

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2660

Wednesday, October 16, 2013 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Carnes		Bates	Duke, Sr. Eng
Covey		Fernandez	VanValkenburgh, Legal
Dix		Huntsinger	Warrick, COT
Edwards		Miller	Schultz, COT
Leighty		White	Sherman, COT
Liotta		Wilkerson	
Midget			
Perkins			
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, October 11, 2013 at 11:30 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Walker called the meeting to order at 1:30 p.m.

REPORTS:

Director's Report:

Ms. Miller updated the Planning Commission on several rezoning cases that the TMAPC has initiated (Stone Creek Farms, Buena Vista and Berryhill annexed areas).

Ms. Miller reported that there will be an open house today on the 10th floor of City Hall, 10 North Conference Room, at 3:00 p.m. to 6:00 p.m. hosted by the Planning and Economic Development Department.

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

1. **Minutes:**

Approval of the minutes of September 18, 2013 Meeting No. 2658

On motion of **MIDGET**, 10-0-1, (Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker “ayes”, no “nays”, Carnes “abstaining” the Planning Commission voted to **APPROVE** the minutes of September 18, 2013, Meeting No. 2568.

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CONSENT AGENDA

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

2. **LS-20649** (Lot-Split) (County) – Location: East of the northeast corner of West Wekiwa Road and South 177th West Avenue
3. **LC-531** (Lot-Combination) (CD-6) – Location: North of the northwest corner of East 31st Street South and South 129th East Avenue
4. **LC-532** (Lot-Combination) (CD-3) – Location: North of the northwest corner of Interstate 44 and North 145th East Avenue
5. **Change of Access** – Lot 1, Block 1, Hall Brothers Subdivision, Location: Northeast corner of East Admiral Place and South 177th East Avenue, (9401) (CD-6)

STAFF RECOMMENDATION:

This application is made to allow a change in access to delete one access and add two accesses along North 177th East Avenue. The property is zoned IL (Industrial Light).

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

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **COVEY**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the consent agenda Items 2 through 5 per staff recommendation.

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COMPREHENSIVE PLAN PUBLIC HEARINGS:

- 6. Consider Adoption of "36th Street North Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan, (Resolution)**

STAFF RECOMMENDATION:

Item for consideration: Adoption of the "36th Street North Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan

The 1,292.5 acre area addressed in the 36th Street North Corridor Small Area Plan is bordered by Flat Rock Creek to the north, Gilcrease Expressway to the south, Tulsa City limits to the west and underdeveloped tracts of land to the east (approximately 1300 feet west of North Lewis Avenue), excluding properties whose needs would be better addressed in a study of North Lewis Avenue corridor. Notable landmarks within the planning area include: St. Simeon's Episcopal Home, Emergency Medical Services Authority (EMSA), Wayman Tisdale Specialty Clinic, North Tulsa Educare, Whitman Elementary School, Hawthorne Park, and the Osage Trail.

Related Plans: There have been multiple recent planning efforts that have targeted issues in and around this neighborhood, including the Tulsa Comprehensive Plan, the Vision 2000 Comprehensive Plan, North Peoria Corridor Study, North Tulsa Urban Economic Development, and Northland Plan. The goal of this plan was to bring together these previous plans, focusing on this area, and develop recommendations to lead to the revitalization of this neighborhood. This plan was drafted by City of Tulsa Planning Department with the assistance of the Citizen Advisory Team.

Background: April 25, 2012, the City Council identified that "the need for a Small Area Plan in North Tulsa was consistently reflected as a priority through the PLANiTULSA process and reinforced by Mayor Dewey Bartlett as a key initiative to spur revitalization and economic development; was the focus of an academic study pursued by the University of Oklahoma Urban Design Studio (Northland Plan, 2011)"; and supported the development of a small area plan

by the City of Tulsa Planning Division, Planning and Economic Development Department. The Planning Division conducted this work, starting in January, 2012, according to the process prescribed in the appendix of the Tulsa Comprehensive Plan.

Process: This step included the engagement of a Citizens Advisory Team (CAT) consisting of 24 stakeholders (residents, business-owners and other), invited to serve by District 1 City Councilor Jack Henderson. CAT members were asked to attend meetings, review materials and communicate plan issues to their respective constituents and neighbors and, likewise, convey the specific concerns and feedback of their constituents to the larger group.

Public engagement activities included:

- CAT meetings
- Presentation of an existing conditions report
- A SWOT (strengths, weaknesses, opportunities and threats) exercise followed by analysis and discussion;
- Day-long Visioning Workshop
- Development of Big Ideas generated from previous activities and posted at the Wayman Tisdale Specialty Clinic for review and comment
- Development of the community's Vision
- Review of plan recommendations

A total of 9 CAT meetings, plus the Kickoff, Visioning Workshop, and Open House were attended by roughly 200 people. Additionally, all materials proposed and generated through the public engagement process were posted online at www.planitulsa.org/smallareaplans/36streetnorth, and supplemented through regular correspondence between staff and CAT members via group e-mails and phone calls with individuals as needed.

Conformance with the Tulsa Comprehensive Plan:

1) Land Use Plan Map

The "36th Street North Corridor Small Area Plan" area in the **Tulsa Comprehensive Plan Land Use Map** includes several land use plan categories: "Existing Residential Neighborhood"; "Town Centers"; "Regional Centers"; and "New Neighborhoods".

Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make

improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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

Regional 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.

New Neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity.

Staff Comments: *The purpose of the small planning area processes is to look at smaller areas with a greater level of detail that was done on a citywide level during the creation of the Tulsa Comprehensive Plan. Therefore, a component of this small area planning process, as well as others that will follow, is to re-examine the specific land uses assigned and adjust those as necessary based on the long term vision and goals for that geographic boundary.*

The proposed Land Use Plan on page 73 of the “36th Street North Corridor Small Area Plan” reflects the long term vision of the creation of a “Regional Center” in the area located west of Martin Luther King Jr. Boulevard along 36th Street North in order to capitalize on the area's proximity to the Osage Casino and both the L.L. Tisdale and Gilcrease Expressways by creating an entertainment destination for the greater Tulsa area. Its vision is to become a regional entertainment center, ideally with family-friendly businesses, shopping, movies, and other recreation facilities due to area's largely undeveloped land. This is departure from the Comprehensive Plan that envisions this area as a Town Center, however both classifications anticipate being destination points that encourage transit hubs and pedestrian-oriented

development promoting retail, dining, and employment, along with additional of housing options. The current development pattern in the general area supports the vision of the “36th Street North Corridor Plan” and the proposed land use designation of a “Regional Center”.

