

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2662

Wednesday, November 20, 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	Perkins	Bates	Duke, COT
Covey		Fernandez	Tohlen, COT
Dix		Huntsinger	VanValkenburgh, Legal
Edwards		Miller	Schultz, COT
Leighty		White	Sherman, COT
Liotta		Wilkerson	Warrick, COT
Midget			
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, November, 14, 2013 at 4:05 p.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 reported on the TMAPC Receipts and stated that they are up from this time last year. Ms. Miller further reported on upcoming rezoning cases initiated by the TMAPC.

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

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.

1. **LS-20654** (Lot-Split) (CD-7) – Location: Northeast corner of East 81st Street South and South Mingo Road
2. **LC-538** (Lot-Combination) (CD-4) – Location: Northeasterly corner East First Street South and South Greenwood Avenue
3. **LC-539** (Lot-Combination) (CD-4) – Location: East of the northeast corner of East First Street South and South Elgin Avenue
4. **LS-20656** (Lot-Split) (CD-8) – Location: South of the southwest corner of East 101st Street South and South Memorial Drive
5. **LS-20657** (Lot-Split) (CD-1) – Location: North of the northeast corner of East Pine Street and North Peoria Avenue
6. **Z-7140-SP-1b – YIP Homes, LLC**, Location: East of Highway 75 at West 86th Street South, Requesting a **Minor Amendment** to reduce the building setback line along the east property line of Lots 1, 2 and 3, Block 2 from 20 feet to 17.5 feet, **CO**, (CD-2)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to decrease the building setback from the east property line of all three lots. The contractor was provided information on the approved Infrastructure Development Plans (IDP) illustrating that these lots have a 17.5' building setback line.

During the footing inspection, the city Inspector checked the setback against the Subdivision Plat provided by the same Engineering/Surveying firm which was shown as a 20' building setback.

The adjacent properties to the north on South Phoenix Place illustrate a 15' side yard setback line. The three lots with a 17.5' building line setback will not create an unusual street wall along Phoenix Place and will be consistent with the lots to the north, as well as with each other.

The applicant has submitted the minor amendment request to adjust the front building setback line from the required 20 feet to a 17.5 foot building setback to match the placement of the footings. The location of the homes will be approximately 20 feet from the face of curb to the garage line.

Staff Comment: The Tulsa Zoning Code chapter 806.C Amendments states: "that minor changes in the proposed corridor development plan may be authorized by the Planning Commission, which shall direct the processing of an amended site plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved site plan and the purposes and standards of this chapter".

This minor amendment is consistent with the Corridor chapter of the Zoning Code and does not substantially alter the character of the development.

The requested amendment to the east building setback is in harmony with the existing development pattern and not injurious to the adjacent properties.

Approval of this minor amendment for these three lots should not be considered a trend which might allow this development standard throughout the subdivision. Any other location in the subdivision would create an inconsistent street wall and add to the density of the neighborhood that is not an acceptable part of the original concept.

Therefore, staff recommends **APPROVAL** of minor amendment Z-7140-SP-1b as noted above.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

7. **PUD-268-C-2 – Mike Lester**, Location: East of the southeast corner of South 92nd East Avenue and East 91st Street South, Requesting a **Minor Amendment** to allocate floor area within the created three lots; to require a mutual access easement; and to establish other development standards, **OL/PUD-268-C**, (CD-8)

STAFF RECOMMENDATION:

The applicant is requesting a Minor Amendment to allocate floor area within the created three lots; to require a mutual access easement; and to establish other development standards within the Planned Unit Development.

The Original PUD-268-C allowed a 29,000 s/f (less than the PUD Section of the Code) development to be spread among 3 buildings, which were limited to one story and 32' in height, across one lot. The development was to have a minimum of 35% landscaped area across the entire development.

The applicant proposes to change the standards of the development to accommodate the development being platted into three lots. The applicant's narrative should be made a part of the standards (see attached). Below is a list of the new standards with all previous standards applying unless herein modified:

Lot 1:

Land Area: 25,404.71 SF

Maximum Building Floor Area:

7,621.41 SF (.30 FAR in accordance with Section 603, Table 3 & Section 1104.A.2)

Minimum Landscape Area: 15% in accordance with section 1104.A.2

Lot 2:

Land Area: 25,457.97 SF

Maximum Building Floor Area:

7,637.4 SF (.30 FAR in accordance with Section 603, Table 3 & Section 1104.A.2)

Minimum Landscape Area: 15% in accordance with section 1104.A.2

Lot 3:

Land Area: 46,936.77 SF

Maximum Building Floor Area:

14,081.03 SF (.30 FAR in accordance with Section 603, Table 3 & Section 1104.A.2)

Minimum Landscape Area: 15% in accordance with section 1104.A.2

All Lots:

A mutual access easement will be platted in order to accommodate cross-parking, vehicular and pedestrian movement across lot boundaries within the development area.

The proposed amendments would not substantially alter the original intent of the Planned Unit Development as it relates to the overall design and aesthetic of development as a whole. Staff does not believe that the

proposed amendments will have a substantial impact on the original intent of the Planned Unit Development.

All other standards allowed in PUD-268-C will still apply. Staff finds that the proposed amendments are in character with the surrounding development and anticipated future development in the area. Staff believes that it will have little to no impact on the surrounding properties.

Staff recommends **APPROVAL** of Minor Amendment PUD-268-C-2.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

8. **PUD-760-2 – Tanner Consulting, LLC/Ricky Jones,** Location: West of the northwest corner of South Utica Avenue at East 15th Street South, Requesting a **Minor Amendment** to reduce the building setback line along the west property line from 10 feet to 9.5 feet, **OL/RM-2/PUD-760, (CD-4)**

STAFF RECOMMENDATION:

The applicant is requesting a Minor Amendment to decrease the building setback from the west property line. A recent survey of an existing building indicated that the west wall of an existing building is not parallel with the property line.

As illustrated on the attached survey the northwest corner of the building is beyond the 10' building setback. The southwest corner of the building is 9.8 feet from the property line.

The applicant has submitted the minor amendment request to adjust the building setback line from the required 10' to a 9.5' building setback along the entire west property line.

Staff Comment: The Tulsa Zoning Code chapter 1107.H.9 allows minor changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths of frontages, provided approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.

This minor amendment is consistent with the PUD chapter of the Zoning Code and does not substantially alter the character of the development.

The requested amendment to the west building setback is in harmony with the existing development pattern and not injurious to the adjacent properties.

Therefore, staff recommends **APPROVAL** of Minor Amendment PUD-760-2

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

9. **PUD-778-1 – Kinslow, Keith & Todd/Nicole Watts**, Location: Northwest corner of East 101st Street South and South Garnett Road, Requesting a **Minor Amendment** to consolidate the development areas into one and redefine the development areas, **CS/PUD-778**, (CD-7)

Item 9 will be removed of the consent agenda.

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

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 **APPROVE** the consent agenda Items 1 through 8 per staff recommendation.

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CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

9. **PUD-778-1 – Kinslow, Keith & Todd/Nicole Watts**, Location: Northwest corner of East 101st Street South and South Garnett Road, Requesting a **Minor Amendment** to consolidate the development areas into one and redefine the development areas, **CS/PUD-778**, (CD-7)

STAFF RECOMMENDATION:

The applicant is requesting a Minor Amendment to redefine the Development Areas from 2 to 1 Area within the Planned Unit Development.

The Original PUD-778 was split into two development areas with differing development standards. Below is a conceptual development idea.

“Lot 1 is proposed to be used as a personal office/warehouse building for the applicant. This building is designated to be used as a small office and a large warehouse to store the applicant's equipment. No outdoor storage of any equipment or materials will

be allowed on Lot 1. Lot 2 is proposed to be used as a two phase building development for Club One Volleyball. The buildings will be used as sports activity buildings.”

The applicant proposes to consolidate the development areas into one. Below is the new conceptual development idea.

“The proposed project shall construct a 14,400 square foot sports activity building for a private volleyball club and associated parking lot along the western tract of the property. The Development is broken into one (1) Development Area and allows office and commercial uses.”

Staff does not believe that the proposed amendment to consolidate the Development Areas will have a substantial impact on the original intent of the Planned Unit development. The applicant’s development concept and standards should be made a part of the approval.

All other standards allowed in PUD-778 will still apply unless modified by the applicant’s development concept and standards. Staff finds that the proposed amendment is in character with the surrounding development and anticipated future development in the area. Staff believes that it will have little to no impact on the surrounding properties.

Staff recommends **APPROVAL** of minor amendment PUD-778-1.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

INTERESTED PARTIES COMMENTS:

Rob Stauder, 4105 South Quinoa, Broken Arrow, 74011, stated that he owns the vacant land west of the subject property. Mr. Stauder explained that he purchased the adjacent property in 2010 with the intent to build his home and create five to six parcels to develop to defray the cost of his home. The economy is not allowing him to do this at this time, but it is a long-term plan. Mr. Stauder explained that he did his homework before purchasing his property. Mr. Stauder stated that the proposed use is out of place with the subject area and the Comprehensive Plan. Mr. Stauder commented that this proposal will ruin his view and possibly cause him a financial loss.

