

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2835

Wednesday, February 3, 2021, 1:00 p.m.

City Council Chamber

One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
Blair	Adams	Foster	Jordan, COT-R
Covey	Craddock	Hoyt-R	Silman, COT-R
Kimbrel	Reeds	Miller	Skates, COT-R
McArtor	Van Cleave	Sawyer	VanValkenburgh, Legal-R
Shivel		Wilkerson	
Walker			
R=Remote			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, January 28, 2021 at 1:58 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

TMAPC held this meeting in person.

Staff and members of the public were allowed to attend and participate in the TMAPC meeting in person or via videoconferencing and teleconferencing via **GoToMeeting**, an online meeting and web conferencing tool.

After declaring a quorum present, Chair Covey called the meeting to order at 1:03 p.m.

Mr. Shivel read the opening statement and rules of conduct for the TMAPC meeting.

REPORTS:

Chairman's Report:

Mr. Covey stated Roy Johnsen a longtime attorney here in Tulsa, who appeared before this Commission, throughout his career died on January 2, 2021. He stated Roy was a great legal scholar and his life's work was representing clients in real estate matters. Mr. Covey stated he was a nice man and the first gentlemen who ever came up and welcomed him to the Commission and he will never forget that. He stated he would like to extend our sympathies to his friends and family.

Director's Report:

Ms. Miller stated the amendment to the Open Meetings Act is currently going through the legislature and is expected to be signed by the governor in the next few days. She stated hopefully by the next Planning Commission meeting Commissioners will have the option to participate virtually again. The current version is tied to the emergency declaration that the governor has signed. Ms. Miller stated 30 public meetings are scheduled between January and the middle of February on a lot of different initiatives including Missing Middle Housing. She stated staff has met with specific neighborhoods near downtown and presented the idea in case they want to apply for their neighborhood. Ms. Miller reported on City Council and Board of County Commissioner actions and other special projects.

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Minutes:

1. Approval of the minutes of January 20, 2021 Meeting No. 2834

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Van Cleave, "absent") to **APPROVE** the minutes of January 20, 2021 Meeting No. 2834

CONSENT AGENDA

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

2. MPD-2-1 Nathan Cross (CD 1) Location: West and north of the northwest corner of West Edison Street and North 41st West Avenue requesting a **MPD Minor Amendment to modify the location of selected transect zones**

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Van Cleave, "absent") to **APPROVE** Consent Agenda Item 2 per staff recommendation.

PUBLIC HEARINGS

3. CPA-93 Erasmo Moreno (CD 5) Location: West of the northwest corner of East 31st Street South and South 87th East Avenue (Related to Z-7589)

(Continued from December 16, 2020) **(Applicant requests a continuance to February 17, 2021)**

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Van Cleave, “absent”) to **CONTINUE** Item 3 to February 17, 2021.

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4. **Z-7589 Erasmo Moreno** (CD 5) Location: West of the northwest corner of East 31st Street South and South 87th East Avenue requesting rezoning from **RS-2 to OL** (Related to CPA-93) (Continued from December 16, 2020) **(Applicant requests a continuance to February 17, 2021)**

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Van Cleave, “absent”) to **CONTINUE** Item 4 to February 17, 2021.

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5. **CO-10 Lou Reynolds** (CD 2) Location: North of the northwest corner of East 81st Street South and South Lewis Avenue requesting **Major Amendment** to a Corridor Development Plan (Continued from December 16, 2020 and January 20, 2021)

Mr. Covey stated there was a request by Councilor Cue to continue item 5 to March 3, 2021. He stated this item has been continued twice before. Mr. Covey stated the applicant prior to the meeting said he would be amenable to a continuance to February 17, 2021.

Interested Parties:

Stephen Schuller 100 West 5th Street, Tulsa, OK 74103

Mr. Schuller stated his client has no objection to the continuance. He stated they would prefer March 3, 2021 but is open to February 17, 2021 if that is date is needed.

Ms. Kimbrel asked if the applicant had any hardship to the continuance to March 3, 2021.