The plan also shows the vision of a “Main Street” designation along 36th Street North between North Elgin Avenue and the Osage Trail. This is in order to promote the development of one- to three-story structures that would be street-facing in order to provide the easiest pedestrian, cyclist, and mass-transit access. Tree plantings and other landscape improvements will promote a pleasing pedestrian environment, help positively brand the area to passers through, and encourage healthy walking-based activities for local residents. This classification is a departure from the Comprehensive Plans vision for a “Town Center”, but still promotes the idea of pedestrian-oriented development, a variety of mixed uses designations to serve both the community and visitors which is also the goal of a “Town Center”. The vision for this area can be accomplished by creating walkable infill development along 36th Street North by revamping current suburban-style development, with its wide parking lots, with street-facing infill. The proposed land use classification can be supported as it encourages many of the same overarching principles as the “Town Center” designation that will abut it on either end.

Another classification that is both existing and proposed is the “Town Center” land use designation. The “36th Street North Corridor Small Area Plan” calls for the expansion of the “Town Center” in three distinct areas: on the north side of 36th Street North, between the Osage Trail (West), North Peoria Avenue (East), and along the south property line of the “Tulsa Peoria Area Vocational College”; additionally between the Osage Trail (West), East 33rd Street North (North), South Peoria Avenue (East), and the south property line of Apex Auto Salvage; everything along the east side of South Peoria Avenue (West), between 36th Street North (North) and City of Tulsa Stormwater Channel (South), not extending further east than Dirty Butter Creek, except for a large parcel along 36th Street North that extends further east. These modifications to the existing Land Use Plan by changing them to a “Town Center” would create uniformity and help promote the vision that foresees a transit hub with complementary walkable uses – retail and office businesses, and mixed-use live/work structures - located around the transit hub, with new buildings along the corridor being oriented to the street.

Lastly, the plan anticipates an expansion of the “New Neighborhood” designation to replace the existing Regional Center designation that that is found in the Comprehensive Plan. This area is located east of

the Dirty Butter Creek (west), what would be East 33rd Street North (north), Mowhawk Boulevard (south), and the west property line of 1617 Mohawk Boulevard (east). This property would be cutoff from North Peoria Avenue which anticipates being developed as a “Town Center”. Additionally, it abuts a large amount of residential property that is served by Mohawk Boulevard. This change would designate all the existing property east of the proposed Town Center along the east side of North Peoria Avenue for residential uses. This change would be consistent with the existing and anticipated development pattern in the area.

2) Areas of Stability & Growth Map

The “36th Street North Corridor Small Area Plan” area in the **Tulsa Comprehensive Plan** Stability & Growth Map includes “Areas of Stability” and “Areas of Growth.”

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

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.

Staff Comments: *Within the boundary of the “36th Street North Corridor Small Area Plan” are both “Areas of Stability” and “Areas of Growth.” Both the “Areas of Stability” and “Areas of Growth” as identified on the existing map in the Tulsa Comprehensive Plan are proposed to change as a result of existing land use patterns and anticipated growth envisioned by the “36th Street North Corridor Small Area Plan”.*

There are proposed changes to modify some existing designations of “Areas of Growth” to now be “Areas of Stability”. These areas have an established a development pattern that should be preserved by having a classification change. Areas of Stability do support new growth by recognizing the opportunity for areas of reinvestment or “those areas that have an overall character that is desirable to maintain, but would benefit from reinvestment through modes of infill and redevelopment, or major projects in a small area such as an abandoned or underused commercial area.” Additionally, areas of stability recognize established areas or “neighborhoods that have a sufficient level of property investment such that they would be harmed by large amount of infill development”.

Furthermore, there is a proposed change to modify an existing designation of “Area of Stability” to now be an “Area of Growth”. The “36th Street North Corridor Small Area Plan” envisions changing a parcel of land located within the Flat Rock Creek Tract to be changed to be an “Area of Growth”. This change is consistent with the existing land use in the area and the proposed vision to develop as a New Neighborhood in the future.

3) Land Use Priorities

The Tulsa Comprehensive Plans land use priorities for the Tulsa North area promotes “reinvestment and rehabilitation in the Tulsa North area to provide opportunities for residents and businesses to improve economic stability”. Other priorities include, “enhancing the quality of the built and natural environment, targeting housing reinvestment programs, affordable housing development programs/infill on vacant parcels, business development programs in conjunction with the technical and community colleges, and workforce training geared to realistic job opportunities”. Lastly, the Comprehensive Plan sets out priorities to “address access to adequate medical care by providing transit service to medical facilities, partnering with schools and community centers to address health issues and healthy lifestyles, and to create walkable communities and enhance recreational areas to encourage walking and biking”.

Staff Comments: The “36th Street North Corridor Small Area Plan” encourages the development of a community that strives to be “attractive, inclusive and secure” providing a wide “variety of housing types, meeting the lifestyle needs of its multi-cultural residents”. Additionally, it envisions being “well-connected to the greater Tulsa area through choices in transit, capitalizing on its proximity to downtown, Gilcrease Museum, the airport, and many other attractions”. The plan calls for the development of “a pleasing pedestrian environment that encourages an active, healthy lifestyle”, in addition to “vibrant local economy and retail service sector, attracting visitors from across Tulsa and beyond”. Lastly, the plan intends to encourage “sustainable practices in the built environment and respectfulness of the natural environment” while providing for improved “recreation opportunities for all ages”. The goals and objectives of the plan are in conformance with the Land Use Priorities of the Tulsa Comprehensive Plan and will serve as fundamental concepts and ideas in guiding the area towards meeting these priorities.

Staff recommendation: Staff recommends that TMAPC adopt and include the “36th Street North Corridor Small Area Plan” as an amendment to the Tulsa Comprehensive Plan.

Note: The latest version of the Plan is linked to the TMAPC agenda online at: http://www.tmapc.org/current_agenda.html

RESOLUTION:

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC), PURSUANT TO TITLE 19 OKLAHOMA STATUTES, SECTION 863.7; ADOPTING AN AMENDMENT TO THE TULSA COMPREHENSIVE PLAN; AMENDING THE TULSA COMPREHENSIVE PLAN BY ADOPTING “36TH STREET NORTH CORRIDOR SMALL AREA PLAN” AS PART OF THE TULSA COMPREHENSIVE PLAN.

