section.

**65.050-D Requirements**

**1. Landscape Area**

- a. At least 35 square feet of interior parking lot landscape area must be provided for each parking space. If compliance with this regulation would result in the loss of required parking spaces, the amount of parking required is automatically reduced by the amount needed to accommodate the required interior parking lot landscape area.
- b. When at least 50% of interior parking lot landscape area consists of depressed bioretention areas used for stormwater management, the minimum interior parking lot landscape area requirement is reduced from 35 square feet per parking space to 28 feet per parking space. To receive this bioretention credit, the storm-water harvesting area must be at least 6 inches and not more than 18 inches in depth and planted with vegetation that can withstand periodic inundation.



**2. Trees and Plant Material**

Required interior parking lot landscape areas must include at least one large tree per 10 parking spaces. Small trees may be substituted for large trees if the land use administrator determines that the presence of overhead lines or other obstructions make the installation of large trees unsafe or impractical or would result in poor growing conditions. Minimum tree planting requirements may be satisfied by the installation of new trees or by the preservation of existing trees (see Sec. 65.080-B4 to determine available incentives for preservation of existing trees)

**3. Location and Design**

- a. Interior parking lot landscaping must be reasonably distributed throughout the parking lot and provided in landscape islands or medians that comply with all the following requirements:
  - (1) They must be bordered by a paved surface on at least 2 sides;
  - (2) They must be at least 7 feet wide, as measured from the back of the curb;
  - (3) They must include at least one tree per island and be covered with ground cover plants or mulch;
  - (4) They must be protected by curbs or other barriers, which may include breaks or inlets to allow stormwater runoff to enter the landscape island; and
  - (5) They must be located so that every parking space is within 100 feet of a tree.
- b. Parking rows that end abutting a paved driving surface must have a landscape terminal island (end cap) at that end of the parking row. All other parking lot landscape islands must be located to comply with all applicable regulations of this section. The regulations of 65.050-D3.a apply to the landscape terminal island.
- c. The land use administrator is expressly authorized to approve landscape plans that do not provide terminal islands at the end of each parking row or that otherwise provide for reduced dispersal of interior parking lot landscape areas when proposed landscape planting areas are combined to form functional bioretention areas or to preserve existing trees and vegetation.

**4. Vehicle Overhangs**

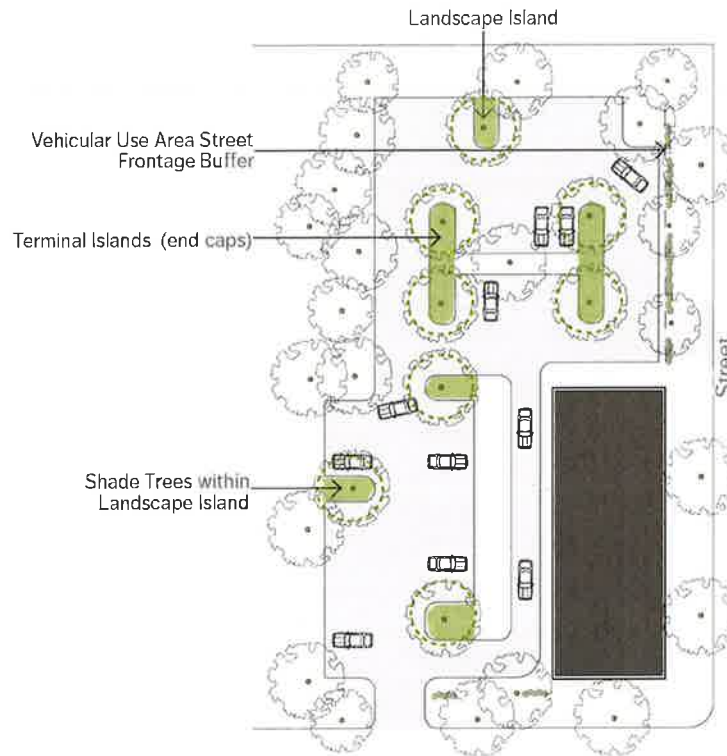
A portion of a motor vehicle parking space may be landscaped instead of paved to meet interior parking lot landscaping requirements. The landscaped area may be up to 2.5 feet of the front of the space, as measured from a line parallel to the direction of the bumper of the vehicle using the space. Groundcover plants or mulch must be provided in the allowed overhang area.

**5. Relationship to Vehicular Use Area Buffer Regulations**

Landscape areas and plant material provided to satisfy the vehicular use area buffer regulations of Section 65.060 may not be counted toward satisfying the interior parking lot landscaping regulations of this section (Section 65.050).

**6. Materials, Installation and Maintenance**

See Section 65.080 and Section 65.090.