TMAPC COMMENTS:

Mr. Walker asked Mr. Stauder if he realizes that commercial is intended hard corners on a heavy arterial. Mr. Stauder stated that he is aware of that. Mr. Walker asked Mr. Stauder if he likes the QuikTrip and the Dry Cleaners, but not the volley ball court. Mr. Stauder stated that the picture of the proposed building is what concerns him.

INTERESTED PARTIES COMMENTS:

Moe Kasim, 9423 South Winston, 74137, stated that he owns property adjacent to the subject property. He explained that he owns 7.5 acres next to the subject property in order to build a home. Mr. Kasim indicated that he has the same concerns as Mr. Stauder.

Applicant's Rebuttal:

Nicole Watts, Kinslow, Keith and Todd, 2200 South Utica Place, Suite 200, 74114, stated that the minor amendment reduces the uses that the original PUD allows. The original PUD allowed three buildings on the subject property and the minor amendment reduces it down to one building on the subject property. Most of the standards have remained the same from the original PUD, which was approved in 2010. Ms. Watts cited the screening that will be in place to protect the residential use near the subject property. The proposal is the same as the original PUD, except reducing the size of the building. Ms. Watts explained that the east half of the subject property is in the floodplain.

TMAPC COMMENTS:

Mr. Midget asked if the height of the proposed building is relatively the same as previously approved in the PUD. Ms. Watts stated that it is the same height as the approved office/warehouse building that was originally planned.

Mr. Dix stated that he has a problem with the proposed materials for the building. This is a soft surface building that is purely to save money. Ms. Watts stated that she is not sure it is to save money, but it is the type of building that the developer has chosen. Mr. Dix stated that he has a problem with this type of building being built in front of potential residences and he can't support it.

Mr. Midget asked Ms. Watts if she contemplates anything else being developed on the subject property. Ms. Watts stated that it will only be a volleyball center.

Mr. Carnes stated that he can't support the industrial style of building.

Mr. Edwards requested a picture of the proposed building. Ms. Watts didn't have a rendering. Mr. Stauder submitted a picture he found on the internet of the type of building (Exhibit A-1).

Mr. Dix explained that the type of building being proposed is found on farms and ranches as a cheap way to provide cover that may last about ten years.

Ms. Watts stated that in the original PUD there are no architectural standards associated with the PUD. Mr. Dix stated that means he can be against it and not violate anything.

Mr. Walker stated that this has always been a tough corner. Mr. Walker stated that the proposed structure hints at being temporary. Ms. Watts stated that Tulsa County is proposing to come in about five to ten years to hopefully widened and raise Garnett at 101st, which will impact the floodplain. The plans are designed, but she hasn't been told when construction will be done. Ms. Watts explained that at that time it may allow for a different use, but right now this is about all the developer can use it for.

Mr. Leighty stated that it does look like a temporary use and he appreciates the two interested parties that came today, but there are no improvements and somebody may have a plan to do something but right now there is development in the adjacent properties. Mr. Leighty further stated that he can't really oppose this because he doesn't believe it will be there in five to ten years from now. Mr. Leighty commented that he doesn't think the Planning Commission should deny somebody who owns the property the chance to develop it. If there are no guidelines of what can be built there with this PUD he doesn't feel he can oppose this application and will be voting in favor.

Mr. Bates stated that if the applicant doesn't amend the PUD, they could come in tomorrow for the same use and there would be another development area that would allow other uses.

Mr. Liotta stated that the applicant mentioned that the County is preparing to widen and raise Garnett from 81st to 101st. Mr. Liotta explained that this is the next big project for the County and the start date is a moving target right now due to funding.

Mr. Leighty stated that as the subject area develops, the market will drive a different type more intense development. Mr. Leighty further stated that he doesn't think the Planning Commission should deny this property owner the right to try and make an income on this property until that time

arrives. As the area develops this use will go away and be replaced by something more acceptable.

Mr. Dix stated that he doesn't have a problem with the use, but he has a problem with the proposed building.

Mr. Carnes stated that he is in agreement with Mr. Dix. The proposed building looks industrial and the corner was not intended for IL.

Applicant indicated his agreement with the staff recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-2-0** (Covey, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; Carnes, Dix "nays"; none "abstaining"; Perkins "absent") to **APPROVE** the minor amendment for PUD-778-1 per staff recommendation.

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COMPREHENSIVE PLAN PUBLIC HEARINGS:

10. Consider Adoption of "Utica Midtown Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan, (Resolution)

STAFF RECOMMENDATION:

Item for consideration: Adoption of the "Utica Midtown Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan.

Background: By Resolution #7903, dated April 25, 2012, the City Council recognized "the complexity of issues and unique characteristics" of the area along the South Utica Avenue corridor, from 11th Street on the north to 21st Street on the south; the Tulsa Preservation Commission also recommended a small area plan area for this area. This Resolution also identified a plan area boundary in the general vicinity of both sides of the South Utica Avenue corridor. The two planning sub-areas are separated by the Broken Arrow Expressway: north of the expressway, the sub-area is called Utica Midtown Corridor-North (UMC-North) and south of the expressway, the sub-area is called Utica Midtown Corridor-South (UMC-South).

The Council supported the development of this 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. Additional support was provided through the

participation and significant contributions of consultants Farr Associates and Perkins+Will.

Community Participation: This step included the engagement of Citizens Advisory Teams (CATs) for each of the sub-areas, comprised of numerous stakeholders - residents, business-owners and others - invited to serve by District 4 City Councilor Blake Ewing. 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. A combined total of 11 CAT meetings, plus the Kickoff, Visioning Workshop, and Open House were attended by roughly 350 persons.

Community activities included: CAT meetings; presentation of an existing conditions report; a SWOT (strengths, weaknesses, opportunities and threats) exercise followed by analyses and discussions; a day-long Visioning Workshop; development of Big Ideas generated from previous activities and posted in the Hillcrest Medical Center and St. John Medical Center lobbies for review and comment; development of the community's Vision; and a review of plan recommendations, including a recommended amendment to the zoning code to address issues specific to this plan area and health-care institutions/campuses in the plan area.

Additionally, all materials proposed and generated through the public engagement process were posted online at www.planitulsa.org/smallareaplans/uticamidtown, and supplemented through regular correspondence between staff and CAT members via group e-mails and phone calls with individuals as needed.

Vision: Through the execution of the above-referenced tasks, as detailed in the plan, the Utica Midtown Corridor plan area identifies issues and solutions to persistent development challenges in an established area. The plan identifies the community's vision for the future, and it identifies capital improvements to address mobility and transitions between the disparate land uses: the stable older neighborhoods, Historic Preservation overlay zoning districts, and large institutional campuses that require effective interfaces with adjacent uses. Through this work, stakeholders expect that desired outcomes for the plan area will be considered through the plan's horizon of the next 20 years.

Plan Recommendations: The plan's recommendations are framed in the context of balancing local goals with the City's overall goals as established in the Tulsa Comprehensive Plan. The recommendations take the aspirations of the community's vision to a more concrete level, with references to specific locations within the plan area, in the context of where residents live, work and play. The recommendations also guide

policy decisions associated with land-use activities. Through the implementation matrices for the north, south and common elements, the plan identifies and prioritizes specific projects for funding and action. Completion of such projects will reflect a tangible realization of the community's vision.

A key recommendation within this small area plan is the advancement of a proposed amendment to the zoning code to address mixed-use development of institutional campuses such as medical centers and educational uses, referred to in the plan as a Mixed-Use Institutional (MX-I). The plan includes extensive discussions regarding provisions to be included in the new zoning district. The small area plan recognizes the need to prescribe a regulatory tool in conjunction with the plan itself, as the plan's implementation cannot be effectively realized without a new zoning tool.

Conformance with the Tulsa Comprehensive Plan:

1) Land Use Plan Map – North (see ATTACHMENT I)

The proposed "Utica Midtown Corridor (UMC) North Land Use Plan" map includes several land use plan categories: "Existing Neighborhood"; "Downtown Neighborhood"; "Regional Center"; "Main Street"; and "Parks".

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.

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.

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.

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

Land Use and Parks, Open Space and the Environment categories outline an approach to parks and open space that will connect Tulsans with developed parks and natural areas. These include active and passive recreational spaces downtown and in the city's neighborhoods. They also include large parks and wildlife areas around the city. The land use planning program should promote access to these spaces through ensuring that parks and open spaces are preserved in existing neighborhoods and planned for new communities.