WHEREAS, the Tulsa Metropolitan Area Planning Commission ("Planning Commission") is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, to ensure the efficient expenditure of public funds, and to

promote the health, safety, convenience, prosperity, and general welfare of the people of the area; and

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22nd of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, a public hearing was held on October 16, 2013 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt the "36th Street North Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan, hereto attached; and

WHEREAS, the small area planning process was outlined in the Tulsa Comprehensive Plan as a means of implementing the Tulsa Comprehensive Plan through an extensive citizen stakeholder process; and

WHEREAS, a plan area boundary was established for the "36th Street North Corridor Small Area Plan" by Tulsa City Council Resolution No.7903 in April of 2012; and

WHEREAS, the planning process for the "36th Street North Corridor Small Area Plan" was conducted over the course of 18 months and incorporated the six steps for small area plan creation outlined in the Appendix of the Tulsa Comprehensive Plan; and

WHEREAS, the plan document includes thorough research into existing conditions within the plan area, organized in the following categories: Land Use and Environmental Features, Transportation, Economic Development, Housing,

Parks and Open Space, Demographic Context and History, and Legacies and Urban Design; and

WHEREAS, the “36th Street North Corridor Small Area Plan” has featured input from over 200 stakeholders over the 18-month public engagement process; and

WHEREAS, through a Vision Workshop and other exercises, these stakeholders articulated their ideal vision for the 36th Street North Corridor; and

WHEREAS, the “36th Street North Corridor Small Area Plan” includes recommendations guiding development and capital improvements for a 20-year horizon; and

WHEREAS, the recommendations included in the “36th Street North Corridor Small Area Plan” were vetted by key City and public agencies which will be responsible for implementing the recommendations; and

WHEREAS, the “36th Street North Corridor Small Area Plan” is the first of the three City of Tulsa-prioritized small area plans to be completed subsequent to the adoption of the Tulsa Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That the Tulsa Comprehensive Plan, as adopted by the Tulsa Metropolitan Area Planning Commission on July 6, 2010 and as amended from time to time, shall be and is hereby amended, to adopt the “36th Street North Corridor Small Area Plan” as part of the Tulsa Comprehensive Plan.

Section 2. That a true and correct copy of “36th Street North Corridor Small Area Plan” is attached to this Resolution.

Section 3. That the Land Use Plan map on page 73 of the “36th Street North Corridor Small Area Plan” supersedes the land uses as depicted on the Land Use Plan map in the Tulsa Comprehensive Plan for this area.

Section 4. That the Areas of Stability and Growth map on page 74 of the “36th Street North Corridor Small Area Plan” supersedes the designations as depicted on the Areas of Stability and Growth map in the Tulsa Comprehensive Plan for this area.

Section 5. That the capital projects identified in Part II: Implementation Matrix of the “36th Street North Corridor Small Area Plan” are found to be consistent with the Tulsa Comprehensive Plan and are appropriate for future Capital Improvement Plan (CIP) funding.

Section 6. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the City Council of the City of Tulsa for its consideration, action and requested approval within forty-five (45) days of its submission.

Section 7. That upon approval by the Tulsa City Council, or should the City Council fail to act upon this amendment to the Tulsa Comprehensive Plan within forty-five (45) days of its submission, it shall be approved with the status of an official plan and immediately have full force and effect.

ADOPTED on this 16th day of October, 2013, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

Joshua Walker, Chairman
Tulsa Metropolitan Area Planning Commission

ATTEST:

Michael Covey, Secretary
Tulsa Metropolitan Area Planning Commission

TMAPC COMMENTS:

Mr. Liotta asked Mr. Bates to describe the differences between a Town Center and a Regional Center. Mr. Bates stated that a Town Center is supposed to be more of a local type of development, neighborhood type character and Regional Center is to be more of a destination for a broader area that is outside of the current neighborhood. Regional Centers would draw people in from other areas that are adjacent to it.

Mr. Leighty asked Mr. Bates if he did any numbers to figure out what the public capital improvements would be needed to support this plan and get it up and running. Mr. Bates stated that he didn't, but perhaps the City Planning Staff could answer that.

Steve Sherman, Lead Planner, City of Tulsa Planning Department, stated that in the current proposed bond package there is five million devoted to implementing this plan. There are other numbers for specific projects within the plan and they have estimates of how much it would require implementing them.

Mr. Edwards asked if the legal description has been added to define the boundaries. Mr. Sherman stated that it has been corrected.

INTERESTED PARTIES:

Sharon Hanson, North Star Community Development Council & North Star Neighborhood Association, 408 East 40th Place North, 74106; **Tracie Chandler**, 564 East 39th Street North, 74106; **Thomas Boxley**, Facilities Manager of the Wayman Tisdale Specialty Health Clinic, 591 East 36th Street North, 74106.

INTERESTED PARTIES COMMENTS:

Worked close with the Mayor and his administration to achieve this plan; diverse neighborhood and in support of the subject plan; recognized City staff and in support of the plan, excited for the neighborhood and what this plan will bring to the neighborhood. The subject area has many landmarks and sites and need help to get it development and make this a seamless community.

TMAPC COMMENTS:

Mr. Edwards stated that he has worked with the Boxley family in the past and he knows of their commitment to improving and planning. Mr. Edwards stated that the Boxley family's commitment is genuine and they do many great things in other communities as well.

Mr. Leighty stated that plans are made and approved, but need improvement of implementing the plans. There is no zoning involved here and it is an idea for redevelopment of North Tulsa, which he totally agrees that it has been neglected. Mr. Leighty commented that he sincerely hopes that after approval of this plan, that when the zoning cases and applications come forward, the Planning Commissioners are supportive of them.

Mr. Midget stated that he would like to echo Mr. Leighty's statements about the plan and complimenting the groups that worked on this plan. Mr. Midget stated that he believes it is showing a commitment to move this plan forward by adding the five million dollars, but the private sector needs to step up because the City of Tulsa doesn't build shopping centers. If this plan is to flourish it will need private dollars to come in and be partners with the community and its development.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of Adoption of "36th Street North Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan and Resolution No. 2660: per staff recommendation.

PUBLIC HEARINGS:

- 7. **LS-20648** (Lot-Split) (County) – Location: East of northeast corner of West 26th Street South and South 49th West Avenue

STAFF RECOMMENDATION:

The lot-split proposal is to split an existing AG (Agriculture) tract into two tracts. One of the resulting tracts will exceed the Bulk and Area Requirements of the Tulsa County Zoning Code. The other proposed lot did not meet the required 30 feet of frontage requirement. This tract was granted a variance of the 30 feet frontage requirements from 30 feet to 0 feet by the County Board of Adjustment on October 15, 2013.

One of the resulting tracts will have more than three side lot lines as required by the Subdivision Regulations. The applicant is requesting a waiver of the Subdivision Regulations that no tract has more than three side lot lines.

The Technical Advisory Committee met on October 3rd and had no comments.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the waiver of Subdivision Regulations and the lot-split.

Applicant indicated his agreement with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the waiver of Subdivision Regulations and the lot-split for LS-20648 per staff recommendation.

8. **Z-7240 – Mayra Lancaster** – Location: West of the northwest corner of East 21st Street and South 89th East Avenue, Requesting rezoning from **RS-1 TO CS**, (CD-5)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-6689 June 1999: All concurred in approval of a request to rezone 2.33± acre tract of land from RS-1/ OL to CS, to be added to PUD-439 for commercial uses, on property located on the northwest corner of East 21st Street and South 89th East Avenue *and abutting east of subject property.*

PUD-439-A June 1999: All concurred in approval of a request for a proposed Major Amendment to PUD to add a 2.33± tract to the original PUD-439 and to modify the development standards to include this property per staff recommendation and modified by TMAPC and City Council, for commercial uses, on property located on the northeast corner of East 21st Street and South 89th East Avenue.