*Figure 65-2: Interior Parking Lot Landscaping*

## Section 65.060 Vehicular Use Area Buffers

### 65.060-A Purpose

The vehicular use area buffer regulations of this section are intended to help mitigate the visual and operational impacts of parking lots and other vehicular use areas when such areas are adjacent to streets or residential zoning districts.

### 65.060-B Applicability

A "vehicular use area" is an area on a lot that is not contained within a garage or similar enclosed or partially enclosed structure that is designed and intended for use by motor vehicles, including parking lots, vehicle storage and display areas, loading areas; and drive-ways and drive-through lanes. Unless otherwise expressly stated, the vehicular use area buffer regulations of this section apply to all the following:

1. The construction or installation of any new vehicular use area with a contiguous paved area of 3,500 square feet or more; and
2. The expansion of any existing vehicular use area that results in the addition of 3,500 square feet of paved area, in which case the vehicular use area perimeter landscaping requirements of this section apply only to the expanded area.

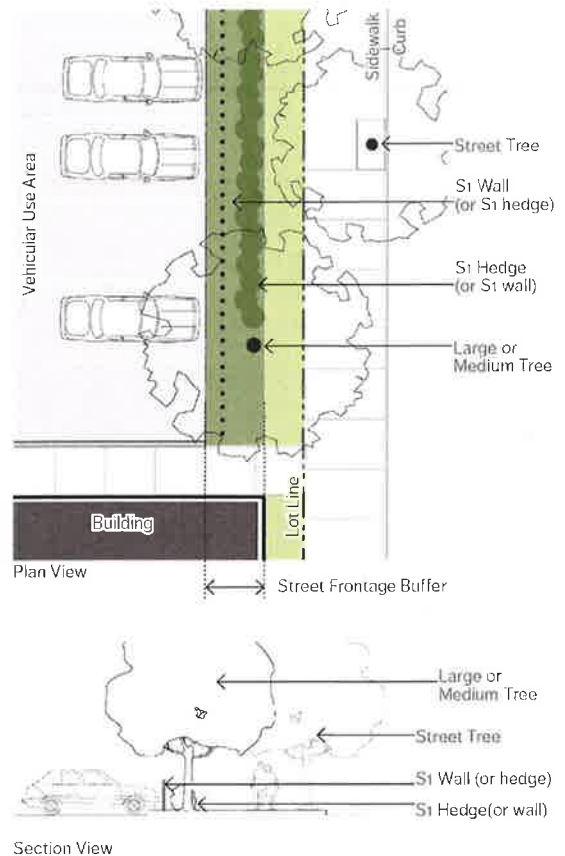
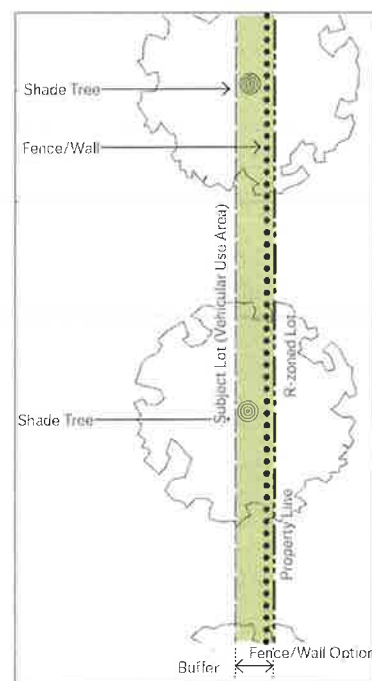


**65.060-C Requirements****1. Street Frontage Buffers**

- a. When a vehicular use area is located adjacent to a street right-of-way, street frontage buffers must be provided in accordance with the this subsection to physically and visually buffer the vehicular use area from the right-of-way.
- b. Street frontage buffers are required only when the vehicular use area is located within 100 feet of the right-of-way and there are no intervening buildings between the vehicular use area and the right-of-way.
- c. Except as expressly stated for vehicular use areas in the CBD zoning district (see 65.060-C1.d), street frontage buffer areas must be at least 7 feet in width and include an S1 screen, in accordance with Sec. 65.070-C1.
- d. In the CBD zoning district, required street frontage buffers must be at least 3 feet in width and include an S1 screen, in accordance with Sec. 65.070-C1.
- e. Groundcover plants must be provided in all street frontage buffer areas not covered by fences or walls.
- f. The vehicle overhang allowance of 65.050-D4 applies to parking spaces abutting street frontage buffers.

**2. R District Buffers**

- a. When a vehicular use area is located on a lot abutting an R-zoned lot, an R district buffer must be provided in the form of an F1 screen, in accordance with 65.070-C2.
- b. R district buffers are required only when the vehicular use area is located within 100 feet of an abutting R-zoned lot and there are no buildings between the vehicular use area and the abutting R-zoned lot.

*Figure 65-3: Street Frontage Buffer**Figure 65-4: R District Buffer*

- c. Groundcover plants must be provided in all R district buffer areas that are not covered by fences or walls.
- d. The vehicle overhang allowance described in Sec. 65.050-D4 applies to parking spaces abutting R district buffers.