Staff Comments: *The purpose of the small planning area processes is to look at smaller areas with a greater level of detail than 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.*

Please refer to the enclosed "Attachment I" for ease of reference for the following comparisons:

According to the proposed "UMC-North Land Use Plan" the "Existing Neighborhood" land use areas have increased ever so slightly on the north end of the plan boundary, south of E 11th Street South, between S Wheeling Avenue and S Xanthus Avenue. The Comprehensive Plan land use designation for this area is "Mixed-

Use Corridor”, but the proposed “UMC-North Small Area Plan” designates this area as “Downtown Neighborhood” and a small area of “Regional Center” with a minor designation boundary modification that results in the abutting “Existing Neighborhood” designation expanding slightly north.

*The proposed “UMC-North Small Area Plan” calls for the expansion and implementation of the “**Downtown Neighborhood**” land use designation in two distinct areas: on the South side of E 11th Street, between S Peoria Avenue (West) and the alley between S Rockford Ave and St Louis Avenue (East); and between approximately Wheeling Avenue (West) and S Zunis Avenue (East). There is also a small pocket to be converted to “Downtown Neighborhood” from “Regional Center” between E 13th Place S and E 14th Street S, east of the alley between S St Louis Avenue and S Troost Avenue.*

These modifications to the existing Land Use Plan by changing them to a “Downtown Neighborhood” would create uniformity and help promote the vision that foresees these areas as the centerpiece of the region with the highest intensity of uses. Many uses are attracted to the centralized location of government entities, major employers, regional entertainment venues, unique restaurants, specialty stores, nightclubs, cultural entertainment, and hotels. Downtown is a unique and eclectic neighborhood offering a special variety of housing for people who prefer to live in the midst of the activity and amenities. The Downtown Neighborhood land use differs from Downtown Core as it is located outside, but tightly integrated with the Downtown Core. Downtown Neighborhoods 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 proposed UMC-North Land Use Plan on page 87 of the “UMC-North Small Area Plan” accurately reflects the long term vision of the Comprehensive Plan by preserving the “**Regional Center**” area as depicted on pg 51 – Fig. N-3.8 PLANiTULSA Land Use Designations Map, for the area south of E 11th Street S (Hwy 66), north of E 13th Place S, with the extension of a few blocks to the east and west from S Utica Avenue. In order to capitalize on the area's proximity to the Hillcrest Medical Campus, both the Broken Arrow Expressway and E 11th Street S (Hwy 66) help feed an*

existing regional center where local residents, and visitors to the area from the greater region, may utilize medical services and partake of existing and future retail, restaurant, housing, entertainment, and other amenities. There is one minor modification to “Regional Center” from “Existing Neighborhood” on the Northeast Corner of S Utica Avenue and E 13th Place S, helping to anchor the corners of the desired “Regional Center” uses for that area.

The vision is to become a “Regional Center” that provides large scale employment, retail, and civic or educational uses, ideally with family-friendly businesses, shopping, overnight accommodations, and additional amenities. This is in line with the Comprehensive Plan that also envisions this area as a “Regional Center”, anticipating destination points that encourage transit hubs and pedestrian-oriented development promoting retail, dining, and employment, along with the addition of housing options. The current development pattern in the general area supports the vision of the “UMC-North Land Use Plan” and the land use designation of a “Regional Center”.

*The plan also shows the vision of a “**Main Street**” designation along the East and West boundaries of the plan area, along S Peoria Avenue and S Lewis Avenue, serving as pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities providing an inviting atmosphere for the area. A small area north of E 13th Place S, west of S Lewis Avenue, was modified to align the “Main Street” Boundary line, changing a small area from “Existing Neighborhood” to “Main Street” and “Main Street” to “Existing Neighborhood”. This “Main Street” designation on both sides of S. Lewis Avenue and S. Peoria Avenue will 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 provide a sense of place for passers through, and encourage healthy walking-based activities for local residents. Visitors from outside the surrounding neighborhoods may travel to “Main Streets” by bike, transit, or car.*

This “Main Street” classification is a departure from the Comprehensive Plans classification and vision of a “Mixed-Use Corridor” for the same area, but still falls within the Corridor plan categories. The main difference is that “Main Streets” are the more classic linear centers comprised of residential, commercial, and entertainment uses along a transit-rich street usually two-to-four lanes wide, and includes much lower intensity residential

neighborhoods situated behind. “Main Streets” are pedestrian-oriented places.

“Mixed-Use Corridors” are the more modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. “Mixed-Use Corridors” usually have four-or-more travel lanes and sometimes additional lanes dedicated for transit and bicycle use.

Both corridors share some of the same attributes; however, the “Mixed-Use Corridor” has a higher capacity transportation component. The “Main Street” classification promotes and encourages the idea of pedestrian-oriented development through a variety of mixed-uses to serve both the community and visitors which is also a goal of the “Main Street” concept.

The vision for this area can be accomplished by creating walkable infill development along S Peoria Avenue and S Lewis Avenue by revamping current suburban-style development and its large parking lots with street-facing infill with redesigned off-street parking on the side and rear of the properties. The proposed land use classification can be supported as it encourages many of the same overarching principles as the “Mixed-Use Corridor”, but helps lower the traffic intensity and foster more of a pedestrian-friendly neighborhood. The “Mixed-Use Corridor” classification has been replaced entirely by the “Main Street” and “Downtown Neighborhood” Classifications.

*Lastly, the plan proposes the addition of the “**Park**” designation to replace a small area of “Downtown Neighborhood” designation that is found in the Comprehensive Plan. This area is located on E 12th Street S between S Rockford Avenue and the alley to the east. Additionally, it abuts a large amount of residential property that is designated “Downtown Neighborhood” to the north, south, and west of the proposed park location. To the east is the “Regional Center” designation that appears to be part of an established large Medical Campus.*

There is also a second “Park” designation proposed to replace a small area of “Regional Center” designation that is found in the Comprehensive Plan. This park is located east of S Wheeling Avenue between E 12th Street S and E 13th Street S. The park would be abutted on the north, south, and west by a “Regional Center” designation and on the east by “Existing Neighborhood”. These changes would be congruent with the existing and anticipated development pattern in the area and consistent with

providing public parks and open space for the community which is one of the goals of the Plan.

2) Land Use Plan Map - South

The proposed “Utica Midtown Corridor (UMC) South Land Use Plan” map includes several land use plan categories: “Existing Neighborhood”; “Downtown Neighborhood”; “Main Street”; “Mixed-Use Corridor”; “Town Center”; and “Regional Center”.

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.

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.

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

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.

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.

Staff Comments: *As mentioned before, 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 to 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 UMC-South Land Use Plan (Fig S-3.13. PLANiTULSA Land Use Designations) on page 179 of the “UMC-South Small Area Plan” did not incur any changes. However, on page 217 of the “UMC-South Small Area Plan”, Fig. S-5.2, “Proposed Mixed-Use Zoning Designations”, there is a draft illustration depicting the proposed implementation of Mixed-Use Zoning in the Utica Corridor basically from the north boundary of the Broken Arrow Expressway,

south to E 21st Street S with a proposed Mixed-Use buffer zone running from E 15th Street S to approximately E 17th Street S along the depicted S Utica Avenue Corridor. From E 17th Street S to E 21st Street S, a Historic Preservation buffer is proposed to help with the transition from Historic Residential Neighborhoods to large Mixed-Use Institutional campuses. The exact boundary of the proposed new zoning districts is still to be determined by further study.

3) Areas of Stability & Growth Map

The *UMC North and South Small Area* boundaries fall within the larger area of the **Tulsa Comprehensive Plan Stability & Growth Map** including “Areas of Stability” and “Areas of Growth.”

A Small Area Plan should be used in areas where significant change is expected and the development in question would be at the scale of a new neighborhood and include many landowners. Small area plans may be conducted in Areas of Stability, but the time and resources are better put to use in 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 “Utica Midtown Corridor North and South Small Area Plans” are both “Areas of Stability” and “Areas of Growth.” Both the “Areas of Stability” and “Areas of Growth” are to help guide future growth scenarios. According to the Tulsa Comprehensive Plan, the purpose of the Growth and Stability designations is to show “where the majority of growth and investment should take place and which neighborhoods should remain substantially as they are.” For instance, approximately two-thirds of the UMC-North plan area is listed as “Areas of Growth” on the PLANiTULSA Areas of Stability and Growth Map (Fig.N-3.7). The UMC-South plan area that encompasses both the commercial corridor intersections of S Utica Avenue and E 15th (Cherry) Street S, as well as a regional Medical Center, has more than half of its area designated for change and growth. The “Areas of Stability” largely fall within the boundaries of the Historic Preservation Overlay Zoning Districts in Swan Lake and Yorktown.*

The proposed UMC-North land use modifications appear to be relatively consistent with the existing land use in the area with one minor difference in the southeast corner of the boundary. The UMC-North Plan proposes to change a very small area of land from “Existing Residential Neighborhood” to “Main Street” and the area is currently listed as an “Area of Stability”, but abuts “Areas of Growth” on the east and south.

