TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2814

March 18, 2020, 1:00 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:
Work Session Report:
Director's Report:

1. Minutes of March 4, 2020 Meeting No. 2813

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.

NONE

PUBLIC HEARINGS

2. Sheridan Crossing Phase IV (County) Preliminary Plat, Location: North and east of the intersection of East 86th Street North and North Sheridan Road (Continued from March 4, 2020) (Applicant requests a continuance to April 1, 2020)

3. Possible reconsideration of motion to continue to April 8, 2020 for Z-7533 Christopher McHenry (CD 3) Location: Southwest corner and southeast corner of East Tecumseh Street North and North Irvington Avenue East requesting rezoning from CH to IH with an optional development plan (Continued from
February 5, 2020, February 19, 2020 and March 4, 2020) **(Staff requests reconsideration and continuance to April 15, 2020)** Note: April 8, 2020 is not a TMAPC Meeting date.

4. Public hearing approving **new capital improvement projects** for the Capital Improvement Plan (CIP), Fiscal Year 2021-2025

5. **Z-7539 Baxter Investments c/o AAB Engineering, LLC** (CD 6) Location: Southwest corner of East 41st Street South and South 177th East Avenue requesting rezoning from **AG to RS-4**

6. **Z-7540 Kyle Gibson** (CD 4) Location: Southeast corner of East 2nd Street South and South Rockford Avenue requesting rezoning from **RM-2 to MX2-U-35**

**OTHER BUSINESS**

7. Consider adopting revised TMAPC Policies and Procedures

8. Commissioners' Comments

**ADJOURN**

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-584-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at tulsaplanning.org email address: 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.
Kim,

The applicant for Sheridan Crossing IV has requested a continuance to April 1st.

Thanks!

Nathan Foster
Senior Planner

Tulsa Planning Office
918.579.9481
nfoster@incog.org

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Nathan,

Let’s Plan for April 1st

Thank you,

Harley Swan
Kellogg Engineering, Inc.
6755 S. 4060 Rd.
Talala, Oklahoma 74080
O: (918) 275-4080
Hey Harley,

The first meeting in April will be the 1st. Is that enough time or would you all prefer April 15th?

Just let me know!

Nathan Foster
Senior Planner

Tulsa Planning Office
918.579.9481
nfoster@incog.org

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Nathan,

We have been working on including a stub street to the east as per your request. Unfortunately, including a stub street will cost the developer to lose a lot. At this time we would like to request a continuance to the April 2020 TMAPC meeting.

Please let me know when you receive the request and what date the April TMAPC day will be.
Thank you,

Harley Swan  
Kellogg Engineering, Inc.  
6755 S. 4060 Rd.  
Talala, Oklahoma 74080  
O: (918) 275-4080

This e-mail and any attachments contain Kellogg Engineering, Inc. confidential information that may be proprietary or privileged. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
*Applicant:* Christopher McHenry
*Property Owners:* Christopher McHenry; David E. Patrick & Mary Ann Dannette Patrick

**Applicant Proposal:**
*Present Use:* Light Industrial
*Proposed Use:* Heavy Industrial
*Concept summary:*
*Tract Size:* 1.16 ± acres
*Location:* Southwest corner & Southeast corner of East Tecumseh Street North & North Irvington Avenue East

**Zoning:**
*Existing Zoning:* CH
*Proposed Zoning:* IH with optional development plan

**Comprehensive Plan:**
*Land Use Map:* Main Street
*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**
Staff recommends denial of IH zoning. Staff recommends approval of IM with an optional development plan as outlined in Section II

**Staff Data:**
*TRS:* 0327
*CZM:* 30

**City Council District:** 3
*Councilor Name:* Crista Patrick

**County Commission District:** 1
*Commissioner Name:* Stan Sallee
DEVELOPMENT CONCEPT: The applicant proposes to rezone CH property on the south side of East Tecumseh Street west of North Joplin Avenue. The site and surrounding properties are zoned CH. The existing businesses in the area are non-conforming industrial uses and have been operational for decades. The proposal is to expand an automotive parts and recycling facility. The business plan includes a smelter that can process aluminum from the automotive recycling process. The smelter will require additional approvals through the board of adjustment.

APPLICANTS CONCEPT STATEMENT:

We are requesting a zoning change for the following reasons. First, we need the zoning to get us in compliance for our current operations. Secondly, the increase to IH is in expectation of future expansions to the company.

The company currently buys automotive parts from salvaged and scrap yards. These are pre-used parts from end of life consumers. We also buy these parts from automotive shops throughout the greater Tulsa area. The company also buys vehicles in their complete form to obtains these parts as well. We currently separate these parts into two categories.

Category one: Parts that are needed for remanufacturing throughout the United States. Category two: Parts that are not needed and then disassembled for the scrap metals they contain. These parts are processed in our mobile shredder, which separates the metal from the aluminum.

The future expansion of the business involves the purchase and operation of a secondary aluminum smelter, or "furnace". We plan to purchase a furnace and operate it at this location. We currently process 80 tons of aluminum a month. With the furnace, for the first 6 months we project to melt around 10 tons a month before ramping up production. After the first year, we could produce up to 160 tons per month. At first the production would be limited to one 8-hour shift, however that could be increased to two 8-hour shifts at full production. These hours of operation would begin at 6 am and finish no later than 10 pm. These hours could be adjusted and are not final nor currently working. They are just a projection as are the production amounts.

Automobiles are stored along the railroad tracks as are the motors to be shredded. However, the shredded aluminum is stored towards the road but not for an extended period of time. Less than three days.

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 Concept description:

DETAILED STAFF RECOMMENDATION:

The subject lot is located within a Main Street land use designation of the City of Tulsa Comprehensive plan. The site is not part of a small area plan that might provide additional guidance.
This request is not consistent with the uses and land use anticipated by the Main Street land use designation and;

The proposed allowable uses identified in Section II are compatible with existing surrounding proximate properties and;

The proposal is consistent with the anticipated future development patterns of the surrounding area, therefore;

Staff recommends denial of Z-7533 to rezone property from CH to IH however staff recommends approval of IM zoning the use limitations defined in the optional development plan provision outlined in section II below.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IM district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORY

A) PUBLIC, CIVIC, AND INSTITUTIONAL
   Safety Service
   Utilities and Public Service Facility (minor)
   Wireless Communication Facility
      Freestanding tower
      Building or tower-mounted antenna

B) COMMERCIAL
   Animal Service
      Boarding or shelter
      Grooming
      Veterinary
   Assembly and entertainment
      *Indoor gun club
   Commercial Service (includes all permitted specific uses)
   Financial Services (includes all permitted specific uses)
   Funeral or Mortuary Service
   Office (includes all permitted specific uses)
   Parking, Non-accessory
   Restaurants and Bars (includes all permitted specific uses)
   Retail Sales (includes all permitted specific uses)
   Self-Service Storage Facility
   Studio, Artist, or Instructional Service
   Trade School
   Vehicle Sales and Service (includes all permitted specific uses)

C) WHOLESALE, DISTRIBUTION AND STORAGE
   Equipment and Material Storage, Outdoor (Allowed use but prohibited on the north 75 feet of the subject lots)
Trucking and Transportation Terminal
Warehouse
Wholesale Sales and Distribution

D) INDUSTRIAL
*indicates uses that can be allowed through the special exception process
Low-impact Manufacturing and Industry
*High-impact manufacturing and industry but limited to a Junk or Salvage Yard subcategory as defined in Section 35.070-D and includes a smelter that can be used to process aluminum ingots from an on-site automotive recycling process.