### 3. Materials, Installation and Maintenance

See Section 65.080 and Section 65.090.

## Section 65.070 Screening

### 65.070-A Purpose

Screening requirements are intended to partially or completely shield expressly identified uses and site features from view of abutting streets or other abutting lots.

### 65.070-B Features Required to be Screened

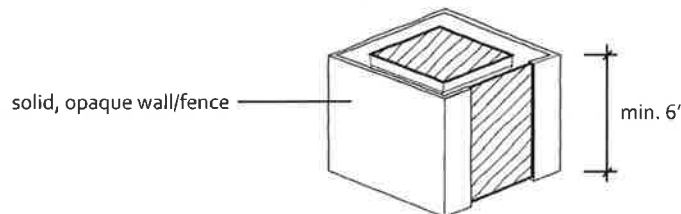
#### 1. General

This subsection establishes screening requirements for several common site features that require visual separation from streets and abutting lots. Other uses, districts, structures and activity areas may also require screening in accordance with other provisions of this zoning code.

#### 2. Dumpsters and Recyclable Material Bins

All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties. Required screening must consist of an opaque fence or wall with a minimum height of 6 feet. One side of the storage area must be furnished with an opaque, lockable gate.

*Figure 65-5: Dumpster and Recycling Bin Screening*

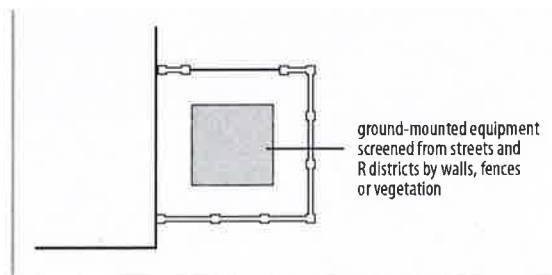


#### 3. Mechanical Equipment

##### a. Ground-mounted Equipment

Mechanical equipment located at ground level, such as heating or cooling equipment, pumps, or generators must be screened from view of the street and any abutting R districts by walls, fences or vegetation. Screening must be at least as tall as the tallest part of the equipment required to be screened.

*Figure 65-6: Screening of Ground-mounted Equipment*



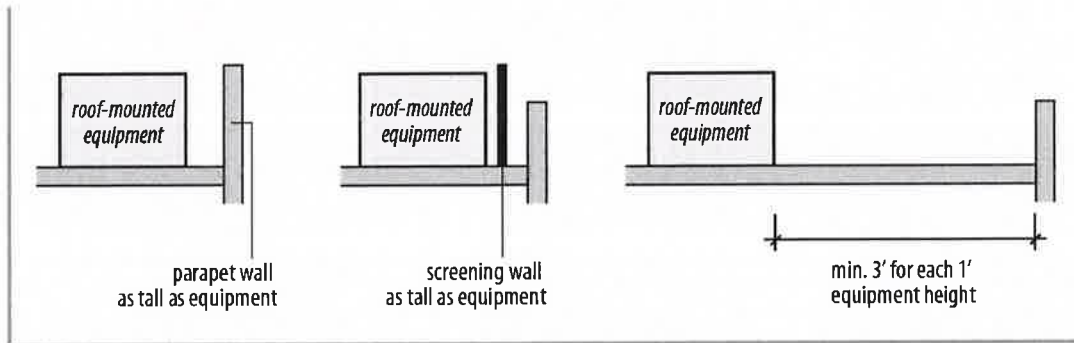


**b. Roof-mounted Equipment**

Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R zoning district:

- (1) A parapet along facades facing the R district that is at least as tall as the tallest part of the equipment;
- (2) A screening fence or wall around the equipment that is at least as tall as the tallest part of the equipment required to be screened; or
- (3) An equipment setback from roof edges facing the R district by at least 3 feet for each one foot of equipment height.

*Figure 65-7: Screening of Roof-mounted Equipment*

**65.070-C Type of Screens****1. S1, Low-profile Screen****a. Purpose**

The S1, low-profile screen is intended to help soften visual impacts of certain site features and provide an “urban edge” along lot borders and other site features, while maintaining some visibility of the areas required to be screened.

**b. Design**

The S1 screen requires shrubs planted to form a continuous visual barrier (hedge) at least 3 feet in height. A screening wall with a minimum height of 2.5 feet and a maximum height of 3 feet may be substituted for the shrubs. Walls used to satisfy S1 screening requirements must be constructed of brick, stone, cast stone, formed concrete or similar durable, low-maintenance materials.

**2. F1, Screening Fence or Wall****a. Purpose**

An F1 screening fence or wall is required in those instances where a complete visual barrier is needed.

**b. Options**

F1 screening requirements may be met by either of the following options.