The proposed UMC-South Plan appears to recommend no changes in either Land Use or Stability and Growth and Designations from those in the Tulsa Comprehensive Plan.

4) Land Use Priorities

For this study area, the Tulsa Comprehensive Plan (PLANiTULSA) focuses on a Land Use Priority that’s intent is to:

“Maintain, stabilize and strengthen existing neighborhoods, making them places where new residents are attracted to live. “

According to the Comprehensive Plan, some of the goals for this Priority focus on the residents in established neighborhoods having access to local commercial areas, schools, libraries, parks and open space within walking distance of their homes; that infill development revitalizes and enhances these existing urban areas; and that the City’s historic resources are protected and programs promote the reuse of this important cultural resource.

The UMC-North Implementation Plan desires to establish policies that support the adaptive reuse of appropriate buildings, particularly along E 11th Street S and the “UMC-South Small Area Plan” Land Use Recommendations desire to preserve the integrity and historic residential character of historic Midtown neighborhoods; both of these priorities aligning with the Comprehensive Plan Land Use Policy Priority listed above.

PLANiTULSA also has a Priority to:

“Ensure that areas of growth benefit from high quality sustainable development.”

Within the “UMC-South Small Area Plan”, one of the Priorities is to “Encourage sustainable growth and mixed-use development in Regional Centers to create harmony between institutional and residential uses”

Staff Comments: *The “Utica Midtown Corridor North and South Small Area Plans” encourage the development of a community that strives to preserve and support the stability of the area’s residential neighborhoods on the National Historic Register of Historic Places and yet enhance existing housing diversity in the study areas by implementing the Mixed-Use Zoning category to allow new housing options targeting young professional and senior residents. In 2012, the Tulsa City Council adopted a Complete Streets Resolution that calls for the design, planning and operation of streets to “provide for a balanced, responsible, and equitable way to accommodate all uses including pedestrians, bicyclists, public transit riders, freight providers, emergency responders and motorists” The UMC-North area is an ideal location for the implementation of Complete Streets techniques due to its compact street grid, transit options, and close proximity to major employers and institutions. Implementing the Complete Streets should make it easier to get around the Utica Midtown Corridor area as well as improve connections to downtown*

Tulsa, the University of Tulsa, Cherry Street, and the Pearl District. 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.

Conclusion: After reviewing the proposed Utica Midtown Corridor Small Area Plan for conformance with the Tulsa Comprehensive Plan, TMAPC Staff finds that the recommendations contained in the proposed plan are consistent with and will further the vision of the Tulsa Comprehensive Plan.

Staff recommendation: *Staff recommends that TMAPC adopt and include the “Utica Midtown 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 “UTICA MIDTOWN 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, 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 small area planning process for the area included in the "Utica Midtown Corridor Small Area Plan" was initiated by Tulsa City Council Resolution No.7903 in April of 2012; and

WHEREAS, the planning process for the "Utica Midtown Corridor Small Area Plan" was conducted over the course of 22 months with input from over 350 citizen stakeholders and incorporated the six steps for small area plan creation outlined in the Appendix of the Tulsa Comprehensive Plan; and

WHEREAS, the "Utica Midtown Corridor Small Area Plan" includes recommendations guiding development and capital improvements for a 20 year horizon; and

WHEREAS, the recommendations included in the "Utica Midtown Corridor Small Area Plan" were vetted by key City and public agencies which will be responsible for implementing the recommendations; and

WHEREAS, a public hearing was held on November 20, 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 "Utica Midtown Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan, hereto attached.

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 "Utica Midtown Corridor Small Area Plan" as part of the Tulsa Comprehensive Plan.

Section 2. That a true and correct copy of "Utica Midtown Corridor Small Area Plan" is attached to this Resolution.

Section 3. That the Land Use Plan map on page 87 of the "Utica Midtown 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 89 of the "Utica Midtown 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 "Utica Midtown 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 20th day of November, 2013, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

Joshua Walker, Chairman
TMAPC

ATTEST:

Michael Covey, Secretary
Tulsa Metropolitan Area Planning Commission

TMAPC COMMENTS:

Mr. Walker stated that there are some lots on Victor that are in the buffer zone and there are some blurred lines there because it is an existing neighborhood and it is also a historic area. Ms. Back stated that she would have to defer to the City of Tulsa Planning Staff. Ms. Back reminded Mr. Walker that this is a long-term plan and looking twenty years down the road.

Martha Schultz, Planner III, City of Tulsa Planning Department, stated that the Plan is making plans on how things should proceed in the future, but it is not a prescription or regulatory document that applies to specific properties. Ms. Schultz indicated that a mixed-use zoning designation is following close behind this plan, which will address the lots on Victor that Mr. Walker is referring to. Mr. Walker stated that he doesn't see protection for the neighborhood on Victor and he doesn't see opportunity for commercial outlined either.

Mr. Midget asked if the new zoning designation, MX-I, will help address some of the prescriptions that will be applied with this Plan. Ms. Schultz stated that it would happen in the regulatory tool, which would be MX-I. Ms. Schultz indicated that everyone agreed that they wanted to see some buffer, protection, and some separation between these uses, institutional, regular commercial uses and residential areas. Ms. Schultz stated that the Plan never gives the regulatory piece that will be in the Zoning Code.

INTERESTED PARTIES COMMENTS:

Chuck Brayton, 1226 South St. Louis, #25, 74120, President for Forest Orchard Neighborhood Association, stated that the HOA boundaries are 11th to Broken Arrow Expressway, Peoria to Utica. Mr. Brayton stated that both Hillcrest and Parkside are within their neighborhood and area corporate partners with the HOA. Mr. Brayton indicated that the HOA and the institutions have been working on this for years. Mr. Brayton stated that he is in support of the Utica Midtown Corridor Small Area Plan.

Roy Johnsen, Williams Center Tower One, One West 3rd Street, Suite 1010, 74103, representing Parkside, stated that he would like to address page 99 of the Plan. Mr. Johnsen stated that Parkside is west of Utica and have outlined in red the subject area he is concerned about (Exhibit B-1). He explained that the outlined area in red is where Parkside has planned to build a new hospital, which is over 100,000 SF and the height will be at least five stories above grade. Mr. Johnsen stated that this proposal would be in a PUD with rezoning to reach the floor area necessary, which is OMH. Mr. Johnsen stated that the Plan is limiting buildings to four-stories in the hashed areas on Exhibit B-1 and the circles represent buildings that area allowed to have eight floors. The way this is drawn will directly impact Parkside's plans for the new hospital. Mr. Johnsen requested that the map be amended and add the circles to include the Parkside property.

TMAPC COMMENTS:

Mr. Midget asked Mr. Johnsen what the original proposed square footage and what is the new square footage proposal. Mr. Johnsen stated that the original proposal was 44,000 square feet and he now proposing a little over 100,000 square feet. Mr. Johnsen explained that there is a market and a service that is needed to be provided. Mr. Johnsen stated that the Plan states high density and intensity and this proposal is a service the community and there is a need for it.

Mr. Walker asked staff if they can support this amendment. Ms. Miller stated that she met with Mr. Johnsen about this specific amendment to the map. Ms. Miller further stated that she understands his concerns and the map is simply to show what would be in place if the MX-1 zoning were in place and show what heights that could be in place. Ms. Miller indicated that Ms. Warrick was present at the end of the meeting and this issue was discussed and she seemed to be okay with the small adjustment at face value. Ms. Miller stated that the eight-story could be allowed all the way to the Broken Arrow Expressway and Ms. Warrick felt that it would still be in keeping with all of the themes that were in the Plan. Mr. Walker asked if the map amendment could be considered today. Ms. Miller stated that it could be, this is not a land use map or a stability and growth map, and it is really a conceptual map in the Plan showing potential height limitations

that would be incorporated in zoning districts. Ms. Miller explained that this could be worked on more with the City Planning Staff and make sure that Mr. Johnsen's concerns are being addressed and not doing something at face value that we are not seeing.

Mr. Leighty stated that he doesn't understand. Ms. Miller stated that the reason it is x-out is because when the line is moved down it is no longer the perimeter property and doesn't need the height restrictions. Mr. Leighty stated that it seems that it would remove any confusion if the circles were in place rather than the "x". Ms. Miller stated that there are few optional ways to look at it.

Ms. Schultz stated that she would like to remind the Planning Commission that the outer boundary of this graphic is described in the small area plan as the growth boundary for healthcare uses over the life of this plan. It is an idea that healthcare uses would be appropriate within this boundary. The textures that are applied, height suggestions, are indicated to say that what the community said they wanted for compatibility within the neighborhood and it is a concept that would be applied specifically through the Zoning Code. That boundary is not talking about zoning or current land uses; it is talking about an area within which healthcare uses were determined to be appropriate over course of the plan life. In the public process the consultants presented the concept of growth boundary for healthcare uses and the participants and citizens agreed. The end product is a tacit agreement of participants of this process that said it was a good place for healthcare use to be allowed, but it wasn't specific to a building type.