Z-6559 December 1996: All concurred in approval of a request for rezoning a 60± acre tract of land from RS-3/OL to CS/IL/PUD-550 for commercial and industrial development, which includes a post office distribution center on property located on the south side of East 21st Street, between South 87th East Avenue and South 90th East Avenue.

PUD-550 December 1996: All concurred in approval of a request for a proposed Planned Unit Development, on a 60± acre tract of land, for the proposed mixed commercial/industrial development. It is limited to CS uses for the north 8 acres fronting East 21st Street and the U. S. Post office, postal processing and distribution facilities and light industrial (IL) uses were for the remainder of the tract, located on the south side of East 21st Street and west of South 91st East Avenue.

Z-6203/PUD-439 November 1988: All concurred in approval of a request to rezone 2.39± acre tract of land from OL to CS/PUD and a proposed PUD for office and small product fabrication, processing and repair, on property located on the northeast corner of East 21st Street and South 89th East Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1± acres in size and is located west of northwest corner of East 21st Street and South 89th East Avenue. The property appears to be used residentially, and is zoned RS-1.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned CS/PUD-439-A; on the north by single family residential, zoned RS-1; on the south by 21st Street Market Place a small shopping center which is part of a much larger mixed use PUD-550; and on the west by an accounting and book keeping office, zoned OL.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East 21st Street as a multi modal arterial street. Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Staff Comment: The multi modal vision of this street in Tulsa is years away from completion however there is nothing in this re-zoning request that will complicate the implementation of this concept as this area continues to develop.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 21 st Street	Secondary Arterial Multi-Modal	100	4

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This zoning request is included in a Mixed-Use Corridors which is part of Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main

travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

Staff Comment: This site is an existing house which only has access to East 21st Street South. The applicant intends to use the structure as a professional office. The zoning request is consistent with the Comprehensive Plan vision for the area. At this time there is no plan for new construction.

The size of the lot could allow a 20,000 square foot building with many uses that would be objectionable to the adjacent to the neighborhood.

STAFF RECOMMENDATION:

The bulk and area requirements for the requested CS zoning classification are suitable for this tract of land however the allowable density and uses allowed in CS Zoning including Use Unit 12a, Adult entertainment; Use Unit 19, Hotel and Motel; and are not appropriate at this location.

Requested CS zoning is not consistent with the existing development pattern along East 21st Street and is not complementary with the Planned Unit Development adjacent to the east property line.

This CS zoning request may be injurious to the single family residential property north of the requested area.

The site may be consistent with the vision identified in the Comprehensive Plan however recommends **denial** of Z-7240 for requested rezoning from RS-1 to CS.

Staff has met with the applicant and agrees that OL zoning will satisfy the current needs for the property owner and therefore recommends **APPROVAL** of OL zoning with this request.

Applicant indicated his agreement with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **DENIAL** of the CS zoning for Z-7240.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of the OL zoning for Z-7240.

Legal Description for Z-7240:

South ½ of East 165' of West 965' of Block 10, O'Connor Park, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

* * * * *

9. **PUD-802 – Lou Reynolds** – Location: Northeast corner of East 41st Place and South Peoria Avenue, **PUD** for a branch banking facility with an approximately 4,000 SF bank building, four drive-in lanes and 24-hour ATM, **RM-1/RM-2/CS/CH/PUD-476 TO RM-1/RM-2/CS/CH/PUD-802**, (CD-9)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 17635 dated December 19, 1991 and 11823 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject Property:

Z-6338/PUD-476 November 1991: All concurred in approval of a request for rezoning on a .4+ acre tract of land from RM-2 to CS on the west 60 feet, only, of subject property and a Planned Unit Development (PUD) over entire tract, for a parking lot and mini storage on property located east of northeast corner of East 41st Place South and South Peoria Avenue and is also known as the subject property.

Surrounding Property:

PUD-744-A March 2009: All concurred in **approval** of a proposed Major Amendment to PUD on a 2± acre tract of land to amend the standards to allow for 14 single-family patio homes, on property located east of northeast corner of East 42nd Place & South Peoria Avenue

Z-7097/ PUD-758 August 2008: All concurred in **approval** of a request for rezoning and proposed Planned Unit Development on a 6.35± acre tract of land, from RM-1/RM-2 to RM-3/PUD, for apartments, on property located east of southeast corner of South Peoria Avenue and East 39th Street.

PUD-744 September 2007: All concurred in **approval** of a proposed Planned Unit Development on a 1.97± acre tract of land for a town homes development with 25 units on property located east of northeast corner of East 42nd Place & South Peoria Avenue.

BOA-17184 September 26, 1995: The Board of Adjustment **approved** a *Variance* of the setback from the centerline of 41st Street from 100 ft. to 60 ft. to permit an addition to an existing building; per plan submitted; finding that the relief would not be required if the entire tract had a CH zoning classification (part of tract zoned CS and remainder CH), on property located at the southeast corner of East 41st Street and South Peoria Avenue *and abutting north of subject property* (Lot 3, Block 1, Jennings-Robards Addition).

PUD-535 July 1995: All concurred in **approval** of a proposed Planned Unit Development on a 1.05± acre tract of land to permit Use Unit 14, excluding a pawn shop, and a movie rental store on property located on the southwest corner of East 39th Street South and South Peoria Avenue.

PUD-480 April 1992: All concurred in **approval** of a proposed Planned Unit Development on a 5.35± acre tract of land for a grocery store and restaurant (Albertson's) subject to no access from 39th Street on property located north and east of northeast corner of East 41st Street and South Peoria Avenue.

BOA-14091 June 12, 1986: The Board of Adjustment **approved** a *Variance* of the setback from the centerline of 41st Street from 100 ft. to 68 ft., per plan submitted, on property located at the southeast corner of East 41st Street and South Peoria Avenue *and abutting north of subject property* (Lots 1-4 Block 1, Jennings-Robards Addition).

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1± acre in size and is located northeast corner of East 41st Street and South Peoria

Avenue. The property appears to be mixed commercial and is zoned RM-1/ RM-2/ CS/ CH/ PUD-476.

SURROUNDING AREA: The subject tract is abutted on the east by multi-family residential, zoned RM-2; on the north by commercial properties, zoned CS and CH; on the south by Commercial and residential property, zoned CH, RM-1 and RM-2; and on the west by commercial property, zoned CH.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates South Peoria as a Secondary Arterial Multi Modal Street.

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

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

The multimodal designation along South Peoria is expect to increase demand for a higher density residential, and mixed use development on both sides of the Peoria Corridor.