- (1) The installation of an opaque fence at least 6 feet in height and at least one tree per 25 linear feet of fence; or
- (2) The installation of a masonry wall with a minimum height of 6 feet.

**c. Street Setback**

When located in the required street setback, required F1 screening fences and walls may not exceed 4 feet in height.

**3. Materials, Installation and Maintenance**

See Section 65.080 and Section 65.090. Any tree planting requirements associated with F1 screens may be satisfied by the installation of new trees or by the preservation of existing trees (see Sec. 65.080-B4 to determine available incentives for preservation of existing trees).

**4. Modification of Requirements**

a. Applicable screening requirements may be waived or modified through the alternative compliance approval process (see §65.100-D) or through the special exception approval process when:

- (1) Existing features provide a visual screen equivalent to the screening requirements of this section;
- (2) The screening requirements cannot be achieved; or
- (3) The screening is prohibited by other ordinances or regulations.

b. An extension of time to install required screening may be approved through the special exception approval process when the properties benefited by the screening are undeveloped.

**5. Screening or Setbacks Triggered by Proximity to Nonresidential Areas/Features**

When a screening wall or fence or setback is required by this zoning code because a use abuts one or more R districts, such wall, fence, or setback is not required if the actual use of the abutting R district is a freeway, expressway, turnpike, nonresidential use; or a nonresidential development area. This exemption from screening does not apply to junk or salvage yards.

**Section 65.080 Landscape and Screening Material****65.080-A General****1. Applicability**

The regulations of this section apply to all trees, plant materials, and other features used to satisfy the landscaping and screening requirements of this zoning code.

**2. Tree and Plant Lists**

The planning director is authorized to prepare a list of recommended and prohibited tree and plant species for use in administering and enforcing the regulations of this chapter.

**3. Selection**

Trees and plants used to satisfy the requirements of this zoning code must:

- a. Meet or exceed the plant quality standards established in the latest edition of the American Standard for Nursery Stock (ANSI Z60.1);
- b. Be native to North America adapted for growing conditions in the Tulsa area, as determined by the land use administrator; and
- c. Not be artificial plants or plants listed as prohibited species on the recommended and prohibited tree and plant species list.



**4. Planting Areas**

All planting areas must have amended soil to help ensure the health of newly installed plant material.

**65.080-B Trees****1. Types**

Unless otherwise expressly approved by the land use administrator, trees used to satisfy the tree planting requirements of this chapter must be selected from the recommended tree and plant list (see also 65.080-A2).

**2. Size****a. New Trees**

New or transplanted trees provided to satisfy the requirements of this zoning code must comply with the following minimum size requirements:

- (1) Large trees must be deciduous, with a minimum caliper size of 2 inches and a minimum height of 12 feet at the time of installation.
- (2) Medium trees must have a minimum caliper size of 2 inches and a minimum height of 8 feet at the time of installation.
- (3) Small trees must have a minimum caliper size of 1.5 inches and a minimum height of 6 feet at the time of installation.
- (4) Evergreen trees must have a minimum height of 6 feet at the time of installation.

**b. Overhead Lines**

Trees to be installed below overhead lines must be selected from the list of small trees specified on the recommended and prohibited tree list or be otherwise expressly approved by the land use administrator.

**3. Species**

If more than 10 trees are required, no more than 40% may be of a single species. If more than 25 trees are required, no more than 25% may be of a single species. This requirement applies to trees being planted, not to existing trees.

**4. Existing (Preserved) Trees**

a. Preserved trees will be credited toward satisfying the tree planting requirements of this zoning code in accordance with the regulations of this subsection (65.080-B4).

b. Credit will be given on the following basis:

- (1) Preserved trees up to 6 inches in diameter at breast height (DBH) will be credited as 3 trees.
- (2) Preserved trees larger than 6 inches DBH, up to 12 inches DBH will be credited as 4 trees;
- (3) Preserved trees that are more than 12 inches DBH up to 24 inches DBH will be credited as 5 trees; and
- (4) Preserved trees that are more than 24 inches DBH will be credited at a ratio of 10 trees.

- c. The tree preservation incentive credits provided in this subsection (65.080-B4) may not be used to reduce the number of trees required by this chapter by more than 50%.
- d. To receive tree preservation credit, the following additional conditions must be met:
  - (1) Preserved trees for which credit is given must be in good health and condition and may not be prohibited species;
  - (2) The original grade of the dripline area of a preserved tree may not be changed; and
  - (3) Tree protection fencing must be installed around the outer limits of the dripline area and remain in place from commencement of construction activity until all exterior work is complete. Tree protection fencing must consist of orange vinyl construction fencing, chain link fencing, snow fencing or other similar fencing at least 42 inches in height and supported at no more than 10-foot intervals by posts or stakes to keep the fence upright and in place. A visible warning/no-disturb sign must be affixed to fence at 100-foot intervals.
- e. The land use administrator is expressly authorized to reduce off-street parking requirements to allow for the preservation of existing trees.
- f. If healthy, preserved trees are removed, they must be replaced by the number trees for which credit was given.
- g. If preserved trees die or are lost to storms or natural causes within one year of the date of approval of the landscape plan, they must be replaced by the number trees for which credit was given. If preserved trees die or are lost to storms or natural causes beyond one year of the date of approval of the landscape plan, they must be replaced by an equal number of trees (1:1 basis).