E) Recycling
Consumer Material Drop-off Station
Consumer Material Processing

F) AGRICULTURAL
Community Garden
Farm, Market or Community-supported Horticulture Nursery

G) OTHER
Drive-in or Drive-through Facility (as a component of an allowed principal use)

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within a Main Street land use designation and an Area of Growth as designated by the City of 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 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: East Tecumseh Street is designated as a Residential Collector in the Major Street and Highway Plan

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 existing business on site buys automotive parts from salvaged and scrap yards. Those parts are separated for a remanufacturing process and some are sold for scrap metal.

Northeast corner looking southwest
Environmental Considerations: None except the possible environmental concerns from previous industrial business.

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Tecumseh Street</td>
<td>Residential Collector</td>
<td>60 Feet</td>
<td>2</td>
</tr>
</tbody>
</table>

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

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CH</td>
<td>Main Street</td>
<td>Growth</td>
<td>Commercial / Automotive Repair</td>
</tr>
<tr>
<td>South</td>
<td>CH</td>
<td>N/A</td>
<td>N/A</td>
<td>Railroad</td>
</tr>
<tr>
<td>East</td>
<td>CH</td>
<td>Main Street</td>
<td>Growth</td>
<td>Light Industrial</td>
</tr>
<tr>
<td>West</td>
<td>CH</td>
<td>Main Street</td>
<td>Growth</td>
<td>Single Family / Commercial</td>
</tr>
</tbody>
</table>
SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11910 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

BOA-11409 March 1981: The Board of Adjustment approved an Exception to permit a heat treating facility in a CH District, subject to no outside storage and all work being performed on the interior, the use of the type of furnace with the internal quench as described, and all environment controls pertaining to such an operation, on property located at 5916 East Tecumseh Avenue.

BOA-4694 June 1965: The Board of Adjustment approved a request to operate an automobile paint and body shop in conjunction with general auto repair shop in a U-3-E District, on property located at Lot 8, Block 15, Dawson Addition.

BOA-3789 February 1962: The Board of Adjustment approved a request for permission to operate a light industrial machine shop in a U-3-E District, on property located at Lots 1& 2, Block 15, O.T. of Dawson.
Subject Tract

Z-7533 with Optional Development Plan

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

Aerial Photo Date: February 2018

0 300 600

20-13 27
Z-7533
with Optional Development Plan

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

Aerial Photo Date: February 2018
SUBJECT TRACT LAND USE PLAN MAIN STREET

Land Use Plan Categories:
- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Neighborhood Center
- Employment
- New Neighborhood
- Existing Neighborhood
- Park and Open Space
- Arkansas River Corridor

Z-7533 with Optional Development Plan
Growth and Stability

Area of Growth
Area of Stability

Z-7533
with Optional Development Plan
To Whom this Concern

I, Mary Ann Darrnette Patrick, give my permission to Chris Michael McHenny to get the property at
1818 N. Irvington Ave. E.
re-zoned to Industrial Heavy.

Dated Dec 26, 2019
Darrnette Patrick
5712 E. Tecumseth St
Tulsa Ok 74115
home 918 836 1442
cell 918 645 8791
D.B.A. Patrick Enterprises 3.13
Item
Public hearing approving new capital improvement projects for the Capital Improvement Plan (CIP), Fiscal Year 2021 – 2025.

Background
The Capital Improvement Plan (CIP), containing recommended capital projects for the next five years, is a tool to implement the Comprehensive Plan. State Statutes provide that once a comprehensive plan has been adopted, no capital project shall be constructed or authorized without approval of its location, character and extent by the Planning Commission.

City departments generated the list of new capital improvements in the plan. The City of Tulsa prepares an annual Capital Improvement Plan that is published with the fiscal year budget. The Planning Commission generally reviews any new additions proposed for inclusion in the proposed capital plan before the draft budget and capital plan are published.

Staff Analysis
TMAPC staff reviewed the new proposed Capital Improvement Plan projects for consistency with the City of Tulsa's Comprehensive Plan. In general, the improvements listed are consistent with the Comprehensive Plan.

A new CIP with the attached chart, and staff comments regarding relationship and consistency with the Comprehensive Plan are included in this report. Recommendations related to Small Area Plan or Comprehensive Plan/Master Plan recommendations are identified with an asterisk (*).

- Performing Arts Center
  1. TPAC Hot Water Steam Repair Upgrade

Staff comments: The proposed improvement to the Performing Arts Center (PAC) is consistent with the Comprehensive Plan’s understanding of the downtown core as Tulsa’s “...most intense regional center of commerce, housing, culture and entertainment.” (p. LU-31); including:
  - Policy 3.7: Enhance visual enjoyment of public spaces and art.
    - Civic institutions and community events, such as street fairs, parades, farmers markets and live performances, all give Tulsa an important cultural and urban flair. (p.LU-79)
  - Policy 3.2: Encourage a balance of land uses within walking distance of each other.
    - Focus downtown development on increasing urban-style housing, retail, parks, cultural and arts amenities and entertainment to create an active, vibrant 24-hour urban core. (p.LU-79)
- **Equipment Management: Facilities**
  1. Asset Management Department (AMD) Security Building Renovation
  2. OTC Facilities Maintenance

**Staff comments:** The proposed projects are upgrades to existing facilities and assets. Although no specific guidance is provided in the Comprehensive Plan, the project will contribute to public safety and the maintenance of existing City investments.

- **Parks**
  4. Zoo: Back of House Support Facilities

**Staff comments:** Based on the below and similar policies regarding parks, the proposed project is in conformance with the Tulsa Comprehensive Plan.

- Parks, Trails and Open Space – Priority 5: Improve Access and Quality of Parks and Open Space
  - Goal 14: Parks and recreational facilities are updated to address changing needs and desires.
    - Policy 14.1: Add comfort and convenience features to parks. (p. PA-29)
    - Policy 14.2: Identify parks components that need to be updated or replaced and develop a schedule, budget and methodology to complete improvements. (p. PA-29)
    - Policy 14.4: Identify Parks throughout the City for upgrade and develop an action plan to accomplish upgrades. (p. PA-29)

- **Public Works: Water**
  5. River West Choice Neighborhoods Improvements

**Staff comments:** The above project is congruent with one of the Guiding Principles for Economic Development in The Comprehensive Plan: “The City invests in the critical infrastructure necessary to develop a robust and diversified economy.” (p. 6)

Furthermore, the above project includes water distribution improvements for a 25-acre redevelopment area included in the Eugene Field Small Area Plan (2013)*.