Staff Comment: Removal of mini storage uses and development of a Planned Unit Development which encourages higher density re-development opportunities on this site is essential to the success and future expansion of the Bus Rapid Transit system depends on high density development along its route. .

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Place	NA	50 feet	2
South Peoria Avenue	Secondary Arterial Multi Modal Collector	100'	5

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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.

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

Staff Comment: The redevelopment of this site with a Planned Unit Development allowing a taller and larger building helps establish the new development standards in this part of Tulsa. The underlying zoning districts are not consistent with the

comprehensive plan however the PUD provides opportunities encouraging bicycle use, encouraging small or limited minimum building setbacks and establishing maximum building setback lines. This PUD also provides standards for improved pedestrian circulation systems that begin the transformation of this area toward the Mixed Use Corridor vision identified in the Comprehensive Plan.

STAFF SUMMARY:

I. APPLICANT DEVELOPMENT CONCEPT FOR PUD 802:

Arvest Bank is under contract to purchase, for redevelopment as its Brookside Branch (the "Project") the five lots at the Northeast corner of East 41st Place and South Peoria Avenue.

Specifically, the Project is comprised of Lots 18, 19, 20, 21 and 22, Block 1, JENNING-ROBARD ADDITION, an addition to the City of Tulsa, Tulsa County, according to the recorded plat thereof, and that portion of East 41st Place adjacent thereto. The property is presently used for cell tower, mini-storage and billboard purposes.

It is proposed for the Project that the billboards will be removed, the mini-storage facility will be razed and the cell tower antenna facility will be reconfigured to permit the Project to be developed in accordance with the Developments Standards of Planned Unit Development No. 802 ("PUD 802").

As proposed in PUD 802, the Project provides for a branch banking facility with an approximately 4,000 SF bank building, four drive-in lanes and a 24 hour ATM.

Building materials will consist primarily of brick with Dryvit accents. As with other area Arvest Branch Banks, to meet the needs of all of the Bank's customers, the building will be located on the site to provide easy access to both pedestrians and automobiles.

The Project will be heavily landscaped to promote a welcoming environment to both the Bank's customers and the public.

Fencing between the adjacent commercial-property to the North will be six-foot wrought iron with Dryvit posts in order to provide both security, and a sense of openness to the area. Fencing between the adjacent multifamily-project to the East will be six foot opaque screening fence with landscaping to provide both a visual separation and a buffering of the Project.

To further enhance the area surrounding the Project, Arvest proposes to close and vacate that part of East 41st Place adjacent

to the property. Notwithstanding such vacation, East 41st Place will remain open to public use as a private street and will be maintained by Arvest. Decorative paving will be added to the crosswalks to further upgrade the look of the Project with the paving around it.

The existing cell tower and the associated equipment building have a large impact on how the site can be utilized. In addition to the physical structures there is an access easement running North/South bisecting the site which also affects the potential building placement.

Finally, to increase parking in the area, Arvest will construct a landscaped parking area on the North side of East 41st Place. This additional parking will increase the availability of parking in the area, provide traffic calming, and enhance the total experience in the vicinity of the Project.

Except for the abandonment of Planned Unit Development No. 476, no zoning change is necessary to permit the development of the Project. The existing zoning is shown on the Zoning Map attached as Exhibit "E".

Staff Comment: The applicants concept is based on a new Arvest Bank site however the development standards have been prepared for uses and building placement that may change over time. This PUD is not prepared for the specific use of the proposed facility. All applicant exhibits listed below and included with this report shall be considered conceptual. Significant modifications may be presented during the site plan approval process.

II. DEVELOPMENT STANDARDS FOR PUD 802:

GROSS LAND AREA:	32,187.60 SF	0.7389 AC
NEW LAND AREA:	18,751.42 SF	0.4305 AC

PERMITTED USES:

Uses permitted by right and special exception in Use Unit 4., Public Protection & Utility Facilities, limited to Antenna and Supporting Structure, Use Unit 11., Offices, Studios and Supporting Services, together with such other uses of a nature customarily accessory and incidental to the to the Permitted Uses. The mini storage on site may be operated until June 1, 2014

MAXIMUM BUILDING FLOOR AREA RATIO:	.75
------------------------------------	-----

MAXIMUM BUILDING HEIGHT: 50 FT

VEHICULAR PARKING:

Parking shall be provided as outlined by the applicable Use Unit of the Tulsa Zoning Code however the onsite parking shall not exceed the minimum required by more than 25%. On street parking spaces adjacent to the site may be used in the calculation to achieve required parking spaces but not used in the maximum parking ratio.

BICYCLE PARKING:

Provide an area of sufficient size to provide bicycle storage for 4 bicycles. The storage area shall be provided near the main building entrance. Bicycle storage will be on a paved surface however it may be included in the 15% Landscape area if the pavement is a permeable pavement system.

PEDESTRIAN ACCESS:

The development of this site will include reconstruction of the sidewalk along South Peoria. Internal sidewalk systems and crosswalks on East 41st Place South illustrate pedestrian connections between buildings and the public right of way systems.

Pedestrian and vehicular pavement systems in the public right of way will include stamped concrete pavement similar to the existing crosswalk system in the Brookside neighborhood.

The concept similar to Exhibit G will be implemented as part of the Site Plan approval process.

MINIMUM BUILDING SETBACKS:

From North boundary	0 FT	
From East boundary	0 FT	
From South boundary	10 FT	
From West boundary <u>the ultimate right-of-way line on South Peoria</u>		0 FT

MAXIMUM BUILDING SETBACKS

West Boundary as measured to the main building entrance	65 FT
North, South and East	None

SIGNS:

Ground Signs:

One (1) monument sign along South Peoria Avenue not exceeding 25 FT in height and 161 SF in display surface area.

Wall Signs:

Wall signs not to exceed 2 SF per linear foot of building wall. Wall signs are prohibited on the east, south and north sides of the building.

Directional Signs:

Two (2) directional signs along East 41st Place South, one at each entrance, not exceeding 3 SF of display surface area.

LIGHTING:

Exterior lighting, whether ground or building mounted, shall not exceed 16 FT in height and shall be pointed down.

Outdoor lighting shall be shielded and designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas.

As part of the Detailed Site Plan review an accurate Lighting Plan illustrating light pole and fixture assembly with a photometric plan will be provided illustrating height, fixtures facing down and away from the residential areas. The photometric plan must be provided which does not exceed zero foot candles at the easterly property line.

LANDSCAPED AREA:

A minimum of fifteen percent (15%) of the total Net Land Area of the Project shall be improved as internal landscaped open space.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level; provided, however, the foregoing shall not apply to the antenna and supporting structures.

The dumpster will be screened with masonry walls. Maximum height of screening walls will be less than 8'-0". See attached Exhibit "K".