#### **65.080-C Shrubs**

##### **1. New Shrubs**

- a. Deciduous shrubs must have a minimum container size of 5 gallons.
- b. Evergreen shrubs must have a minimum container size of 5 gallons.
- c. Shrubs may also be balled and burlapped.
- d. If more than 75 shrubs are required, no more than 40% may be of a single species.

##### **2. Existing (Preserved) Shrubs**

Existing shrubs may be used to satisfy the landscaping and screening requirements of this zoning code if protected and maintained during site development and construction phases of work and if such plants are not otherwise prohibited.

#### **65.080-D Ground Cover**

- 1. All required landscape areas that are not planted with trees or shrubs must be covered with ground cover plants, which may include turf. Mulch must be confined to areas underneath trees and shrubs and is not an allowed substitute for ground cover.
- 2. Ground cover plants other than turf must be minimum 4-inch pot or plug size. Areas planted in ground cover other than turf must be planted at distances appropriate for



the species and at a density that will achieve complete coverage after the second full growing season.

**65.080-E Mulch**

All required trees and shrubs must be located within a mulched area and be separated from turf by a minimum distance of 2 feet (4-foot diameter mulched area). Mulch must be applied to provide a 2-inch (minimum) to 4-inch (maximum) soil cover, with no weed barrier material visible.

**65.080-F Fences and Walls**

Unless otherwise expressly stated, fences and walls provided to meet the regulations of this chapter are subject to the regulations of this subsection.

1. Fences must durable and constructed with materials that are customarily used for fences, including wood, decorative rigid vinyl (polyvinyl chloride), metal or wrought iron. Fence posts must be structurally stable.
2. The finished side of all fences other than tree protection fences must face the adjacent property or street. Chain-link fencing may not be used to satisfy the regulations of this chapter.
3. Walls, raised planting beds and planters must be constructed of brick, stone or other durable masonry material approved by the land use administrator.

**Section 65.090 Landscape Installation, Irrigation and Maintenance****65.090-A Installation**

1. Required landscaping must be installed in accordance with an approved landscape plan.
2. All trees and plant material must be installed in accordance with sound nursery practices, in a manner designed to encourage vigorous growth.
3. All newly installed trees must be staked.
4. Trees and plant material suitable for planting must be balled and burlapped or container grown. Planting areas should be at least twice the diameter of the root system or the container.
5. All landscaped areas that are adjacent to pavement must be protected with curbs or equivalent barriers. Flush curbs, curb cuts, or other methods must be used to direct stormwater to landscape areas that abut paved areas.
6. Landscaping may not obstruct traffic visibility at street intersections or driveways and must comply with the intersection sight distance regulations of Title 24 (§103.A) of the Tulsa Revised Ordinances as well as AASHTO (American Association of State Highway and Transportation Officials) guidelines.
7. The city is not liable for any damage to above-ground or below-ground improvements or landscaping within the public right of way, even when such damage or destruction is the direct result of government action. When landscaping is placed or installed within the public right-of-way, the city has no obligation to replace or repair such landscaping if removed or damaged by city field operations or other governmental functions. The city also has no obligation to maintain above ground or below ground improvements or landscaping within the public right-of-way.

**65.090-B Protection**

All landscape areas provided to meet the requirements of this zoning code must be protected from potential damage by adjacent uses and development, including parking and storage areas.

**65.090-C Irrigation**

1. All required landscaped areas must be provided with irrigation in accordance with one of the following 2 options:
  - a. A permanent irrigation system with a controller to tailor watering schedules to weather and site conditions; or
  - b. A temporary irrigation system that provides enough water to ensure that all trees and plants will become established.
2. Irrigation systems must comply with all applicable building and plumbing codes.

**65.090-D Timing of Installation**

1. All required landscaping and appurtenances, except trees, must be installed prior to the issuance of a final certificate of occupancy.
2. All required trees must be installed within 120 days after issuance of a final certificate of occupancy or temporary certificate of occupancy.

**65.090-E Certificate of Installation**

Within a CO, PUD or MPD district or whenever a mandatory or optional development plan is approved, certification of installation of required landscaping must be provided as required by any express provisions of the CO, PUD or MPD district or mandatory or optional development plan approval that was granted. In all other cases, within 120 days of the issuance of a certificate of occupancy or temporary certificate of occupancy, written certification by the owner of the property, an architect, landscape architect or engineer licensed to do business in the State of Oklahoma must be submitted to the city stating that all landscaping and appurtenances have been installed in accordance with the approved landscape plan.