- **Public Works: Sewer**
  6. Catoosa Interceptor Relief
  7. Spunky Creek MS North LS Relief
  8. River West Choice Neighborhoods Improvements
  9. Haiekey Creek WWTP Oxidation Ditch Demolition
  10. Haiekey Creek Lift Station
  11. Northside/LBC WWTP Electrical Improvements
**Staff comments:** The above projects are generally sewer maintenance/improvements. One of the Guiding Principles for Economic Development is "The City invests in the critical infrastructure necessary to develop a robust and diversified economy." (p. 6) The projects are generally consistent with the Comprehensive Plan’s direction on infrastructure.

Furthermore, the River West Choice Neighborhoods Improvements are consistent with planning for a redevelopment area included in the Eugene Field Small Area Plan (2013); specifically, the Action Item:
- Public Improvements – Development #22: “Rebuild stormwater infrastructure in redevelopment area.” (P. 85)*

- **Gilcrease Museum**
  12. On-going building maintenance and repairs

**Staff comments:** These proposed projects represent improvements to an existing museum in the City of Tulsa and are consistent with the Plan’s Vision, “Our Vision for Tulsa”, focus on supporting education and learning:
- “Tulsans want to encourage healthy lifestyles for our children and families, in a city that is conducive to learning, with...cultural resources and museums.” (p.11)

**Staff recommendation**
Approve based on the finding that the new capital improvement projects for the Capital Improvement Plan, FY 2021-2025 are in conformance with the Tulsa Comprehensive Plan.

**Attachment**
FY 21-25 TMAPC New CIP Projects (table)
**FY 21-25**

**TMAPC NEW PROJECTS**

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Category</th>
<th>Requesting Department</th>
<th>Project Purpose</th>
<th>Dept Priority</th>
<th>Maint of Existing Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 TPAC HOT WATER STEAM REPAIR UPGRADE</td>
<td>Facilities</td>
<td>PAC</td>
<td>Improve the Steam and Domestic water distribution to be more efficient and effective. Replace the Domestic Hot Water/Heating Hot Water systems heat exchanger with a modern on demand exchanger and re-plumb the DHW/HHW and steam reduction systems to allow for seasonal isolation and more effective and efficient use and energy conservation.</td>
<td>High</td>
<td>Yes</td>
</tr>
<tr>
<td>2 AMD Security Building Renovation</td>
<td>Facilities</td>
<td>Equipment Management</td>
<td>Renovate and expand the AMD Security Division’s office space</td>
<td>High</td>
<td>Yes</td>
</tr>
<tr>
<td>3 OTC Facilities Maintenance</td>
<td>Facilities</td>
<td>Equipment Management</td>
<td>Maintain OTC Infrastructure</td>
<td>High</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Back of House Support Facilities</td>
<td>Zoo</td>
<td>Parks</td>
<td>While public-facing zoo exhibits and guest amenities are important, back of house support facilities and equipment are vital to keep the entire campus operating safely and properly for guests, staff and animals. To address these needs a plan has been developed in conjunction with the zoo’s master plan to address back of house support facilities and infrastructure to work in tandem with the Master Plan for exhibits/guest amenities. Current back of house support facilities/areas in need of upgrade/repair/replacement include: 1) Horticulture department: a) current office is a 25-year old plus “hand me down” mobile construction trailer in poor condition. The trailer has many structural issues and does not provide sufficient workspace, for example—rotating flooring has been patched multiple times, supervisor’s office is in kitchen area, only one computer work station for staff b) current four greenhouses (4,170 sq. feet) utilized for plant propagation, growing, and holding space are at capacity—a minimum of 7,500 sq. feet is required to maintain plant production/housing for zoo exhibits and grounds c) composting area needs to be relocated to more suitable area or grounds d) the roof of the metal storage barn has exceeded its life expectancy and is constantly requiring attention, is not sufficient in size to house equipment (tractors, riding lawn mowers, tools, irrigation supplies) and has no heat/air for staff to work inside ) lack of employee parking; 2) Environmental Services (Custodial) department: a) work space for staff and warehouse space for equipment, cleaning and paper products, light bulbs, etc. are insufficient b) lack of employee parking; 3) Train Barn: a) work space insufficient to service and maintain trains b) lack of storage for equipment, tools, materials/supplies and office/workspace for staff c) lack of employee parking; 4) Special Events: a) insufficient storage space for props/equipment utilized for zoo events such as WALTZ, HallowZooeen, etc. 5) AdTech Office Building (constructed in 1977 and now houses animal care curators/supervisors and IT, including servers for zoo campus): a) linoleum flooring is peeling up and needs replacement b) exterior walls are compromised causing leaks to interior of building c) interior walls need replacement due to water damage d) electrical and mechanical systems need to be updated e) countertops in kitchen and bathrooms need to be replaced f) plumbing fixtures need replaced in kitchen and bathroom g) office and work space needs to be reconfigured for current staffing levels and use h) former museum work/prep area needs to be renovated for an animal husbandry work area i) modern computer server room is needed to safely house zoo’s servers including proper climate control and fire suppression j) staff golf cart parking area needs to be repaved; 6) Old Animal Hospital: a) upgrade existing bird holding units and incubation room (former x-ray room) b) renovate non bird area currently used by Environmental Services for storage to bird holding area c) upgrade/replace mechanical and electrical systems as needed d) repair exterior building surfaces e) lack of employee parking 7) Reptile Quarantine/Holding: a) upgrade existing reptile holding area for better use of space, for animal and staff needs b) upgrade/replace mechanical and electrical systems c) lack of employee parking; 8) Mammal Holding: a) upgrade existing mammal holding area for better use of space for animal and staff needs. b) upgrade/replace mechanical and electrical systems as needed) lack of employee parking.</td>
<td>High</td>
<td>Yes</td>
</tr>
<tr>
<td>5 River West Choice Neighborhoods</td>
<td>Water</td>
<td>Public Works</td>
<td>Construct new water distribution lines and connections as needed to serve 600 apartment units which will be constructed under six (6) phases. 229 of these apartments will be replacement units and 231 will be new units. These apartments are located between S. Jackson Ave &amp; Southwest Blvd and 21st Street &amp; 23rd Street. TMUA is being asked to participate in the costs to relocate, rehabilitate and replace water lines within the proposed 25-acre development area. The TMUA has an agreement in place with the City of Catoosa which allows the TMUA to utilize spare capacity available in Catoosa’s main interceptor. When average dry weather flow rates in Catoosa’s main interceptor reach 60% of the pipe’s capacity, TMUA will be required to construct the Catoosa Relief Interceptor. Current flow projections are based on estimated rate of growth in the Spunky Creek, N. Adams Creek and Salt Creek drainage areas. Growth has not occurred as fast as the 2012 Comprehensive Study predicted, which stated that 60% pipe capacity would occur in approximately the year 2020. Latest, updated estimate is that Catoosa’s interceptor will reach 60% capacity in the year 2027. Project design is underway and over 90% complete (2019). ROW acquisition is also underway (2019) for the 12,800 linear feet of 54- and 60-inch Relief Interceptor.</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>6 Catoosa Interceptor Relief</td>
<td>Sewer</td>
<td>Public Works</td>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Project Title</td>
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<tr>
<td>7 Spunky Creek MS North LS Relief</td>
<td>Sewer</td>
<td>Public Works</td>
<td>Sewer flow from the growth in Spunky Creek, N. Adams Creek and Salt Creek drainage areas will initially be conveyed to the Catoosa Relief Interceptor via the existing Main Stem North Lift Station &amp; Force Main. However, when influent flow to the lift station exceeds its firm pumping capacity of 3.8 MGD the existing lift station and 16-inch force main will need to be relieved with approximately 7,900 linear feet of 54-inch gravity interceptor. Growth has not occurred as fast as the 2012 Comprehensive Study predicted, which stated that the lift station capacity would be exceeded in approximately the year 2020. Latest, updated estimate is that the MS North Lift Station will reach its capacity in the year 2029. The Housing Authority and the City of Tulsa recently received a Choice Neighborhoods Implementation grant in the amount of $30 million. This will be used for construction of 460 new apartments over six (6) phases between S. Jackson Ave &amp; Southwest Blvd and 21st Street &amp; 23rd Street. It also provides for additional parks, amenities, and a neighborhood grocery store. 229 apartments will be replacement units and 231 will be low-income tax credit and market rate units. TMUA will be asked to participate in the sanitary sewer relocations, rehabilitation and replacement pipes for the 25-acre development area. This demolition project was bid as an alternate item to the new activated sludge aeration basin replacement project ES 2016-01 in June 2019 and not awarded due to budget constraints. Scope includes demolition and removal of the existing oxidation ditches. Provide improved wet weather performance of the lift station. Phase 1, 2 and 3 improvements are mostly complete. This project scope is described as Phase 4 Improvements in February 2012 study. It includes the design and construction of a new submersible lift station to supplement and work in tandem with the existing lift station to increase firm pumping capacity to 41.9 MGD (sizing to be confirmed during design phase). Selected consultant for Phase 4 shall provide a business case evaluation for the final Phase 5 Improvements as part of design scope. Replace multiple MCC's, transformers and other electrical equipment in order to enhance reliability and upgrade equipment that is nearing the end of its useful service life. The project will involve replacing the equipment below. This allocation is to be used for the future on-going maintenance and repairs of Gilcrease Museum to ensure the building continues to be maintained at the highest level possible for the protection of the collections and the city's investment.</td>
<td>High</td>
<td>No</td>
</tr>
</tbody>
</table>
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
*Applicant:* Baxter Investments C/O AAB Engineering, LLC  
*Property Owner:* MCGEE, CLEO F JR AND