NO OUTSIDE STORAGE:

There shall be no outside storage of recyclable material, trash or similar materials outside of a screening receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

III. LANDSCAPING:

Landscaping concept is illustrated in Exhibit "G" and "H".

Where a surface parking lot is constructed adjacent to the South Peoria Avenue or East 41st Place South a minimum 8' landscape area will be required between the parking area and the pedestrian pathways. Shrubs, ornamental grass and or a berm with a minimum height of 30" from the top of adjacent curbing will be provided to create an effective visual screen shall be detailed on the landscape plan submittal.

All other landscape requirements in the Tulsa Zoning Code shall apply

IV. ACCESS AND CIRCULATION:

Vehicular circulation systems are important to this PUD however the pedestrian and other non motorized access and bicycle storage opportunities for employees and visitors to the site are also an important consideration to this part of town. Access into and out of the site will be defined in detail during the detailed site plan phase of this PUD with anticipated access on East 41st Place South and South Peoria Avenue.

Improvements to the pedestrian access along South Peoria and East 41st Place South will be included in the site plan submittal The conceptual plan illustrated on Exhibit F illustrates the general concept of the improvements in the street right of way.

V. ENVIRONMENTAL ANALYSIS:

To the applicant's knowledge there are no environmental issues with this facility.

Topography:

The site is slightly higher along the north property line falling to the west slightly in the western third of the property. The middle and eastern portions slope slightly to East 41st Place South. There is approximately one foot of fall from north to south and east to west. The existing buildings are somewhat higher than the surrounding ground elevations. There are no terrain challenges to expected land development opportunities within this PUD.

Utilities:

Water:

A six-inch diameter waterline can be found in the southern portion of the East 41st Place South right-of-way while a 12-inch diameter waterline can be found in the eastern portion of the South Peoria Avenue right-of-way.

Sanitary Sewer:

An eight-inch diameter sanitary sewer lines flows from east to west within an existing easement just north of the north property line.

Other Utilities:

Based on survey information, it appears that an underground natural gas line runs east and west in the northern portion of the East 41st Place South right-of-way. In addition it appears that there are some overhead power lines that run along the north and west property lines. It is assumed that cable television and telephone may be located overhead as well.

Stormwater Drainage:

Currently the western third of the site drains into the South Peoria Avenue right-of-way where it is collected in an existing storm sewer inlet along the east curb of South Peoria Avenue just north of East 41st Place South. There is no significant stormwater drainage concern associated with this PUD.

List of Applicant Exhibits referenced in staff summary:

Exhibit "A" -- Conceptual Site Plan

Exhibit "B"	--	Aerial Photograph of Area Land Uses
Exhibit "C"	--	Site Aerial with Conceptual Site Plan
Exhibit "D"	--	Access and Circulation Plan
Exhibit "E"	--	Zoning Map
Exhibit "F"	--	Conceptual Landscape Plan
Exhibit "G"	--	Boundary Wall and Screening Details
Exhibit "H"	--	Existing Utilities and Topography
Exhibit "I"	--	Legal Description

STAFF RECOMMENDATION:

The development standards defined in PUD-802 are consistent with the Mixed Use Corridor designation of the Comprehensive Plan.

PUD-802 is in harmony with the expected development pattern of the area as illustrated in the Brookside Infill Development Design Recommendations and is also consistent with the PUD Chapter of the Tulsa Zoning Code.

Therefore staff recommends approval of PUD-802 as outlined in the Staff Summary above.

TMAPC COMMENTS:

In response to Mr. Shivel, Mr. Wilkerson stated that after the Technical Advisory Committee meeting on this project it was determined that 41st Place would not become a private street.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he is in agreement with the staff recommendation. Mr. Reynolds explained that the reason the zoning map on page 9.3 of the agenda packet goes to the other side of East 41st Place is because the intent was to close it and vacate it to make it a private street. City staff didn't view this proposal favorably so his client backed off of closing East 41st Place.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **COVEY**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of PUD-802 per staff recommendation. (Language underlined has been added and language with a strike-through has been deleted.)

Legal Description for PUD-802:

TRACT 1: Lots Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21) and Twenty-two (22), Block One (1), JENNINGS-ROBARDS

ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 705.

TRACT2: All that part of East 41st Place South abutting and lying between Lots Eighteen (18) through Twenty-two (22), Block One (1), and Lots One (1) through Five (5), Block Four (4), JENNINGS-ROBARDS ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 705.

* * * * *

Mr. Midget out at 2:14 p.m.

10. **PUD-476-A - Lou Reynolds** – Location: East of northeast corner of East 41st Place and South Peoria Avenue, **Major Amendment** to abandon PUD-476, **RM-2/CS/PUD-476 TO RM-2/CS/PUD-476-A**, (CD-9)

STAFF RECOMMENDATION:

ZONING ORDINANCE: ZONING ORDINANCE: Ordinance number 17635 dated December 19, 1991 and 11823 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-6338/PUD-476 November 1991: All concurred in approval of a request for rezoning on a .4± acre tract of land from RM-2 to CS on the west 60 feet, only, of subject property and a Planned Unit Development (PUD) over entire tract, for a parking lot and mini storage on property located east of northeast corner of East 41st Place South and South Peoria Avenue and is also known as the subject property.

Surrounding Property:

PUD-744-A March 2009: All concurred in approval of a proposed Major Amendment to PUD on a 2± acre tract of land to amend the standards to allow for 14 single-family patio homes, on property located east of northeast corner of East 42nd Place & South Peoria Avenue

Z-7097/ PUD-758 August 2008: All concurred in approval of a request for rezoning and proposed Planned Unit Development on a 6.35± acre tract of land, from RM-1/RM-2 to RM-3/PUD, for apartments, on property located east of southeast corner of South Peoria Avenue and East 39th Street.

PUD-744 September 2007: All concurred in approval of a proposed Planned Unit Development on a 1.97± acre tract of land for a town homes development with 25 units on property located east of northeast corner of East 42nd Place & South Peoria Avenue.

BOA-17184 September 26, 1995: The Board of Adjustment **approved** a *Variance* of the setback from the centerline of 41st Street from 100 ft. to 60 ft. to permit an addition to an existing building; per plan submitted; finding that the relief would not be required if the entire tract had a CH zoning classification (part of tract zoned CS and remainder CH), on property located at the southeast corner of East 41st Street and South Peoria Avenue *and abutting north of subject property* (Lot 3, Block 1, Jennings-Robards Addition).

PUD-535 July 1995: All concurred in approval of a proposed Planned Unit Development on a 1.05± acre tract of land to permit Use Unit 14, excluding a pawn shop, and a movie rental store on property located on the southwest corner of East 39th Street South and South Peoria Avenue.

PUD-480 April 1992: All concurred in approval of a proposed Planned Unit Development on a 5.35± acre tract of land for a grocery store and restaurant (Albertson's) subject to no access from 39th Street on property located north and east of northeast corner of East 41st Street and South Peoria Avenue.