**65.090-F Maintenance**

1. Required landscaping and screening must be continuously maintained, including necessary watering; weeding; pruning; pest control; litter and debris clean-up; and replacement of dead, diseased or damaged plant material.
2. Failure to comply with an approved landscaping plan, including failure to maintain required landscaping and screening and failure to replace dead, diseased or damaged landscaping, constitutes a violation of this zoning code and is subject to penalties and enforcement under Chapter 85.
3. The property owner is responsible for maintenance of trees and landscaping in accordance with the approved landscape plan and the regulations of this zoning code. Any dead, diseased or damaged trees, landscaping or screening materials must be removed and replaced by the property owner. Property owners are also responsible for replacing or restoring required landscaping that is damaged or destroyed as a direct result of government action or lawful action of a franchise utility provider.



## **Section 65.100 Landscape Plans**

### **65.100-A Preparation of Landscape Plan**

1. Except as expressly stated in 65.100-A2, required landscape plans must be accompanied by written certification from an architect, landscape architect or engineer licensed to practice in the State of Oklahoma, that the landscape plan is in conformance with the minimum requirements of this chapter.
2. Required landscape plans for properties that (a) are subject to an approved mandatory or optional development plan or (b) have a lot area of more than 20,000 square feet and are occupied by buildings with a combined gross floor area of more than 15,000 square feet, must be sealed and signed by a landscape architect licensed to practice in the State of Oklahoma.

### **65.100-B Required Information**

All building permit applications for sites requiring landscaping must include a landscape plan that complies with the landscape plan submittal requirements specified by the development administrator. Such submittal requirements must be in writing and made available to the public.

### **65.100-C Administrative Review**

After receipt of a complete landscape plan, the development administrator must:

1. Approve the landscape plan as complying with the requirements of this chapter;
2. Approve the landscape plan with conditions of approval that will bring it into compliance with the requirements of this chapter; or
3. Reject the landscape plan as failing to comply with the requirements of this chapter.

### **65.100-D Alternative Compliance Landscape and Screening Plans**

1. To accommodate creativity in landscape and screening design and to allow for flexibility in addressing site-specific development/redevelopment challenges, the land use administrator is authorized to approve alternative compliance landscape plans sealed by a landscape architect licensed to practice in the State of Oklahoma. In order to approve an alternative compliance landscape plan, the land use administrator must determine that one or more of the following conditions or opportunities are present:
  - a. The subject site has space limitations, an unusual shape or other factors that make strict compliance with applicable landscaping and screening regulations impossible or impractical;
  - b. Physical conditions on or adjacent to the site such as topography, soils, vegetation or existing structures or utilities are such that strict compliance is impossible, impractical or of no value in terms of advancing the general purposes of this chapter;
  - c. Safety considerations such as intersection visibility, utility locations, etc., make alternative compliance necessary; or
  - d. Creative, alternative landscape plans will provide an equal or better means of meeting the intent of the landscaping and screening regulations of this chapter.
2. The land use administrator is expressly authorized to approve alternative compliance landscape plans for projects implementing low-impact development practices or seeking sustainable development or green building certification from nationally recognized

organizations, such as the International Code Council, the U.S. Green Building Council, the International Living Future Institute, the U.S. Green Building Initiative or SITES, as follows:

- a.** Sites implementing low-impact development (LID) practices that comply with the City of Tulsa Stormwater Management Criteria Manual are expressly authorized for approval through the alternative compliance provisions of this section.
  - (1)** LID plans must be sealed by a landscape architect licensed to practice in the State of Oklahoma.
  - (2)** LID development solutions may be provided in the street right-of-way, subject to approval by all applicable city bodies, departments and agencies. Such improvements must be maintained by the adjoining property owner.
  - (3)** All aspects of an LID project, including permeable pavement, bioretention areas, rain gardens, filter strips, grassed swales, green roofs, wetlands, natural stream restoration or preservation will be considered part of the approved alternative compliance landscape plan.
- b.** Plans for sites for which property owners are seeking sustainable development or green building certification from nationally recognized organizations may be approved as alternative compliance landscape plans.
  - (1)** Landscape plans must be sealed by a landscape architect licensed to practice in the State of Oklahoma.
  - (2)** Landscape improvements may be provided in the street right-of-way, subject to approval by all applicable city bodies, departments and agencies. Such improvements must be maintained by the adjoining property owner.
  - (3)** All proposed aspects of the proposed certification, including hardscape material selections, site lighting, grey water irrigation systems and other components of the site may be considered as part of the approved alternative compliance landscape plan.