The applicant stated this is the 2nd request for a continuance from Mr. Schuller and the applicant would prefer to keep this moving because his client is trying to close a transaction. Mr. Reynolds stated there is an agreement worked out with the neighbors that Mr. Schuller was to be in support. He stated the sooner they can close that transaction they can start working on this project.

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Van Cleave, “absent”) to **CONTINUE** Item 3 to February 17, 2021.

to recommend **APPROVAL** of the **Corridor Development Plan** for CO-10 per staff recommendation.

- 6. **Jamestown Phase I** (CD 6) Preliminary Plat, Location: West of the northwest corner of East 41st Street South and South 161st East Avenue (Continued from January 20, 2021)

The applicant indicated his agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Van Cleave, “absent”) to **APPROVE** the Preliminary Subdivision Plat Jamestown Phase I per staff recommendation.

- 7. **Z-7597 Lou Reynolds** (CD 7) Location: East of the southeast corner of East 91st Street South and South 97th East Avenue requesting rezoning from CO to CS

STAFF RECOMMENDATION:
SECTION I: Z-7597

DEVELOPMENT CONCEPT: The Original CO zoning was established in 1988 without a development plan. Current zoning code requirements include an ordinance for a new development plan. CO zoning concepts for internal street collection systems are no longer relevant with this site and CS zoning seems more appropriate.

DETAILED STAFF RECOMMENDATION:

Z-7597 requesting CS is consistent with the Regional Center land use designation of the Tulsa comprehensive plan and,

CS zoning is non-injurious to the surrounding property owners.

Uses and supplemental regulations allowed in a CS zoning district are consistent with the expected development pattern in the area therefore,

Staff recommends Approval of Z-7597 to rezone property from CO to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The uses and supplemental regulations allowed in a CS district are consistent with the expected development concepts in a Regional Center and an Area of Growth.

Land Use Vision:

Land Use Plan map designation: 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. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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 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: Multi Modal Street

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are 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: *Single family home on a wooded site.*

Environmental Considerations: None that might restrict commercial development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 91 st Street South	Secondary Arterial	100 feet	5 lanes 2 lanes both directions with a center turn lane

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	Corridor	Regional Center	Growth	Veteran Clinic (under construction)
East	Corridor	Regional Center	Growth	Medical mixed use hospital
South	AG	Regional Center	Growth	Undeveloped
West	CS	Regional Center	Growth	Convenience Store

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 17009 dated July 11, 1988 established the current zoning for the subject property.

Subject Property:

Z-6194 July 1988: All concurred in **approval** of a request for *rezoning* a 3.19± acre tract of land from AG to CO for a corridor development, on property located east of the southeast corner of East 91st Street South and South 97th East Avenue. Staff found no evidence that a development plan or standards were established for this property (Ordinance No. 17009).

Z-5916 December 1987: All concurred in **approval** of a request to *rezone* the west 467 feet of a 7± acre tract of land from AG to CS for commercial, and **denial** of CS on the remainder, on property located at the southeast corner of 91st Street South and South Mingo Road (Ordinance No.16936).

Ordinance number 11834 dated June 26, 1970 established zoning for the subject property.

Surrounding Property:

Z-6538-SP-2b Pending: A *Minor Amendment* to allow a personal improvement use on property located south of the southeast corner of East 91st Street South & South 97th East Avenue, is scheduled to be presented at the January 20th Planning Commission Meeting.

CO-8 March 2019: All concurred in **approval** of a request for a *Corridor Development Plan* on a 29.83± acre tract of land for Healthcare and

Mixed-use, on property located at the northeast corner of East 91st Street South and South Mingo Road.

Z-7463 December 2018: All concurred in **approval** of a request for *rezoning* a 4.45± acre tract of land from CO/AG to CS for a commercial office park, on property located south of the southeast corner of East 91st Street South and South Mingo Road.

Z-6910-SP-2 April 2006: All concurred in **approval** of a request for a *Corridor Site Plan* on a 4.45± acre tract of land for commercial and medical office use and to establish the aggregate floor area of 27,380 square feet for office development, on property located east of the southeast corner of East 91st Street and South Mingo Road.

Z-6910-SP-1 December 2003: All concurred in **approval** of a request for a *Corridor Development Plan* on a 3± acre tract of land for a four-story bank and medical office building, on property located east of the southeast corner of East 91st Street and South Mingo Road.