Mr. Leighty asked Ms. Schultz if she thought it was advisable or inadvisable to grant the request to change this map without further public involvement. Mr. Leighty explained that he would like to vote on this today. Ms. Miller stated that today is the public process and this is part of that process. Ms. Miller further stated that the simplest approach to alleviate the concern is to extend the dots and stay within the original medical boundary. Ms. Miller explained that the simplest approach would be to move the dots to include the Parkside property only. Ms. Miller stated that the Planning Commission had the ability to amend things in the Plan. Mr. Leighty asked if both Ms. Miller and Ms. Schultz were comfortable amending the graphic. Ms. Schultz stated that she believes it will respect the growth area boundary that was reviewed and basically accepted by the committee.

INTERESTED PARTIES COMMENTS:

Ron Reynolds, 1625 East 43rd Place, 74105, Board member of Parkside, stated that Parkside is a long time institution that deals exclusively with mental health. It is a licensed hospital and currently there are 70 beds,

which cease to be enough. Parkside is a non-profit hospital and relies on an endowment to make up for the shortfall of the money. Mr. Reynolds stated that he is concerned with the Plan because often when one tries to get through with an application or building permit there are references to the Comprehensive Plan from staff, and rightly so, and this is an amendment or variation of the Comprehensive Plan. Mr. Reynolds stated that during the application process, staff is quick to say that this is not what the Comprehensive Plan indicates.

Jan Slater, 1712 South Troost, 74120, Swan Lake District, stated that her neighborhood association has worked on this with the City and the consultants. The proposal today well represents what the needs are for the subject area. Ms. Slater indicated that her neighborhood is in the Historic Preservation District and this plan preserves and protects that interest and she encouraged the Planning Commission to approve this plan.

Don Barnum, 1910 East 13th Street, 74104, Terrace Drive Neighborhood Association, stated that there was a meeting on September 5, 2013, which the planning group formerly presented their final draft and at that meeting our neighborhood was shocked to find that on page 10 of the draft that was handed out that evening, there was diagonal lines and dots and the dots represented eight-story structures. Mr. Barnum cited the many changes that have been made over the years through Hillcrest to protect the neighborhood. Mr. Barnum requested that at the corner of Wheeling and 13th to remain at four stories limit. Mr. Barnum commented that it is an existing building and is currently four stories counting the basement and he doesn't understand why there is an eight-story proposal. Mr. Barnum stated that between 13th Street and 13th Place, Hillcrest has a pocket-park and the neighborhood would like to see it continue to exist and not have commercial development. Mr. Barnum wanted to know if his letter had any impact at all or is the eight stories being considered, which is not what the neighborhood wanted.

Ms. Schultz stated that Mr. Barnum's comments were considered and the map was reviewed. Ms. Schultz reiterated that the purpose of the Plan is looking forward toward twenty years and is not a bulldozer plan where the Lutheran Church would be knocked down. In twenty years many things can change and when they change the plan is trying to propose how it might look when conditions change. If the plans only dealt with what is currently on the ground, then there is no need for the plan, plans are what might be in the future. Ms. Schultz stated that up to eight stories doesn't mean absolutely it will be eight stories, it means that it can go from zero to one or zero to any number no higher than eight. Ms. Schultz stated that in

terms of the park and private property, if it is private property and it is used for park land, then that is their prerogative.

Mr. Leighty stated that the small area plan concept was a huge part of PLANiTULSA. There was some resistance in the beginning due to resources to do this. Mr. Leighty stated that the hospitals need to be recognized for helping to fund something that would not have been possible if relying strictly on the City of Tulsa's planning resources. There is no way the City could have come up with a plan like this because there is a backlog. As money becomes available in the future, the City and City Council needs to look at staffing up the Planning Department to meet the needs to continue with the Comprehensive Plan. Mr. Leighty thanked St. John's Hospital, staff and committees for working on this.

Mr. Midget stated that he would like to also thank the residents that worked hard on this plan.

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 recommend **APPROVAL** of the adoption of "Utica Midtown Corridor Small Area Plan" as an amendment to the Tulsa Comprehensive Plan, subject to amending the map, Exhibit B-1, to allow eight-stories across the (west boundary) East Trenton and the (south boundary) East 13th Street, move the eight-story height to East side of Troost and over to East side of Trenton.

* * * * *

Mr. Carnes out at 2:57 p.m.

PUBLIC HEARINGS:

11. **Brookhollow Landing** – Preliminary Plat, Location: North of northwest corner of East 31st Street South and South 129th East Avenue (9417) (CD-6)

STAFF RECOMMENDATION:

This plat consists of two lots on one block, on 3.48 acres.

The following issues were discussed November 7, 2013, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned CS (Commercial Shopping). The property containing the floodplain must provide for the maintenance of the lot by its owner or a property owners association.
2. **Streets:** Establish 24-foot access and limits for Lot 2. Show five-foot wide sidewalks and access ramps. County Engineer needs to approve of right-of-way dedication.
3. **Sewer:** If the existing sanitary sewer Lot 2 is currently shown on the conceptual plan, then provide an additional five feet of sanitary sewer easement along the north edge of the existing 15-foot easement. Provide language restricting the use of the sanitary sewer easement. No service connections will be allowed on an existing 18-inch/15-inch sewer main without written consent from sanitary sewer operations and maintenance.
4. **Water:** Size of water lines need to be approved per Development Services.
5. **Storm Drainage:** Offsite stormwater from the west and south must be collected and conveyed across each lot. Place the storm system in an appropriate easement. Place the overland drainage easement for the floodplain in a reserve and assign the owners association maintenance responsibilities.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Provide fire hydrant within 600 feet of all portions of sprinkled buildings and within 400 feet of any portion of an unsprinkled building. A watershed development permit for fire hydrants may be warranted.
8. **Other: GIS:** Need email address for the surveyor. Scale needs to be shown both graphically and in text format. Need complete legal description with metes and bounds for the plat. Basis of bearing should not be "assumed" and "established from the OK State plane coordinate system". Submit subdivision data control sheet. Most of Lot 2 is in the FEMA floodway and therefore virtually undevelopable. Provide a 17.5-foot perimeter easement along the south property line or show the adjacent easements to the south. Adjacent properties are to be identified by plat name and not only by business title presently using the middle of the property, future development is restricted. The northern portion of the plat is identified as "Tulsa County". Is the property owned by Tulsa County? The shading is not identified in the legend. Remove any items from the legend that are not used. Covenant language should be edited to fit the development. An example would be removing "Public Streets" from the title of Section I since there are no public streets. Add the standard language for easement dedication, overland drainage easements, and water, sanitary

sewer and storm sewer service. Since the "Tulsa County" designation is so vague, it should be defined in the covenants. Establish an Owners Association.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.

9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

- 22. All other Subdivision Regulations shall be met prior to release of final plat.
- 23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
- 24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

Applicant indicated his agreement with the staff recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **9-0-0** (Covey, Dix, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Perkins "absent") to **APPROVE** the preliminary plat for Brookhollow Landing per staff recommendation, subject to special conditions and standard conditions.

* * * * *

Mr. Wilkerson stated that he will present Z-7243 and PUD-803 together:

- 12. **Z-7243 – Tanner Consulting, LLC**, Location: East of southeast corner of East 121st Street and South Yale Avenue, Requesting rezoning from **AG to RS-3**, (CD-8) (Related to PUD-803) (Continued from 11/6/13)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-528-A September 2012: All concurred in approval of a proposed Major Amendment to PUD, on a 43± acre tract of land to abandon PUD-528 for public park use on property located on the southwest corner of South Yale Avenue and East 121st Street.

PUD-677-A May 2006: All concurred in approval of a proposed Major amendment to a Planned Unit Development on a 9.6± acre tract of land to add nine acres of property to the original PUD, on property located west of northwest corner of South Sheridan Road and East 121st Street South and abutting the subject property to the west.

Z-6978/PUD-713 April 2005: All concurred to approve a request to rezone a 15± acre tract from AG to RS-1/ PUD for residential development, located on East 116th St., directly south of South Hudson Avenue.

PUD-677 February 2003: All concurred in approval of a Planned Unit Development on a 13± acre tract for single family development located west of northwest corner of South Sheridan Road and East 121st Street South.

PUD-527-B August 2001: All concurred in approval of a request to abandon PUD-527-A and revert back to the standards of the original PUD-527 that was approved in February 1995.

Z-6663/PUD-596 December 1999: All concurred to approve a request to rezone a 14.3± acre tract from AG to RS-2/PUD for residential development, located south and west of the Southwest corner of E 116th St. and S Hudson Ave.