**Applicant Proposal:**
*Present Use:* Vacant  
*Proposed Use:* Residential  
*Concept summary:* Construct a new single-family residential subdivision.  
*Tract Size:* 15.34 + acres  
*Location:* Southwest corner of East 41st Street South & South 177th East Avenue

**Zoning:**
*Existing Zoning:* AG  
*Proposed Zoning:* RS-4

**Comprehensive Plan:**
*Land Use Map:* Neighborhood Center  
*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**
Staff recommends approval.

**City Council District:** 6  
*Councilor Name:* Connie Dodson  
**County Commission District:** 1  
*Commissioner Name:* Stan Sallee

**Staff Data:**
TRS: 9426  
CZM: 50
SECTION I: Z-7539

DEVELOPMENT CONCEPT: The applicant is proposing a new single-family residential subdivision.

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:

This site is on the edge of a Neighborhood Center. The Neighborhood Center land use designation contemplates small lot single family homes on the edges. RS-4 zoning is consistent with the Neighborhood Center land use designation on the edges and,

RS-4 zoning allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in an RS-4 district allow slightly smaller lots with potential for greater density than the abutting RS-3 zoned properties south of this site however RS-4 is consistent with the abutting properties on the west and is consistent with the anticipated future development pattern in the area and,

RS-4 zoning on the edges of a Neighborhood Center is consistent with the land use designations of the Comprehensive Plan therefore,

Staff recommends Approval of Z-7539 to rezone property from AG to RS-4.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site is on the edge of a Neighborhood Center. Development of this site could include vehicular, bicycle and pedestrian access to the surrounding neighborhood center. Connectivity to the commercial areas would allow access to the commercial areas without forcing all the local traffic to the arterial streets.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.
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: East 41st is a secondary arterial with multi modal corridor designation. South 177th East Avenue is a secondary arterial and does not have another designation.

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: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is undeveloped with some scattered tree cover.

Environmental Considerations: None that would affect site development

REVISED 3/11/2020
Streets:

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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
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<td>East 41st Street South</td>
<td>Secondary Arterial with Multi modal corridor</td>
<td>100 feet</td>
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<tr>
<td>South 177th East Avenue (S. Lynn Lane)</td>
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<tr>
<td>South 175th East Avenue</td>
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Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG</td>
<td>Neighborhood Center</td>
<td>Growth</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East</td>
<td>AG and RM-0</td>
<td>Neighborhood Center</td>
<td>Growth</td>
<td>Undeveloped</td>
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<tr>
<td>South</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Detached House Single Family Residential</td>
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<tr>
<td>West</td>
<td>RS-4</td>
<td>New Neighborhood</td>
<td>Growth (Subdivision construction and rezoning did not change land use or growth and stability map).</td>
<td>Detached House Single Family Residential</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11826 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History

Surrounding Property:

PUD-793 June 2012: All concurred in approval of a proposed Planned Unit Development on an 82± acre tract of land for single-family homes, on property located west of southwest corner of East 41st Street and South 177th East Avenue. This PUD proposed the development of single-family homes with three-car garages on larger lots, as well as modifications to various RS-4 lot standards in order to achieve this, to include increasing the minimum lot size was from 5500 square feet to 6900 square feet, increasing the minimum street frontage from 50 to 60 feet, increasing the allowable driveway width to 27 feet (but limiting the physical pavement area to 550 square feet in the required street yard), and increasing the maximum building height to 40 ft.
PUD-779 October 2010: All concurred in approval of a proposed Planned Unit Development on a 56.69+ acre tract of land for single-family residential, on property located south of the southwest corner of East 41st Street and South 177th East Avenue. This PUD proposed single-family residential homes that follow the lot and building standards of its underlying zoning district (RS-3), with the exception of the driveway width, which they proposed to increase to 28 feet in order to accommodate the attached three-car garages included as a part of these homes.