Z-6910 October 2003: All concurred in **approval** of a request for *rezoning* a 3± acre tract of land from AG to CO for an office/bank, on property located south and east of the southeast corner of East 91st Street and South Mingo Road.

Z-6538-SP-2 August 1999: All concurred in **approval** of a request of a proposed *Corridor Development Plan* on a 3.47± acre tract of land for a three-story, 42,500 square foot medical and general office building, on property located south of the southeast corner of 91st Street and South Mingo Road.

Z-5888-SP-3/PUD-559-A May 1999: All concurred in **approval** of a proposed *Major Amendment* to a Corridor Site Plan and PUD on a 58.4± acre tract of land to allow two outdoor advertising signs within Development Area A of the original PUD-559 that was approved for South Crest Hospital facilities, on property located at the northwest corner of East 91st Street and South Mingo Valley Expressway.

Z-5888-SP-1/PUD-559 November 1997: All concurred in **approval** of a proposed *Major Amendment* to a Corridor Site Plan and PUD on a 60.9± acre tract of land for a multi-use development including apartments, offices, college and universities, on property located at the northwest corner of East 91st Street and South Mingo Valley Expressway.

Z-6538/Z-6538-SP-1 June 1996: All concurred in **approval** of a request for *rezoning* a 3.47± acre tract of land from AG to CO for a hockey facility,

on property located south of the southeast corner of 91st Street and South Mingo Road.

Z-6014 December 1984: All concurred in **approval** of a request for *rezoning* a 5.28± acre tract of land from AG to CS/CO for commercial, on property located east of the southeast corner of 91st and Mingo.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Van Cleave, "absent") to recommend **APPROVAL** of the CS zoning for Z-7597 per staff recommendation.

Legal Description for Z-7597:

A TRACT OF LAND THAT IS PART OF THE NORTH 330.00 FEET OF GOVERNMENT LOT ONE (1) IN THE NORTHWEST QUARTER (NW/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE SOUTH 01 °10'47" EAST ALONG THE WESTERLY LINE OF SAID NW/4 FOR 330.00 FEET; THENCE NORTH 88°57'19" EAST FOR 58.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH MINGO ROAD; THENCE NORTH 0 1°10'4 7" WEST PARALLEL WITH THE WESTERLY LINE OF SAID NW /4 AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 234.94 FEET; THENCE NORTH 43°35'28" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 63.32 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 91ST STREET SOUTH; THENCE NORTH 88°57'19" EAST PARALLEL WITH AND 50.00 FEET SOUTHERLY OF THE NORTHERLY

LINE OF SAID NW /4 AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 270.40 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 88°57'19" EAST PARALLEL WITH AND 50.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID NW/4 AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 364.77 FEET; THENCE SOUTH 01°02'41" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 10.00 FEET; THENCE NORTH 88°57'19" EAST PARALLEL WITH AND 60.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID NW/4 AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 11'8.32 FEET TO A POINT ON THE WESTERLY LINE OF LOT ONE (1), BLOCK ONE (1), STRINGER NURSERY AND GARDENS, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01 °22'17" EAST ALONG SAID WESTERLY LINE AND ALONG THE WESTERLY LINES OF RESERVE "A", LOT ONE (1), AND LOT TWO, BLOCK ONE (1), SOUTH TULSA MEDICAL OFFICE CENTER, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FOR 270.00 FEET; THENCE SOUTH 88°57'19" WEST ALONG THE MOST NORTHERLY SOUTHERLY LINE OF LOT 2, TULSA MEDICAL OFFICE CENTER, AND A WESTERLY EXTENSION THEREOF FOR 543.96 FEET; THENCE NORTH 01 °10'47" WEST FOR 280.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 150,396 SQUARE FEET OR 3.452 ACRES, MORE OR LESS.

OTHER BUSINESS

- 8. **Commissioners' Comments**
None

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ADJOURN

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, the TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, McArtor, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Van Cleave, “absent”) to **ADJOURN** TMAPC meeting of February 3, 2021, Meeting No. 2835.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 1:22 p.m.

Date Approved:

Chairman

ATTEST: _____

Secretary