## Landscape Chapter Companion Amendments

### **5.040-G Outdoor Lighting**

See Chapter 67

### **10.050-G Outdoor Lighting**

See Chapter 67

### **15.040-H Outdoor Lighting**

See Chapter 67

### **55.090-I Outdoor Lighting**

See Chapter 67

### **Section 55.050-L Conflicts with Interior Parking Lot Landscape Regulations**

If compliance with the minimum interior parking lot landscaping regulation of 65.050-D1 would result in the loss of required parking spaces, the amount of parking required is automatically reduced by the amount needed to accommodate the required interior parking lot landscape area.

### **Section 85.020 Violations**

Unless otherwise expressly allowed by this zoning code or state law, any violation of a provision of this zoning code—including any of the following—are subject to the remedies and penalties provided for in this zoning code.

- 85.020-A** To use land, buildings or other structures in any way that is not consistent with the requirements of this zoning code;
- 85.020-B** To erect a building or other structure in any way not consistent with the requirements of this zoning code;
- 85.020-C** To install or use a sign in any way not consistent with the requirements of this zoning code;
- 85.020-D** To engage in the use of a building, structure or land, the use or installation of a sign, or any other activity requiring one or more permits or approvals under this zoning code without obtaining such required permits or approvals;
- 85.020-E** To engage in the use of a building, structure or land, the use or installation of a sign, or any other activity for which a permit or approval has been granted under this zoning code or under previous zoning codes of the city in any way inconsistent with such permit or approval or any conditions imposed on the permit or approval;
- 85.020-F** To violate the terms of any permit or approval granted under this zoning code or under previous zoning codes of the city or any condition imposed on the permit or approval;
- 85.020-G** To obscure, obstruct or destroy any notice required to be posted under this zoning code;
- 85.020-H** To violate any lawful order issued by any authorized public official;
- 85.020-I** To continue any violation after receipt of notice of a violation; or
- 85.020-J** To fail to install or maintain required landscaping and screening material.

## Chapter 67 | Outdoor Lighting

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### Section 67.010 Purposes

The outdoor lighting regulations of this chapter are intended to help ensure adequate lighting for motorized and nonmotorized travelers; provide for the efficient use of energy; and reduce the impacts of nuisance lighting and glare on nearby areas.

### Section 67.020 Applicability and Exemptions

The outdoor lighting regulations of this section apply to all outdoor lighting installed after the effective date specified in Section 1.030, except that they do not apply to any of the following:

- 67.020-A** Outdoor lighting on lots occupied by residential buildings containing fewer than 4 dwelling units;
- 67.020-B** Public street lights;
- 67.020-C** Airport runway and aviation safety lights required by the FAA (e.g., warning lights on radio, communication and navigation towers);
- 67.020-D** Spotlighting of official government flags if the spotlighting is contained within the area of the flag;
- 67.020-E** Outdoor lighting used exclusively for and during public recreational activities, sporting events at stadiums and ball fields or other outdoor public spaces or venues;
- 67.020-F** Outdoor lighting used for emergency equipment and work conducted in the interest of law enforcement or for public health, safety or welfare;
- 67.020-G** Outdoor lighting in association with special events approved by the city council;
- 67.020-H** Outdoor lighting used for a temporary use lasting no more than 10 days;
- 67.020-I** Lighting fixtures with a light output of no more than 1,000 lumens; and
- 67.020-J** Temporary holiday light displays.

### Section 67.030 General Standards

All outdoor lighting must comply with the following general standards:

#### 67.030-A Canopy-Mounted Lights

Recessed fixtures must be used in all under-canopy lighting. No lamps, reflectors, refractors or focusing or diffusing may extend below the underside of the canopy surface.

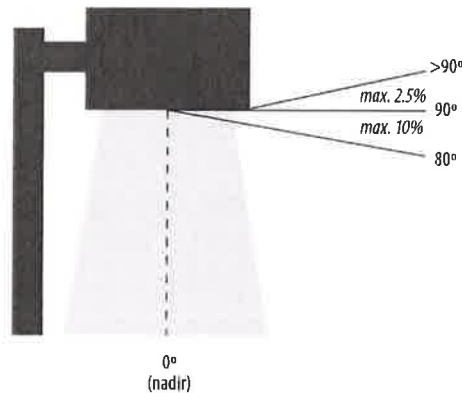
#### 67.030-B Arrangement and Shielding

1. Lighting must be installed to shield and direct light away from abutting lots that are not under common ownership or control with the lot on which the lights are located. Shielding must be designed and installed to ensure that the light-producing element of the fixture is not visible from on the abutting property, as measured 5 feet above grade.



2. Light-producing elements must be concealed or shielded with cutoffs so that no more than 2.5% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 90 degrees above nadir and no more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 80 degrees above nadir.