PUD-733 January 2007: All concurred in approval of a proposed Planned Unit Development on a 13.6+ acre tract of land for commercial and residential development, on property located at the northeast corner of 177th East Avenue and East 41st Street South. The related rezoning case, Z-7033, was withdrawn September 6th, 2006.
Subject Tract

Z-7539

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

Aerial Photo Date: February 2018
SUBJECT TRACT
LAND USE PLAN
NEIGHBORHOOD CENTER

Land Use Plan Categories:

- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Neighborhood Center
- Employment
- New Neighborhood
- Existing Neighborhood
- Town Center
- Park and Open Space
- Arkansas River Corridor

Z-7539
19-14 26
Growth and Stability

- **Area of Growth**
- **Area of Stability**

**SUBJECT TRACT**

Z-7539

19-14 26
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
*Applicant:* Kyle Gibson
*Property Owner:* PAYNE, MICHAEL

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

**Applicant Proposal:**
*Present Use:* Office
*Proposed Use:* Repurpose and existing building into a Mixed use building
*Concept summary:* Rezoning
*Tract Size:* 0.16 ± acres
*Location:* Southeast corner of East 2nd Street South & South Rockford Avenue

**Zoning:**
*Existing Zoning:* RM-2
*Proposed Zoning:* MX2-U-35

**Comprehensive Plan:**
*Land Use Map:* Employment
*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**
Staff recommends approval.

**Staff Data:**
*TRS:* 9306
*CZM:* 37

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

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

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*TMAPC*
*Tulsa Metropolitan Area Planning Commission*

**Case Number:** Z-7540

**Hearing Date:** March 18th, 2020
SECTION I: Z-7540

DEVELOPMENT CONCEPT:
The applicant plans to repurpose an existing building into a facility that will likely be a mixed-use building. Existing buildings are exempt from compliance with build-to-zone (BTZ), ground floor ceiling height and transparency regulations.

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:
  - Site plan

DETAILED STAFF RECOMMENDATION:

Uses and density supported by MX2-U-35 zoning is consistent with the expected land use designation identified in the Pearl District Small Area Plan and,

MX2-U-35 zoning allows uses are consistent with the existing development pattern in the area and,

MX2-U-35 zoning is consistent with Employment land use designation of the Tulsa Comprehensive Plan land use designation therefore,

Staff recommends approval of Z-7540 to rezone property from RM-2 to MX2-U-35.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Mixed-use development supporting repurposing of an existing building is consistent with the Employment Land Use designation. The MX2, Community Mixed-use district is intended to accommodate retail, service, entertainment and employment uses that serve many surrounding neighborhoods. The district also allows a variety of residential uses and building types. MX2 zoning is generally intended for application in areas designated by the comprehensive plan as town centers, main streets and mixed-use corridors.

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.

L. Z

REVISED 3/11/2020
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: None

Trail System Master Plan Considerations: None

Small Area Plan: Pearl District Small Area Plan

The Pearl District Small Area Plan was updated, and the Executive Summary was adopted by the Tulsa Metropolitan Area Planning commission in July 2019 and replaced the 6th Street Infill Plan that was adopted in 2006.

The Pearl District Small Area Plan is a guide for the future development of the Tulsa neighborhood, located East of Highway 75, South of I-244, north of 11th Street and west of South Utica Ave. This site is near the north boundary of the plan area east of Peoria and north of 3rd Street. The subject property is included in the Land Use Plan area identified as Employment with Residential areas.

Employment with residential areas contain office, warehousing, light manufacturing and high tech uses such as manufacturing or information technology. These areas may also have residences, residential and office lofts in industrial buildings, and more extensive commercial activity. Employment with residential areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic. Since residential and industrial uses are allowed in this district, extensive screening and buffering between these uses within the district are not required for many of the existing uses.
Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

**Staff Summary:** The site is an existing single-story brick building. The site has no evidence that on-site parking has ever been provided. The applicant expects to provide required on-street parking as allowed by the Tulsa Zoning Code.

*See next page for Street view from Northwest looking southeast:*
Environmental Considerations: There are no known environmental concerns that would affect site and building redevelopment.

Streets:

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<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
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<td>South Rockford Ave</td>
<td>None</td>
<td>50 feet</td>
<td>4 including on street parking</td>
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<tr>
<td>East 2nd Street S</td>
<td>None</td>
<td>50 feet</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<th>Area of Stability or Growth</th>
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<td>RM-2</td>
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<td>South</td>
<td>CH</td>
<td>Mixed Use Corridor</td>
<td>Growth</td>
<td>Mixed Use building</td>
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<td>West</td>
<td>RM-2</td>
<td>Employment</td>
<td>Growth</td>
<td>Detached Single Family</td>
</tr>
</tbody>
</table>
SECTION III: Relevant Zoning History

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

**Subject Property:**

**BOA-14909 August 1988:** The Board of Adjustment approved a **Variance** of the setback from the centerline of the 4th Place from 50' to 45' to allow for an addition (8' x 10') to an existing building, per plot plan submitted, finding that the small addition will not protrude as far into the setback as other buildings along 4th Place, on property located at the southeast corner of 4th Place and Rockford Avenue.

**Surrounding Property:**

**Z-7358 October 2016:** All concurred in **approval** of a request for **rezoning** a 1.46+ acre tract of land from RM-2 to IL for light industry and specifically commercial service uses. This included several properties located west of the southwest corner of East 1st Street and South Utica Avenue.

**Z-6820 June 2001:** All concurred in **approval** of a request for **rezoning** a .16+ acre tract of land from RM-2 to IL for a heating and cooling company, on property located southwest corner of East 1st Street and South Rockford.

**Z-5682 June 1982:** All concurred in **approval** of a request for **rezoning** a .47+ acre tract of land from RM-2 to IL for an office and warehouse, on property located north and west of the northwest corner of 2nd Street and Rockford Avenue.

**Z-4909 September 1976:** All concurred in **approval** of a request for **rezoning** a .96+ acre tract of land from RM-2 to IL for manufacturing, on property located southwest corner of 2nd Street and Trenton Avenue.

**Z-4838 January 1976:** All concurred in **approval** of a request for **rezoning** a 2.75+ acre tract of land from RM-2 to IL for a Transportation Service Center, on property located southeast corner of 1st Street and Rockford.

**Z-4201 August 1972:** All concurred in **approval** of a request for **rezoning** a .48+ acre tract of land from RM-2 to CS for a Strip Shopping Center, on property located west of the southwest corner of 1st Street and Rockford Avenue.

3/18/2020 1:00 PM
Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT

Land Use Plan Categories
- Downtown
- Downtown Neighborhood
- Neighborhood Center
- Employment
- Main Street
- New Neighborhood
- Mixed-Use Corridor
- Existing Neighborhood
- Regional Center
- Park and Open Space
- Town Center
- Arkansas River Corridor
1502 EAST 2ND STREET SOUTH
MIDWAY ADDITION
LOT 12 BLOCK 4
(PLAT 0107)
EXISTING ROOF AREA

EAST 2ND STREET
ROAD CENTERLINE
(60' RIGHT-OF-WAY)
Item

Review and discuss revised “Policies and Procedures of the Tulsa Metropolitan Area Planning Commission.”

Background

The TMAPC Policies and Procedures document has been revised multiple times over the years. In 2015, the TMAPC adopted a significantly overhauled version of their policies and procedures and in 2016, the TMAPC made additional revisions to reflect changes resulting from adoption of the new City of Tulsa Zoning Code. Since that time, the Subdivision and Development Regulations have been adopted and other organizational changes have taken place to necessitate additional amendments. These changes, in addition to cleanup items and the need to reflect existing practices are the basis for the proposed revisions.