BOA-14091 June 12, 1986: The Board of Adjustment **approved** a *Variance* of the setback from the centerline of 41st Street from 100 ft. to 68 ft., per plan submitted, on property located at the southeast corner of East 41st Street and South Peoria Avenue *and abutting north of subject property* (Lots 1-4 Block 1, Jennings-Robards Addition).

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1± acre in size and is located east of northeast corner of East 41st Street and South Peoria Avenue. The property appears to be mixed commercial and is zoned RM-2/ CS/ PUD-476.

SURROUNDING AREA: The subject tract is abutted on the east by multi-family residential, zoned RM-2; on the north by commercial properties, zoned CS and CH; on the south by Commercial and residential property, zoned CH, RM-1 and RM-2; and on the west by commercial property, zoned CH.

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

TRANSPORTATION VISION:

The Comprehensive Plan does not provide a vision for East 41st Place however this site is very close to South Peoria and part of the Rapid Bus Transit System. The multimodal designation along South Peoria is expect

to increase demand for a higher density residential, and mixed use development on both sides of the Peoria Corridor.

Staff Comment: Removal of mini storage uses will encourage higher density re-development opportunities on this site. The success and future expansion of the Bus Rapid Transit system depends on high density development along its route. .

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Place	NA	50 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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.

Mixed-Use Corridors

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

Staff Comment: The abandonment of this PUD with the concurrent approval of PUD 802 will improve the ability to develop this area of Tulsa as outlined in the Comprehensive Plan.

STAFF RECOMMENDATION:

Staff finds that:

- 1) The abandonment request leaves the site with CS and RM-2 zoning which is consistent with the Mixed Use Corridor designation and the Growth designation defined by The Comprehensive Plan.
- 2) Bulk and Area requirements defined by the zoning classifications in harmony with the anticipated development pattern of the area however the existing mini storage buildings on the site are not allowed without the PUD or a Board of Adjustment Approval.
- 3) The approval of PUD-476-A will abandon the provisions of PUD 476 which was prepared in response to a request for a min-storage on the site. Staff recommends that the abandonment of this PUD be concurrent with the approval of PUD-802.

Therefore, **staff recommends approval of PUD-476-A** with the condition that PUD-802 is approved prior to this abandonment.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the major amendment for PUD-476-A per staff recommendation.

Legal Description for PUD-476-A:

Lots Eighteen (18), Nineteen (19), Twenty (20), Block One (1), JENNINGS-ROBARDS ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 705.

Mr. Perkins out at 2:15 p.m.

Mr. Midget in at 2:15 p.m.

11. **Z-7241 – Lou Reynolds** – Location: West of southwest corner of East 8th Street and South Utica Avenue, Requesting rezoning from **RS-4 to CH**, (CD-4)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 18449 dated May 1, 1995, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject Property:

Z-6481 May 1995: All concurred in approval of a request for rezoning a 58± tract of land from RM-2 to RS-4, to preserve the single-family character, on property located between South Utica Avenue and South Peoria Avenue and between East 7th Street and East 11th Street; and includes the subject property.

Surrounding Property:

Z-7209 November 2012: All concurred in denial of a request for rezoning a 10,346± square foot tract of land from RM-2 to CS, but approval for PK zoning, for parking, on property located west of southwest corner of South Utica Avenue and East 7th Street.

PUD-588-A May 2012: All concurred in approval of a proposed Planned Unit Development on a 3.35± acre tract of land, to add 1.35 acres to PUD-588 to expand the convenience store (QuikTrip), on property located northwest corner of East 11th Street and South Utica Avenue and abutting south of subject property.

Z-7109 October 2008: All concurred in approval of a request for rezoning a .32± acre tract of land from RS-4 to OL for accessory parking for a restaurant on property located on the southeast corner of South Troost Avenue and East 10th Street.

PUD-588 June 1998: All concurred in approval of a proposed Planned Unit Development on a 2± acre tract of land for a 9,000 sq. ft. convenience store (QuikTrip) on property located on the northwest corner of East 11th Street and South Utica Avenue and abutting south of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .16± acres in size and is located west of southwest corner East 8th Street and South Utica Avenue. The property appears to be vacant and is zoned RS-4.

SURROUNDING AREA: The subject tract is abutted on the east by commercial property, zoned CH; on the north across East 8th Street by RS-4 and CS properties; on the south by a large convenience store with

PUD-588-A overlay; and on the west by single family residential property, zoned RS-4.

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

TRANSPORTATION VISION:

The Comprehensive Plan does not provide a designation for East 8th Street South.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 8 th Street South	No Designation	50 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN AND THE 6th STREET INFILL PLAN:

The site is included in the Downtown Neighborhood classification of the Comprehensive Plan which is defined as follows:

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

The site is also included in the 6th Street Infill Plan and is currently classified as part of a Redevelopment Area.

The primary vision of this subarea is to create high-density housing and mixed use development that complements and enhances the existing neighborhood. Walkable neighborhoods have certain physical and contextual traits: Infill development in these kinds of neighborhoods needs to reflect these traits.

Staff Comment: This zoning request is for a tract of land 50 feet wide adjacent to an existing commercial property. CH zoning is the only zoning classification within the City of Tulsa except in the Central Business District that has no building setback lines or maximum floor area. The high intensity use allowed in the CH district is consistent with the vision of the compact dense and walkable neighborhood. CH zoning allows some residential uses in a mixed use building by right. This concept is consistent with the Redevelopment vision of the Pearl District Small Area Plan.

STAFF RECOMMENDATION:

The requested zoning change from RS-4 to CH is consistent with the anticipated future development pattern in this area. The CH zoning classification will allow and provide an opportunity for mixed use development at an appropriate human scale as outlined in the objectives of the small area plan especially as it relates future development between an anticipated stormwater detention area and South Utica Avenue.

The 6th Street Infill Plan provides objectives for several items including construction with quality lasting construction, providing a coordinated pattern of vehicular and pedestrian movement that places the pedestrian on equal footing, with cars, use of elements reinforcing human scale, brick and other masonry materials, placing the building within ten feet from the front property line, placing vehicular access and parking in the rear.

There are no incentives or regulatory standards within the City of Tulsa's Zoning Code to encourage implementation of the objectives outlined in the 6th Street Infill Plan. Staff will work with any potential developer regarding site plan development to assist in meeting those goals as part of our implementation strategy.

Staff recommends **APPROVAL** for Z-7241 from RS-4 to CH.