Figure 67-1: Required Shielding

**67.030-C Spillover Light**

Light trespass along the lot line of the subject property may not exceed 0.5 foot-candles when abutting an agricultural or residential zoning district and may not exceed 3.0 foot-candles when abutting any other zoning district or public right-of-way. Maximum illumination levels are measured 3 feet above grade or from the top of any opaque screening fence or wall along the property line.

**Section 67.040 Lighting Plans****67.040-A General**

Outdoor lighting plans demonstrating compliance with the standards of this section are required with the submittal of a site plan. If no outdoor lighting is proposed, a note must be placed on the face of the site plan indicating that no outdoor lighting will be provided. Applicants have 2 options for the format of the required lighting plan:

1. Submit a lighting plan that complies with the fixture height lighting plan requirements of §67.040-B; or
2. Submit a photometric plan demonstrating that compliance will be achieved using taller fixture heights, in accordance with §67.040-C.

**67.040-B Option 1: Fixture Height Standard Lighting Plan**

Option 1 (Fixture Height Standard Lighting Plans) establishes maximum light fixture heights but does not require submittal of a detailed photometric plan.

**1. Information Required**

- a. Fixture height standard lighting plans must include at least the following: A scale drawing of the site with all outdoor lighting locations shown;
- b. Fixture specifications, including catalog cut-sheets or generic standards;
- c. Pole type and height of fixture;
- d. Lamp type and size; and

e. Fixture mounting and orientation.

**2. Maximum Fixture Heights**

Allowable heights of light fixtures must be measured from the light-emitting surface to finished grade at the base of the pole. Maximum allowed light fixture heights are based on the (ground-level) horizontal distance between the light fixture and any agricultural or residential zoning district or public right-of-way, as established in ...

...Table 67-1:

*Table 67-1: Maximum Light Fixture Heights*

Distance from AG District, R District or Public Right-of-Way (feet)	Maximum Fixture Height (feet)
0 – 50	16
50.01 – 250	20
More than 250	35

**67.040-C Option 2: Photometric Study**

Under option 2 (Photometric Study Lighting Plan) no maximum fixture heights are established, but applicants are required to submit a photometric study in enough detail to demonstrate that all applicable outdoor light standards will be met. The photometric study must include at least the following:

1. A scale drawing of the site with all outdoor lighting locations shown;
2. Fixture specifications, including catalog cut-sheets or generic standards;
3. Lamp type and size;
4. Fixture mounting heights, mounting orientation, and tilt angles if applicable; and
5. A representative point-by-point illumination array for the site showing property lines and all off-site lighting impacts.

**Section 67.050 Measurement of Illumination**

Light levels must be measured with a direct-reading, portable light meter, calibrated annually by an independent laboratory regularly engaged in the calibration of such instruments. The meter's sensor must be located at the top of the visual screening fence or wall along on the property line (or at a height of 3 feet above finished grade at the property line if there is no fence or wall), aimed towards the subject property in horizontal position. Readings must be recorded after the value has stabilized. Measurements are made after establishment of darkness with the light sources to be measured illuminated, and then with those light sources extinguished. The difference between these 2 readings must then be compared to the maximum allowed illumination at the property line. In this way, contributions to light levels by the moon and other ambient light sources are eliminated and the light intensity from the subject light sources can be accurately determined.



## Landscape Chapter Companion Amendments

### Section 55.050-L Conflicts with Interior Parking Lot Landscape Regulations

If compliance with the minimum interior parking lot landscaping regulation of ~~65.050-D1~~ would result in the loss of required parking spaces, the amount of parking required is automatically reduced by the amount needed to accommodate the required interior parking lot landscape area.

### Section 85.020 Violations

Unless otherwise expressly allowed by this zoning code or state law, any violation of a provision of this zoning code—including any of the following—are subject to the remedies and penalties provided for in this zoning code.

- 85.020-A** To use land, buildings or other structures in any way that is not consistent with the requirements of this zoning code;
- 85.020-B** To erect a building or other structure in any way not consistent with the requirements of this zoning code;
- 85.020-C** To install or use a sign in any way not consistent with the requirements of this zoning code;
- 85.020-D** To engage in the use of a building, structure or land, the use or installation of a sign, or any other activity requiring one or more permits or approvals under this zoning code without obtaining such required permits or approvals;
- 85.020-E** To engage in the use of a building, structure or land, the use or installation of a sign, or any other activity for which a permit or approval has been granted under this zoning code or under previous zoning codes of the city in any way inconsistent with such permit or approval or any conditions imposed on the permit or approval;
- 85.020-F** To violate the terms of any permit or approval granted under this zoning code or under previous zoning codes of the city or any condition imposed on the permit or approval;
- 85.020-G** To obscure, obstruct or destroy any notice required to be posted under this zoning code;
- 85.020-H** To violate any lawful order issued by any authorized public official;
- 85.020-I** To continue any violation after receipt of notice of a violation; or
- 85.020-J** To fail to install or maintain required landscaping and screening material.