The proposed revisions were presented at a TMAPC Work Session on March 4, 2020. As a result of that discussion, two minor amendments (on pages 5 & 7) have been incorporated into the document.

Staff Recommendation

Adopt the revised “Policies and Procedures of the Tulsa Metropolitan Area Planning Commission.”

Attachment(s)

Draft revisions to “Policies and Procedures of the Tulsa Metropolitan Area Planning Commission”
POLICIES AND PROCEDURES
OF THE
TULSA METROPOLITAN AREA PLANNING COMMISSION

ARTICLE 1
MEMBERSHIP AND OFFICERS

1.1 Name. The name of this Commission is the Metropolitan Area Planning Commission of Tulsa County, Oklahoma, commonly referred to as the Tulsa Metropolitan Area Planning Commission (the “Commission” or “TMAPC”).

1.2 Number of Commissioners. In accordance with the provisions of OKLA. STAT. tit. 19, §863.5, the TMAPC shall consist of eleven (11) members (individually a “Commissioner”), selected as follows: Six (6) are appointed by the Mayor of the City of Tulsa and approved by the City Council, and three (3) are appointed by the Board of County Commissioners of Tulsa County. The Mayor (or a person designated by the Mayor as an alternate) and the Chairman of the Board of County Commissioners (or a person designated by the Chairman of the Board as an alternate) shall be ex officio members of the Commission and shall be entitled to vote on all matters.

1.3 Term / Vacancies / Compensation. Appointed Commissioners shall serve for terms of three (3) years, and shall continue to serve until their successors are appointed by the Mayor for City appointees or by the County Commission for County appointees. Vacancies occurring, otherwise than through the expiration of a term, shall be filled only for the unexpired term in the same manner as set out in Section 1.2 above. All appointed Commissioners shall serve without compensation and shall hold no other municipal or County office.

1.4 Removal. Once qualified, a Commissioner can thereafter be removed during such Commissioner’s term of office only for cause and after a public hearing held before the governing body by which such Commissioner was appointed.

1.5 Absentees. In order to properly conduct business, Commissioners must attend as many meetings as practical. If a Commissioner fails to attend ten (10) regularly scheduled meetings (excluding work sessions) during a twelve (12) month period, the Commission may contact the appointing body to request that the Commissioner be removed and replaced.

1.6 Officers.

(a) Annually, at the first regular meeting in January, the Commission shall elect from its appointed members a Chair, a First Vice-Chair, a Second Vice Chair and a Secretary. No Commission member shall hold the same office for more than two (2) consecutive full one-year terms. Any vacancy in office shall be filled by the Chair for the unexpired term only.

(b) The duties of the Chair shall include:

(1) Presiding over meetings when present, unless the Chair designates another member to preside;
Appointing Commissioners to serve on other governmental agency boards and committees;

Establishing ad hoc committees as the Chair deems necessary and appointing members and chairs to those committees;

Signing official documents of the Commission; and

Representing the Commission before other governmental bodies, unless the Chair designates another Commissioner or a member of the TMAPC staff.

(c) The First Vice-Chair shall assume all of the duties of the Chair during the Chair's absence.

(d) The Second Vice-Chair shall assume all of the duties of the Chair during the Chair's and the First Vice Chair's absence.

(e) The Secretary shall assume all duties of the Chair in the event the Chair, First Vice-Chair and Second Vice-Chair are absent. In addition, the Secretary shall:

(1) Read the opening statement and rules of conduct prior to the public hearing portion of the agenda;

(2) Collect and stamp exhibits of each meeting for the official record; and

(3) Attest the Chair's signature on all documents.

In the event the Secretary is not present, the Chair or acting Chair may appoint another Commissioner to assume the Secretary's duties.

(f) Each of the officers named above shall be entitled to participate in discussion and vote on any question before the Commission, whether occupying the position of the Chair or not.

ARTICLE 2
MEETING PROCEDURES

2.1 Meeting Schedule and Agenda.

(a) The Commission shall meet regularly in accordance with its approved calendar, generally on the first and third Wednesday of each month in the Tulsa City Council Chambers or in another designated location.

(b) Special meetings may be called at the request of the Chair. Such meetings shall be held in the regular meeting place of the Commission or in another designated location.
Items to be placed on the TMAPC agenda shall meet the cut-off dates as specified on the official TMAPC schedule. Unless authorized by the Chair or the INCOG Land Development Services Manager Director of the Tulsa Planning Office, new items shall not be added to the final agenda after the agenda packet is mailed to the Commission.

2.2 Notification. The Commission shall consider only public hearing items that have been properly advertised, as required by law, and only those items in which all fees have been paid, including fees for legal advertising.

2.3 General Procedures.

(a) If a meeting procedure is not addressed by these Policies and Procedures, the Chairman shall decide the procedure based on the tradition of the Commission. The Commission may by majority vote establish a procedure differing from the procedure recommended by the Chair. The Chair and the Commission may refer to any book or treatise on rules of order or parliamentary procedure for guidance.

(b) A member of TMAPC staff shall serve as TMAPC Recording Secretary. The TMAPC Recording Secretary shall keep complete minutes of all public hearings of the Commission and shall receive all District Court appeals from any Commission action.

(c) When the public wishes to communicate with members of the Commission, the most appropriate way is through letter or e-mail correspondence to the TMAPC Recording Secretary, who will deliver it to the Commissioners. If an individual wishes to speak personally with the Commissioners, the individual must call the TMAPC Recording Secretary and leave a message to that effect. TMAPC staff will not release addresses or telephone numbers of Commissioners without the approval of the particular Commissioner. Ex parte communication is discouraged. (See Section 5.3 hereof)

(d) The Commission may grant a continuance of a scheduled public hearing or other business item at the request of the applicant, TMAPC staff, or another interested party. Except for requests by TMAPC staff, a request for a continuance should be made in writing and must contain the reasons for the request. In considering the request, the Commission may consider the timeliness of the request, the reasons given for the request, and the inconvenience created.

2.4 Public Hearing Procedures.

(a) TMAPC staff recommendation on advertised matters shall be written and made part of the file (public record) five (5) days in advance of the advertised public hearing date.

(b) Commissioners shall address only the presiding Chair for recognition and shall confine their remarks to the question under debate.

(c) Any member of the public may address the Commission at a regular or special meeting after signing in for a specific item. When recognized by the Chair, a member of the public should state his or her name and address. Speakers will be given five (5) minutes to speak on an item; however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.
(d) The Chair may rule a comment out of order if it is redundant, irrelevant, indecorous or untimely.

(e) The order of business for a public hearing shall be determined by the Chair; however, the following is provided as a guide:

(1) The Chair announces the application.

(2) The Chair asks TMAPC staff for a summary of the case and the physical facts of the area involved. TMAPC staff presents its recommendation, together with the reasons for the recommendation, and whether the request is in conformance with the Comprehensive Plan.