Z-6696/PUD-610 June 1999: A request to rezone a 5± acre tract from AG to RS-2. Staff recommended denial for RS-2 and approval for RS-1. All concurred to approve a request to rezone from AG to RS-1/PUD for a gated residential development with a maximum of six lots, located on East 118th St. S. and E of S. Fulton Ave.

Z-6541 PUD-548 October 1996: A request to rezone fifteen acres located on the south side of East 116th Street at South Hudson, from AG and RS-1 to RS-2 with a Planned Unit Development overlay for residential development. All concurred in approval of RS-2/PUD with modifications to the private street width.

Z-6551 September 1996: All concurred in approval for a request to rezone a 40± acre tract from AG to RS-1 for residential development, located east of northeast corner of South Yale and East 121st Street South.

Z-6531 May 1996: All concurred in denial for a request to rezone a 34± acre tract from AG to RS-2, but approval for RS-1 on property located on the southwest corner of East 116th Street between South Fulton Avenue and South Granite Avenue.

Z-6454/ PUD-528 February 1995: A request for rezoning a 43.45± acre tract of land from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development, including residential and commercial uses. All concurred in approval of CS zoning on the north 467' of the east 467' and the balance zoned RS-2 and approval of the PUD, for commercial on

the northeast corner of PUD and residential on the remainder of development, on property located southwest corner of South Yale Avenue and East 121st Street.

Z-6453/ PUD-527 December 1994: All concurred in recommending approval of a request to rezone a 20± acre tract from RS-1 to CS/PUD zoning on the 467' node for commercial development with the balance of the property to remain RS-1 for single-family development, on property located on the northeast corner of East 121st Street South and South Yale Avenue.

Z-6452/ PUD-526 December 1994: All concurred in recommending approval of a request to rezone a 13± acre tract from RS-1 to CS/PUD zoning on the 467' node with the balance to remain RS-1 also within the PUD, on property located on the northwest corner of East 121st Street South and South Yale Avenue.

Z-6451 October 1994: All concurred in approval of a request to rezone a tract from AG to RS-1, located west of the northwest corner of E. 121st Street S. and S. Sheridan Road.

Z-5937/ PUD-358 May 1984: All concurred in approval of a request for rezoning a 54± acre tract to RS-1/ PUD. The applicant had originally applied for rezoning from AG to RS-3/PUD, on property located north and east of the northeast corner of East 121st Street and South Yale Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 122± acres in size and is located east of southeast corner of East 121st Street and South Yale Avenue. The property appears to be vacant and is zoned AG.

SURROUNDING AREA: The subject tract is abutted on the east by vacant AG (Agricultural) zoned property; on the north by a single-family residential neighborhood zoned RS-1 (Residential Single-Family); on the south by a mining operation zoned AG; and on the west by one single family dwelling and undeveloped AG (Agricultural) zoned property.

UTILITIES: The subject tract will be served by City of Tulsa municipal water and sewer.

TRANSPORTATION VISION:

The Comprehensive Plan designates 121st Street as a Primary Arterial. Additionally, the Major Street and Highway Plan calls for a residential collector street to run through this property and eventually connect to South Sheridan Road.

A Residential Collector is intended to strengthen neighborhood cohesion, promote alternative transportation, calm traffic and connect recreational destinations. They typically can be applied in two instances: in new residential neighborhoods or as retrofits in existing residential or downtown streets that may be wide, but do not provide sufficient parking, bicycle and pedestrian accommodations or traffic calming measures. These streets place a higher priority on landscaped medians, tree lawns, sidewalks, on-street parking, and bicycle lanes than the number of travel lanes. Residential streets consist of two to four travel lanes, but place a much higher priority on pedestrian and bicycle friendliness than on auto mobility.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 121 st Street	Primary Arterial	120'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

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

STAFF RECOMMENDATION FOR ZONING:

This project is consistent with surrounding development patterns and is in harmony with the character/design of residential neighborhoods in the immediate area.

Staff recommends **Approval** of the **Z-7243** from AG to RS-3 finding that it is in accord with the spirit and intent of the Tulsa Comprehensive Plans vision for the area as a New Neighborhood and an Area of Growth.

Related Item:

13. **PUD-803 – Tanner Consulting, LLC**, Location: East of southeast corner of East 1 21st Street and South Yale Avenue, Requesting a PUD for a three-phase, master-planned residential community with 320 lots, **AG to RS-3/PUD**, (CD-8) (Related to Z-7243) (Continued from 11/6/13)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-528-A September 2012: All concurred in approval of a proposed Major Amendment to PUD, on a 43± acre tract of land to abandon PUD-528 for public park use on property located on the southwest corner of South Yale Avenue and East 121st Street.

PUD-677-A May 2006: All concurred in approval of a proposed Major amendment to a Planned Unit Development on a 9.6± acre tract of land to add nine acres of property to the original PUD, on property located west of northwest corner of South Sheridan Road and East 121st Street South and abutting the subject property to the west.

Z-6978/PUD-713 April 2005: All concurred to approve a request to rezone a 15± acre tract from AG to RS-1/ PUD for residential development, located on East 116th St., directly south of South Hudson Avenue.

PUD-677 February 2003: All concurred in approval of a Planned Unit Development on a 13± acre tract for single family development located west of northwest corner of South Sheridan Road and East 121st Street South.

PUD-527-B August 2001: All concurred in approval of a request to abandon PUD-527-A and revert back to the standards of the original PUD-527 that was approved in February 1995.

Z-6663/PUD-596 December 1999: All concurred to approve a request to rezone a 14.3± acre tract from AG to RS-2/PUD for residential development, located south and west of the Southwest corner of E 116th St. and S Hudson Ave.

Z-6696/PUD-610 June 1999: A request to rezone a 5± acre tract from AG to RS-2. Staff recommended denial for RS-2 and approval for RS-1. All concurred to approve a request to rezone from AG to RS-1/PUD for a

gated residential development with a maximum of six lots, located on East 118th St. S. and E of S. Fulton Ave.

Z-6541 PUD-548 October 1996: A request to rezone fifteen acres located on the south side of East 116th Street at South Hudson, from AG and RS-1 to RS-2 with a Planned Unit Development overlay for residential development. All concurred in approval of RS-2/PUD with modifications to the private street width.

Z-6551 September 1996: All concurred in approval for a request to rezone a 40± acre tract from AG to RS-1 for residential development, located east of northeast corner of South Yale and East 121st Street South.

Z-6531 May 1996: All concurred in denial for a request to rezone a 34± acre tract from AG to RS-2, but approval for RS-1 on property located on the southwest corner of East 116th Street between South Fulton Avenue and South Granite Avenue.

Z-6454/ PUD-528 February 1995: A request for rezoning a 43.45± acre tract of land from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development, including residential and commercial uses. All concurred in approval of CS zoning on the north 467' of the east 467' and the balance zoned RS-2 and approval of the PUD, for commercial on the northeast corner of PUD and residential on the remainder of development, on property located southwest corner of South Yale Avenue and East 121st Street.

Z-6453/ PUD-527 December 1994: All concurred in recommending approval of a request to rezone a 20± acre tract from RS-1 to CS/PUD zoning on the 467' node for commercial development with the balance of the property to remain RS-1 for single-family development, on property located on the northeast corner of East 121st Street South and South Yale Avenue.

Z-6452/ PUD-526 December 1994: All concurred in recommending approval of a request to rezone a 13± acre tract from RS-1 to CS/PUD zoning on the 467' node with the balance to remain RS-1 also within the PUD, on property located on the northwest corner of East 121st Street South and South Yale Avenue.

Z-6451 October 1994: All concurred in approval of a request to rezone a tract from AG to RS-1, located west of the northwest corner of E. 121st Street S. and S. Sheridan Road.

Z-5937/ PUD-358 May 1984: All concurred in approval of a request for rezoning a 54± acre tract to RS-1/ PUD. The applicant had originally applied for rezoning from AG to RS-3/PUD, on property located north and east of the northeast corner of East 121st Street and South Yale Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 122± acres in size and is located east of southeast corner of East 121st Street and South Yale Avenue. The property appears to be vacant and is zoned AG.

SURROUNDING AREA: The subject tract is abutted on the east by vacant AG (Agricultural) zoned property; on the north by a single-family residential neighborhood zoned RS-1 (Residential Single-Family); on the south by a mining operation zoned AG; and on the west by one single family dwelling and undeveloped AG (Agricultural) zoned property.

UTILITIES: The subject tract will be served by City of Tulsa municipal water and sewer.

TRANSPORTATION VISION:

The Comprehensive Plan designates 121st Street as a Primary Arterial. Additionally, the Major Street and Highway Plan calls for a residential collector street to run through this property and eventually connect to South Sheridan Road.