TMAPC COMMENTS:

Mr. Leighty asked if the applicant requested or that they wanted to build up to the street. In response, Mr. Wilkerson answered negatively. Mr. Wilkerson indicated that staff has not seen a site plan or anything to lead the staff to believe that that is going to happen. Mr. Wilkerson stated that he didn't want to add another barrier to achieving the placement goals of the small area plan and CH seemed like a good way to do that. There is not that much difference between the CH and CS as far as the uses are concerned. The density and the building locations, bulk and area requirements seemed to fit better with what the 6th Street Infill Plan calls for. Anything else would require them to build 25 to 50 feet from the right-of-way line.

In response to Mr. Leighty, Mr. Wilkerson stated that if the subject area were to be combined to create one commercial project that wouldn't meet the vision of the 6th Street Infill Plan. Mr. Wilkerson further stated that if one looks at the individual piece that is under application, it is such a small piece and he wasn't overly concerned that it would turn into something that would be bigger and out of context with the existing neighborhood. Mr. Leighty expressed concerns with the CH zoning encroaching further into the subject area. Mr. Leighty asked Mr. Wilkerson if the Form Based Code was on the subject property they wouldn't need to be here today and

could do this by right. Mr. Wilkerson stated that if the subject property was zoned with Form Based Code that is correct.

Mr. Carnes moved to approve the CH zoning.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, Tulsa, Oklahoma 74114, representing the Stone Horse Restaurant, stated that his client intends to move their kitchen to the subject property. His client intends to have a bakery and a chocolate candy making/dessert making place, and other various foods that will be served at their restaurant and other restaurants. Mr. Reynolds submitted photographs (Exhibit B-1) and site plans of the proposed property (Exhibit B-2). Mr. Reynolds described the proposed project, landscaping, buffering, parking, etc.

TMAPC COMMENTS:

Mr. Leighty asked Mr. Reynolds if the building would be brought up to the street. In response, Mr. Reynolds answered negatively. Mr. Leighty asked Mr. Reynolds what type of street wall he is proposing. Mr. Reynolds stated that it would be a three-foot concrete wall that will be along the edge of the sidewalk and the edge extends in front of the houses going back to the east of the subject property. Mr. Leighty asked if there would be parking on the front of 8th Street and parking off of the alley. Mr. Reynolds stated that the subject building esthetics will be improved with a stone façade and painted an earth tone.

Mr. Dix stated that he would like to second the motion on the floor.

Mr. Leighty stated that he is going to oppose this for the reason that he doesn't believe that this development is consistent with the 6th Street Infill Plan as it is written today. Mr. Leighty further stated that he doesn't believe that it is consistent with the Comprehensive Plan. Mr. Leighty commented that this lends an opportunity for a high-intensity commercial zoning that could combine with the property to the east of it that fronts onto Utica for a larger commercial development that would be inconsistent with the vision of the 6th Street Infill Plan. Mr. Leighty indicated that he is a customer of the restaurant and a fan of their restaurant and this is nothing personal against them. Mr. Leighty stated that there is obvious support for this application, but he doesn't believe it will enhance the overall implementation of the 6th Street Infill Plan. It is interesting because the Form Based Code would allow this development and in a sense it is like they want to have it both ways.

Mr. Midget stated that he is in support of the subject application simply because if it wasn't for Form-Based Code we wouldn't be here.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-1-0** (Carnes, Covey, Dix, Edwards, Liotta, Midget, Shivel, Stirling, Walker "aye"; Leighty "nay"; none "abstaining"; Perkins "absent") to recommend **APPROVAL** of the CH zoning for Z-7241 per staff recommendation.

Legal Description for Z-7241:

Lots 7 and 8, Block 8, Park Dale Amended, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

* * * * *

OTHER BUSINESS:

12. Revised City Fee Schedule and Resolution No. 2660:910

STAFF RECOMMENDATION:

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, ADOPTING AN AMENDED FEE SCHEDULE TO ESTABLISH NEW FEES AND REVISE EXISTING FEES IN THE CITY OF TULSA.

WHEREAS, the Tulsa Zoning Code (Title 42, Tulsa Revised Ordinances, Section 1703) provides for the establishment of filing and processing fees, the amount of which shall be established by Resolution adopted by the Tulsa Metropolitan Area Planning Commission and approved by the Tulsa City Council; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission, after due study and deliberation did review and adopt on October 16, 2013, the schedule of fees attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED, pursuant to the authorization set forth in the Tulsa Zoning Code (Title 42, Tulsa Revised Ordinances, Section 1703) that the schedule of fees as shown in Exhibit A, attached hereto and made a part hereof shall be paid by persons submitting the specified applications, and

BE IT FURTHER RESOLVED THAT this Resolution shall take effect immediately upon its adoption by the Tulsa Metropolitan Area Planning Commission and Tulsa City Council.

ADOPTED on this 16th day of October, 2013, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

Joshua Walker, Chairman
Tulsa Metropolitan Area Planning

Commission
ATTEST:

Michael Covey, Secretary
Tulsa Metropolitan Area Planning Commission

ATTACHMENT A
New Fee

Demolition of Buildings in IDL (BOA)	\$500.00
Comprehensive Plan Amendment + newspaper notice fee	\$200.00 \$75.00
Form-Based Code Administrative Review	\$200.00
Maximum Application base fee	\$5,000.00
Minor Revision to Alternative Compliance Landscape Plan	\$50.00

Revised Fees

Access point(s) changed on recorded plat	\$100.00
Extension of a preliminary or final plat	\$100.00
Appeal of Decision of Administrative Official (BOA)	\$250.00
BOA Agenda Fee (to place an item on agenda for which no fee is established)	\$50.00

Zoning Letter	\$50.00
Zoning Letter within a PUD or CO	\$75.00
TMAPC Agenda Fee (to place an item on agenda for which no fee is established)	\$50.00
PUD & CO Minor Revision to Detail Site Plan	\$50.00
PUD & CO Sign Plan – up to 2 signs	\$200.00
for each additional sign	\$25.00

Ms. Miller stated that this is simply to strike the fee for demolition of buildings in IDL since the Planning Commission didn't recommend the Zoning Code changes for this issue.

TMAPC COMMENTS:

Mr. Liotta requested that Ms. Miller explain the maximum application base fee. Ms. Miller stated that it was brought to our attention when staff started calculating the fees for the Northwest Passage. The geographic size was quite large and when one starts calculating that it can be quite costly. Staff thought that a cap on fees existed but it didn't and brought this to staff's attention that it was needed for possible large projects. The application is not more difficult based on the fact that it is 700 acres versus 300 acres. Ms. Miller explained that the cap on the fee is new.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Perkins "absent") to recommend **APPROVAL** of the revised City Fee Schedule and Resolution No. 2660:910 per staff recommendation.

* * * * *

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Perkins "absent") to **ADJOURN** TMAPC meeting No.

There being no further business, the Chair declared the meeting adjourned at 2:38 p.m.

Date Approved:

11-6-13

Joshua A. Walker

Chairman

ATTEST:

[Signature]
Secretary