(3) The Chair calls on the applicant for a presentation, not to exceed fifteen (15) minutes. If the applicant presents a significantly changed application from that submitted for TMAPC staff review (as determined by TMAPC staff and the Commission at the time of the presentation), such action is considered grounds for continuance.

(4) The Chair calls on interested parties or protestants. Those wishing to speak must use the sign-in sheet. Each speaker is allowed five (5) minutes to speak on an item; provided, however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.

(5) The applicant is given the opportunity to rebut, and is allowed no more than ten (10) minutes to speak. If the applicant, in the Chair’s opinion, should present new facts or information, the Chair may allow the protestants time to rebut same.

(6) The Chair announces the public hearing is closed on the case and opens the review session, during which the Commissioners will discuss the case among themselves and make a recommendation.

(7) During the review session, which shall be open and public, no new evidence shall be admitted unless specifically requested by a member of the Commission and permitted by the Chair.

(8) The vote shall be taken and the Chair shall announce the vote.

(f) Before a motion is made, there shall be an opportunity for discussion of the case by the Commissioners and for each Commissioner to make comments. After a motion is made, there shall be further opportunity for discussion by the Commissioners, and the maker of the motion may refine the terms of the motion pursuant to such discussion. When the motion is formalized, the Chair shall restate the motion, state the name of the maker of the motion and the member seconding the motion, and call for a vote. If a Commissioner desires to amend the motion following the Chair’s restatement of the motion but prior to the Chair’s call for a vote, the Commissioner suggesting the amendment may ask unanimous consent to modify the motion. If any Commissioner objects to the modification of the motion, the Commissioner proposing the amendment shall move that the motion be amended. The motion to amend must be seconded, is debatable, and must be adopted by a majority vote of the members present.
(g) The Commission shall not consider and staff shall not accept a new rehear a zoning application on the same property with the same request for a period of six (6) months after action on the application has been taken by the Commission.

(h) The transmittal of applications for a zoning map amendment to the City Council or County Commission in those instances where the applicant, TMAPC staff and Commission are all in agreement and there are no interested parties will occur following the Commission hearing without minutes. All other applications will be transmitted when the meeting minutes are drafted.

(i) A motion to reconsider an item on which a vote has been taken may be made only by a Commissioner who voted with the prevailing side and can only be heard during the same meeting where the vote was taken or the next succeeding meeting. If a motion to reconsider is adopted, the Commissioners shall consider the need for additional notice to interested persons before a vote is taken on the item being reconsidered.

2.5 Quorum and Votes Required.

(a) Six (6) Commissioners shall constitute a quorum for the conduct of any Commission business, except at work sessions where four (4) Commissioners shall constitute a quorum.

(b) A modification of the Tulsa Metropolitan Area Subdivision and Development Regulations (Subdivision Regulations) shall require six (6) affirmative votes of two thirds (2/3) of the Commissioners present and voting. See Section 1-100 of the Subdivision Regulations 1-10.4.

(c) An amendment to the Tulsa Comprehensive Plan, including the Tulsa City/County Major Street and Highway Plan, shall require six (6) affirmative votes by the Commission. See OKLA. STAT. tit. 19, § 863.7.

(d) Except as set forth above or as otherwise required by applicable law, any matter (zoning related or otherwise) coming before the Commission shall be decided by a majority vote of the Commissioners present.

(e) In the event the final vote on any zoning matter before the Commission results in a tie, such tie vote shall result in the matter being transmitted to the City Council or County Commission as a tie vote, without recommendation.

2.6 Work Sessions.

(a) The Commission shall meet as a committee of the whole in a special meeting (work session) at the call of the Chair when applicable work items or educational opportunities arise. The Chair or the Chair’s designee shall preside.

(b) The purpose of the work session shall be to discuss work items and Commission issues, to share other information and determine whether work items are ready to be considered at regular TMAPC meetings. Work sessions may also be used to provide educational opportunities.
and to allow Commissioners a forum to discuss various planning matters outside of their normal work items.

(c) The Commission shall take no final action on work items while in work sessions.

(d) Public comments are not allowed at work sessions unless approved by the Chair prior to the meeting. The appropriate process is for a member of the public to contact TMABC staff (Land Development Services Manager Director of the Tulsa Planning Office) who will communicate the request to the Chair.

**ARTICLE 3**

**DEVELOPMENT REVIEW POLICIES**

3.1 **Applications.**

(a) Sufficient supporting information shall be filed with an application in order for the TMABC staff and Commission to evaluate the proposal. If TMABC staff concludes that sufficient supporting information has not been provided, TMABC staff shall consider the application as incomplete and shall not place the item on the agenda.

(b) In order to help alleviate potential conflicts and assure that interested parties have adequate information, the Commission encourages applicants in zoning cases to meet with owners of property in the area prior to public hearings. Failure of the applicant to meet with the neighbors may result in a continuance by the Commission.

(c) In cases where the mandatory or optional development plan (of a Planned Unit Development (PUD), Corridor (CO), or other development plan) that is recommended by the Commission differs from the plan that was submitted by the applicant, a revised plan reflecting the Commission’s recommendation shall be prepared and submitted to the TMABC staff for transmittal to the City Council or County Commission with the minutes of the meeting.

(d) Applicants proposing developments using a combination of private street(s) and a variance of the required thirty feet (30') of frontage on a public street shall be required to develop their project as a PUD or Corridor Development, excepting a proposed townhouse development.

3.2 **Zoning Initiated by TMABC.** As a general rule, the TMABC will not initiate applications for zoning changes without the consent of the owner or his agent, unless such application is requested by the proper legislative body City Council or County Commission.

3.3 **Subdivisions and Lot-Splits.**

(a) As a general rule, the platting requirement for Wireless Communication Facilities shall be waived by the Commission.

(b) No lot-split applications which require modification of a provision of the Subdivision Regulations shall be processed on the consent agenda of the TMABC. Such lot-splits
shall require a ten (10) day written notice to abutting property owners (including lot owners separated only by a residential street).

3.3 Consent Agenda. The Director of the Tulsa Planning Office may designate certain matters that are routine or minor in nature for placement on the consent agenda, including but not limited to development plan minor amendments, plans for change of access, and covenants implementing approved development plans.

ARTICLE 4
CITY OF TULSA COMPREHENSIVE PLAN

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

4.1 Regularly Scheduled Updates and Maintenance. The Comprehensive Plan states that the Land Use Plan and Stability and Growth Map “should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually.” (p. LU-77) TMAPC staff will establish a system to track all housekeeping amendments needed to reflect development approvals and present a Comprehensive Plan amendment to the TMAPC annually, generally in July. These annual amendments will include updates to the Land Use Plan and, if necessary, changes to the Areas of Stability and Growth Map. It is expected that the City of Tulsa Planning Office will prepare an update to the Comprehensive Plan in five (5) year intervals based on new data and updated projections and recommending adjustments to the Plan.