A Residential Collector is intended to strengthen neighborhood cohesion, promote alternative transportation, calm traffic and connect recreational destinations. They typically can be applied in two instances: in new residential neighborhoods or as retrofits in existing residential or downtown streets that may be wide, but do not provide sufficient parking, bicycle and pedestrian accommodations or traffic calming measures. These streets place a higher priority on landscaped medians, tree lawns, sidewalks, on-street parking, and bicycle lanes than the number of travel lanes. Residential streets consist of two to four travel lanes, but place a much higher priority on pedestrian and bicycle friendliness than on auto mobility.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 121 st Street	Primary Arterial	120'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also,

several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

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

Applicants Development Concept

The Estates at the River is a three-phase, master-planned residential community located in a rapidly growing area of South Tulsa. This prestigious new development is approximately 121 acres in size and located East of the SE/c of 121st Street & South Yale Avenue. The Estates at the River has the advantage of Arkansas River frontage, as well as close proximity to the newly planned Bixby School. This master plan proposes a maximum of 320 lots, with primary access being from a new residential collector street which will be located along the east boundary. Anticipated lot sizes are 70 feet in width, with a lot area over 8,500 square feet. To enhance the development, a six (6) foot tall masonry wall will be constructed (with a maximum column height of 8') along the 121st Street frontage.

The property is currently zoned AG (Agricultural) and a companion rezoning application for RS-3 will accompany this PUD application. The requested RS-3 zoning is similar to other developments in the area. The site is currently vacant, but shall continue the established aesthetic of other surrounding, successful residential developments. A large detention facility will be constructed on the south end of the project which will also be used for passive recreational uses. Dirt from these ponds will be used to raise areas planned for residential lots.

The 'Tulsa Regional Trail System' proposes a "Planned Multi-Use Trail" through the southwest corner of the subject tract. During the platting process, provisions will be made to incorporate and link the proposed trail with the recreational amenity of the subdivision. Public access will be permitted on the "Multi-Use Trail" in the subdivision plat. The Estates at the River is in accordance with the assigned PLANiTULSA designation "New Neighborhood". The subdivision will be designed to meet high standards of internal and external connectivity, as outlined by the PLANiTULSA text. Streets within the residential development and the

proposed collector street may either be gated or un-gated based on market needs.

PUD 803 Development Standards:

Gross Land Area: 5,285,092 SF 121.329 Acres

Net Land Area: 5,206,045 SF 119.514 Acres

Permitted Uses:

Uses permitted as a matter of right in RS-3, zoning district in the City of Tulsa Zoning Code, including landscaped features, secured entrances and recreational facilities and uses customarily accessory to permitted uses.

Maximum Number of Lots: 320

Minimum Lot Width: 65 Feet

Minimum Lot Size: 7,500 SF

Minimum Livability Space Required (per lot): 4,000 SF

Minimum Building Setbacks:

Front Yard	25 Feet
Rear Yard	20 Feet
Side Yard	5 Feet
Side Yard abutting a public street	15 Feet
Maximum Building Height:	40 Feet*

**Architectural features may extend a maximum of five (5) feet above the maximum permitted building height.*

Maximum Front Yard Coverage by Parking Area: 40%

Off Street Parking:

Minimum two (2) enclosed off-street parking spaces per dwelling unit.

Signs:

One (1) along the 121st frontage, and three (3) along the proposed collector street frontage, not to exceed 32 square feet each in size and six (6) feet in height each.

At each reserve area along the west boundary a maximum 24 square foot monument sign constructed of a durable material identifying the reserves as future street extensions. The signs will be a maximum of 6' tall.

Screening:

A six (6) foot tall masonry wall will be constructed (with a maximum column height of 8') along the 121st Street frontage. Additionally, a solid screening fence will be provided along the collector street adjacent to residential properties not exceeding (6) feet in height (with a maximum column height of 8').

Access and Circulation

The Estates at the River will contain a public collector street for access to East 121st Street South. Streets providing access and circulation off the collector street into each phase may be either public or private and gated based on market needs at the time of platting.

Pedestrian (walking and bicycle) circulation will be developed within the development and outside in order to take advantage of nearby amenities such schools, the River Parks trail system, proposed park at the southwest corner of South Yale and 121st and the existing Fry Ditch walking trail.

In accordance with the City of Tulsa Subdivision Regulations, a sidewalk will be constructed along the property frontage of East 121st Street South, the proposed collector street as well as all internal streets. Should the project utilize private streets with gated entries, a pedestrian access gate will be incorporated into the wall/entry in order to allow residents to access all sidewalks.

As the project is currently contemplated, and shall be further refined during the platting process, the abutting property to the east shall be allowed vehicular and pedestrian access to the proposed collector street. Access points shall be identified to the collector for the abutting east property at the time it is platted. The current ownership of the abutting property to the west is held by the Muscogee (Creek) Nation. It is anticipated that the property is being considered as 'sovereign' and should such property status occur the property would not be subject to local zoning regulations. If the property has not received 'sovereign' status by the time each Phase II and Phase III develops, one stub street/reserve shall be incorporated into the plat for the abutting property to the west. If the stub street is not utilized within five (5) years after the plat is filed of record, the lot may be used for residential purposes.

Technical Advisory Committee Requirements:

1. Common livability space shall be designed and located so as to be accessible to the dwelling units it is intended to serve. Provisions for the ownership and maintenance of common livability space as will insure its continuity and conservation shall be incorporated in

the subdivision plat, in compliance with the provisions of Subsection 1107.F.

2. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
3. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain any/all private streets and common areas, including any stormwater detention areas, security gates, guard houses or other commonly owned structures within the PUD.
4. Any private roadways shall have a minimum right-of-way and be a minimum width for two-way roads and for one-way loop roads, measured face-to-face of curb complying with the requirements of the City of Tulsa. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street.
5. If private streets are constructed the City shall inspect and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
6. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
7. Any entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Tulsa Public Works and Tulsa Fire Departments prior to issuance of a building permit for the gates or guard houses.
8. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
9. To meet the high level of connectivity outlined in the City of Tulsa Comprehensive Plan for street systems and sidewalks careful design considerations should be considered to ensure that new communities are connected and easily travelled by foot and bicycle,

as well as car. Construction of connected neighborhood streets will expand transportation choices by making walking and biking easier, while lowering travel demands on major arterials.

10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
11. A minimum of two reserve areas will be required for future stub street connections to the west of the project. Those reserve areas will be held for a minimum of 5 years. Signs will be placed on each reserve site identifying those areas as future stub street connections.

Environmental Analysis and Topography

The subject tract gently slopes from the northeast to the southwest direction and towards the abutting Arkansas River and is in an area that has historic flooding concerns. This relatively flat, vacant site is well suited for an RS-3 development of medium density lot sizes. The USDA soils report indicates that the tract is composed of 81% "Choska very fine" and 14% "Latanier clay" soils. The balance of the soil types includes Kiamitia loamy fine and Wynona silty clay type soils. A geotechnical (soils report) will be prepared prior to construction and used in the design of streets and infrastructure. The ponds and large green spaces are being constructed to provide enough dirt on site to raise the home sites above historic flood concerns.

PUD STAFF RECOMMENDATION:

The single-family residential use is consistent with the New Neighborhood vision and area of Area of Growth as outlined in the Comprehensive Plan.

The PUD provides and preserves meaningful open space and is in harmony with spirit and intent the PUD Chapter of the Tulsa Zoning Code except that the street pattern does not provide compatibility with adjoining and proximate properties.

The concept illustrated in the PUD is not consistent with the connectivity concept in the Tulsa Comprehensive Plan. Staff can support the PUD for private streets but internal connectivity will be a significant additional consideration of the plat approval process.

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

Staff recommends **APPROVAL** of **PUD-803** as outlined in the Development Standards defined above.

Mr. Wilkerson stated that the proposed alignment for the bridge is not exact, but it provides some notification to the future property owners. Mr. Wilkerson indicated that there are very few revisions to the PUD from the first submission on November 6, 2013. Mr. Wilkerson stated that it is unknown where the street would be for the Yale Bridge, but it can't be ignored in this development. The study for the bridge should be done before Phase II and Phase III of the subject development is started.

TMAPC COMMENTS:

Mr. Covey stated that it appears that Phase I couldn't go in looking at the proposed location of the bridge. Mr. Wilkerson stated that this was a major point in all of the conversations. No one really felt strong enough that the alignment was an accurate representation of how the bridge would be built. Since the functional plans haven't been developed, they felt that this was a good compromise. Mr. Covey asked if the proposed roadway will actually be more horizontal and then figure some way to turn back. Mr. Wilkerson answered affirmatively.

Mr. Covey questioned Mr. Wilkerson about the subject area being labeled "New Neighborhood" and how is that balanced with this potential commercial zoning. Mr. Wilkerson stated that he knows that The Creek Nation has a proposal for a significant commercial development in the subject area. If that happens then there might be an opportunity to expand some commercial activity in this general area. Staff is not suggesting to make any changes to the Comprehensive Plan, but at least make the mention that there may be the possibility if the bridge is built and if the Creek Nation develops commercially.