4.2 Small Area Plan Adoption process. The Comprehensive Plan outlines a process for adoption of small area plans in the Appendix, pp. 9 & 10. It generally states that when the small area plan has been drafted, following the multi-agency review and public participation process, the draft plan document will be presented to the TMAPC at a work session. At the work session, the TMAPC will review the small area plan for content and consistency with the Comprehensive Plan. Also, the TMAPC will announce if and when the document is ready for public hearing. Notice must be published at least fifteen (15) days prior to the public hearing. The TMAPC will conduct the public hearing, consider the plan based on the findings of fact and public testimony presented, and consider adoption of the small area plan as an amendment to the Comprehensive Plan. The same process and procedures shall be followed for adoption of Sector Plans (formerly known as Urban Renewal Plans).

4.3 Privately initiated Comprehensive Plan amendments.

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

(b) Other Amendments to the Comprehensive Plan. Other amendments to the Comprehensive Plan may be initiated by the TMAPC upon request of TMAPC staff or an applicant. Should any person or entity request a text amendment of the Comprehensive Plan or a small area plan or a map amendment that pertains to property that is not under their ownership, the party requesting the amendment shall submit a Comprehensive Plan amendment application on the form provided by the TMAPC staff. The TMAPC staff shall review and present the application to the TMAPC within thirty (30) days of receipt of the application, and the TMAPC shall determine whether to initiate the requested amendment. Should the TMAPC initiate the requested amendment, the TMAPC staff shall, in coordination with City of Tulsa Planning staff, prepare a timeline for TMAPC staff review and recommendation regarding the proposal and shall submit the timeline to the TMAPC at its next scheduled meeting.

4.4 Relationship of various initiatives to the Comprehensive Plan. It is the purpose and intent that the Comprehensive Plan be a guide for many initiatives, however, few necessitate being adopted as a comprehensive plan amendment. The table below provides guidance on how various initiatives should be reviewed and/or included in the Comprehensive Plan.

<table>
<thead>
<tr>
<th>Items</th>
<th>Adopt as an Amendment</th>
<th>Issue Conformance statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small area plans &amp; neighborhood plans &amp; sector plans</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Plan and Land Use Map</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Goals, objectives, policies, recommendations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Street and Highway Plan</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>GO Plan</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Other types of plans, studies &amp; initiatives</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Capital Improvement Plans</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Sector Plans (former Urban Renewal Plans)</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Tax Increment Financing (TIF)</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Project Plans</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
4.5 Amendments to Other Types of Plans, Studies and Initiatives. Other types of plans, studies and initiatives may necessitate a Comprehensive Plan conformance review, both at the time of their origin, as well as for future amendments. If a plan, study or initiative has been issued a statement of conformance with the Comprehensive Plan and/or adopted by the Commission, TMAPC staff will administratively review proposed amendments and review against applicable plan policies. TMAPC staff will issue an updated statement providing specific justification to support the proposed amendments if they are in fact in conformance with the Comprehensive Plan. If TMAPC staff finds proposed changes to be inconsistent with the Comprehensive Plan, a TMAPC staff report and draft statement of conformance will be developed and provided to the Commission for action.

4.65 Comprehensive Plan and amendment notification process. Okla. Stat. tit. 19, §863.26 requires that notice is provided for all Comprehensive Plan public hearings by one publication in a newspaper of general circulation at least fifteen (15) days prior to the date of the hearing. The Commission has established additional notification procedures to inform nearby property owners of public hearings to consider adoption of Comprehensive Plans or amendments.

<table>
<thead>
<tr>
<th>Comprehensive Plan or amendment</th>
<th>Newspaper notice</th>
<th>300' radius mailing</th>
<th>Sign posted on the property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehensive Plan or amendment with citywide implications</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Not concurrent with a zoning case</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Concurrent with a zoning case</td>
<td>X</td>
<td>X</td>
<td>X*</td>
</tr>
</tbody>
</table>

*Signs only posted when required by concurrent zoning application

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ARTICLE 5
CODE OF ETHICS

5.1 Definitions.

(a) "Private benefit" means a direct or indirect benefit not shared by the general public that could be reasonably expected to impair a Commissioner’s objectivity or independent judgment.

(b) "Organizational interest" exists when a Commissioner is an officer, director or board member of a company, business, or organization that takes an official position before the Commission.

(c) "Ex parte communication" means a private communication with a Commissioner from a party with an interest, financial or otherwise, in a particular matter before the Commission.

5.2 Conflict of Interest.

(a) A conflict of interest exists whenever a Commissioner:

(1) may receive a private benefit; or

(2) has an organizational interest regarding a matter before the Commission; or

(3) has any economic interest, directly or indirectly, in a matter before the Commission or in action to be taken by the Commission.

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

(b) A Commissioner experiencing a conflict of interest shall declare such Commissioner’s interest publicly, abstain from voting on the matter, and shall refrain from any deliberations on the matter. When possible, the Commissioner should leave the public hearing room.

(c) A Commissioner experiencing a conflict of interest shall not discuss the matter in any venue with any fellow Commissioner, TMAPC staff or other officials involved in decision making on the matter for the purpose of influencing a decision thereon.

5.3 Ex Parte Communication.

(a) Although not forbidden, ex parte communication has the potential to influence a Commissioner’s decision on matters before the Commission. The Commissioner who receives ex parte communication must disclose such ex parte communication prior to or at the commencement of public discussion of the subject matter.
(b) The Commissioner shall also evaluate whether, as a result of this communication, such Commissioner can remain unbiased and impartial and should either abstain or participate accordingly. As with a potential conflict of interest, the appearance, not the actuality, of bias should govern.

5.4 Release of Information.

(a) No Commissioner or TMAPC staff member shall use or transmit to others for private benefit any information derived from Commission activities unless and until such information is made available to the public at large.

(b) No Commissioner or any person appearing before the Commission shall knowingly misrepresent facts or distort or omit information for the purpose of achieving a desired outcome.

5.5 Appearance of Commissioners at City Council.

(a) Only a Commissioner designated by the Chair shall be the official spokesperson for the Commission. The official spokesperson for the Commission shall, to the best of his or her ability, present an unbiased record of the proceedings and the decision of the Commission. The official spokesperson shall not present new facts or arguments that were not made available at the hearing before the Commission.

(b) Nothing herein would deprive a Commissioner of the right to speak at a public hearing in the Commissioner’s individual capacity subject to the following. If a Commissioner chooses to speak at a public hearing, and he or she has not been designated as the spokesperson by the Chair, that Commissioner must state that:

(1) Though they are a Commissioner, they are before the City Council as an individual, and not on behalf of the Commission; and

(2) They have no authority to make representations regarding the Commission’s public meetings, thought processes, or decision-making.

If a Commissioner other than the one designated by the Chair intends to speak at a public hearing on a matter upon which the Commission has previously voted, he or she must notify all members of the Commission of that intention at least twenty (24) hours prior to the public hearing.

[Remainder of page intentionally left blank; signature page follows]
Date Adopted: ______, 2020

________________________________________________________________________
Chairman

ATTEST:

________________________________________________________________________
Secretary

[Signature Page to Policies and Procedures of TMAPC]