Mr. Wilkerson reiterated that the bridge is not funded and there are no definite plans drawn up to finalize it.

Applicant's Comments:

Ricky Jones, Tanner Consulting, 5323 South Lewis Avenue, 74105, stated that he had a meeting with representatives with both the City of Tulsa and the City of Bixby. Mr. Jones reminded the Planning Commission that none of this is on the Major Street and Highway Plan or the Comprehensive Plan, which makes this working on a hypothetical conceptual plan. Mr. Jones stated that he believes it to be the latest plan that is available and it is important to put people on notice that there may be a road going through the development or there may never be a road. People are put on notice that this may happen in the future. Mr. Jones explained that he was asked to show a conceptual alignment. Mr. Jones further explained that his developers are ready to start construction immediately and he was advised that they could put the conceptual alignment anywhere where it would make sense. Mr. Jones stated that he

modified the plan to put the alignment below Phase I and that would let his developer start and finish Phase I and by then, if there is more information; the street can be better aligned with Phase II. Mr. Jones stated that if there still isn't any information available during Phase II, then when the property is platted there will be provisions made at that time.

Mr. Jones stated that when it became known that there could be a primary arterial through the subject development, he asked the question if there would be potential for commercial along the arterial frontage. Mr. Jones commented that there wasn't a definite yes or no regarding commercial uses, but again it would be putting people on notice that there may be commercial associated with the primary arterial on either side of the street.

Mr. Jones stated that at the last meeting the Planning Commission asked him to find out about minimizing flooding. Mr. Jones explained that he talked with the Chief of Water Management, and advised him of the subdivision. He was told that what is different today is that there is better technology to manage the water level in Keystone Lake, but it could happen again. Mr. Jones stated that the second question from the Planning Commission was what elevation the subject property would be raised. Mr. Jones further stated that the elevations have been identified in this proposal. Mr. Jones indicated that he is in agreement staff recommendation and requested that it be approved.

TMAPC COMMENTS:

Mr. Leighty asked who would build the road. Mr. Jones stated that he has no idea and can't speak to that.

INTERESTED PARTIES COMMENTS:

Councilor Lakin, stated that he has heard this referenced as the "Yale Bridge" and it will not be a Yale bridge. Councilor Lakin indicated that he is against any alignment going up Yale. There have been many proposals for a bridge plan the latest one could involve Cousin's Park and the subject development. Councilor Lakin stated that he has no idea if a bridge will ever materialize. The Turnpike Authority has stated that it will do a feasibility study and this has to be done first. The City of Tulsa has no money to put any of the roads that were indicated on the map. Councilor Lakin stated that he wanted citizens to be on notice that there could potentially be a bridge in the subject area and he feels that this has been accomplished.

TMAPC COMMENTS:

Mr. Liotta stated that because this affects so many people, potential bridge and alignment as described, he wanted to thank Ricky Jones and his client for being so willing to delay this and have that conversation.

Mr. Leighty stated that everyone would benefit from a south Tulsa bridge. No matter where it goes there will be someone unhappy about it, but he hopes that the various municipalities can get together and come up with a realistic plan so that people can know what to expect.

TMAPC Action; 9 members present:

On **MOTION** of **COVEY**, TMAPC voted **9-0-0** (Covey, Dix, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Perkins "absent") to recommend **APPROVAL** of RS-3 for Z-7243 per staff recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **COVEY**, TMAPC voted **9-0-0** (Covey, Dix, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Perkins "absent") to recommend **APPROVAL** of PUD-803 per staff recommendation.

Legal Description for Z-7243/PUD-803:

A TRACT OF LAND THAT INCLUDES GOVERNMENT LOT 3, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4), AND GOVERNMENT LOT 6 OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 3; THENCE SOUTH 00°57'49" EAST AND ALONG AND THROUGH THE EAST LINE OF LOT 3, FOR A DISTANCE OF 4,007.24 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 6; THENCE SOUTH 88°52'18" WEST AND ALONG THE SOUTH LINE OF SAID LOT 6, FOR A DISTANCE OF 1,320.02 FEET TO THE SOUTHWEST CORNER OF LOT 6; THENCE NORTH 0°55'36" WEST AND ALONG AND THROUGH THE WEST LINE OF LOT 6, FOR A DISTANCE OF 4,008.25 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE NORTH 88°54'54" EAST AND ALONG THE NORTH LINE OF LOT 3, FOR A DISTANCE OF 1,317.43 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 5,285,092 SQUARE FEET OR 121.329 ACRES

* * * * *

Mr. Midget out at 3:26 p.m.

14. **Z-7245 – New Paul, LLC**, Location: East of southeast corner of East Admiral Place and South 145th East Avenue, Requesting rezoning from **RMH/CG to IL**, (CD-6)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7027 March 2006: All concurred in approval of a request for rezoning a 10± acre tract of land from RS-3 to IL for industrial uses, on property located east of the southeast corner of East Admiral Place and South 145th East Avenue.

Z-6939 April 2004: All concurred in the approval of a request to rezone a 6± acre tract from RS-3 to IL for horse and cargo trailer sales and service located east of the northeast corner of East Admiral Place and South 145th East Avenue.

Z-6875/PUD-679 June 2003: All concurred in approval of a request for rezoning a 15± acre tract of land from AG/SR/CS/IL to IL/PUD for Auto Auction and storage, located on the southwest corner of East Admiral Place and South 161st East Avenue.

Z-6823 July 2001: All concurred in approval of a request to rezone a 2.04± acre tract from RS-3 to IL for the continuation of a parking and storage area for an automobile auction, on property located on the north side of East Admiral Place and west of South 161st East Avenue.

Z-6587/PUD-560 May, 1997: All concurred in approval of a request for rezoning a 12.5± acre tract of land from AG to IL/PUD-560 to allow four development areas, three for light industrial development and one for a reserve area for a 100' stormwater drainage way in Development Area 4 and buffer for properties located to the west and including, on the west side of the tract, located west of the southwest corner of East Admiral Place and South 161st East Avenue.

Z-6585/PUD-556 February 1997: A request to rezone a 4.5± acre tract from SR to CS or IL, for a storage facility with repair and maintenance for recreational vehicles, mobile homes, boats, etc., on property located on the south side of Admiral Place and west of 161st East Avenue. Approval was granted for IL zoning to a depth of 350' fronting East Admiral Place with the balance of the tract to remain as SR zoning.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 20± acres in size and is located east of southeast corner of East Admiral Place and South 145th East Avenue. The property appears to be vacant and is zoned RMH/ CG. The northeast corner of the site is covered with a pond and the site generally drains toward that corner of the site. The property has significant elevation change of approximately 20 feet sloping from south to north however it is not expected to create significant development challenges for the proposed use.

SURROUNDING AREA: The subject tract is abutted on the east by vacant property, zoned PUD-560 with an underlying zoning of CG and AG and straight IL; on the north by East Admiral Place, further north across admiral the property is zoned IL; on the south by vacant property zoned AG; and on the west by vacant property zoned CG and IL.

UTILITIES: The subject tract does have municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan designates East Admiral Place as a secondary arterial. There is no multimodal component to that designation.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Admiral Place	Secondary Arterial	100 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The property is included in an **Employment** and **New Neighborhood** Land Use classification.

The north half of the site is located in the **Employment** area which will contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

The south half of the site is included in the **New Neighborhood** area which is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

Staff Comment: The proposed IL zoning is consistent with the Employment concept however it may not be consistent with the New Neighborhood designation. In this instance a single user is requesting a large IL zoning tract on the boundary of the two uses. The property is already zoned CG and RMH which would also be consistent with the Comprehensive Plan. In this instance staff supports the rezoning request and recommends that the Comprehensive Plan be amended to reflect the user request at this location. There are no existing residential neighbors south or west that will be adversely affected by this IL designation.

The entire property is included in an **Area of Growth**.

The Comprehensive Plan has identified **Areas of Growth** to provide direction for appropriate allocation of public resources and channel public and private growth opportunities to areas 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 Comment: This request will continue an effective use of existing infrastructure and encourage economic activity in the area. This IL zoning and associated business will continue to encourage residential development to support this employment area and will not have an adverse impact on expected future residential development south and west of this site.

STAFF RECOMMENDATION:

The rezoning request is consistent with the surrounding development pattern and is in harmony with the character and design of the light industrial uses in the immediate area.

The rezoning request is consistent with the vision of the Comprehensive Plan on the north ½ of the site. However, if approved, the south half of the site should be changed to the Employment designation in the Comprehensive Plan in the next round of housekeeping amendments.

Staff recommends **Approval** of **Z-7245** for rezoning from CG and RMH to IL

Applicant's Comments:

Roy Johnsen, Williams Center Tower One, One West 3rd Street, Suite 1010, 74103, stated that he is in agreement with staff's recommendation. Mr. Johnsen stated that this company is well established, family-owned, and they are bringing substantial jobs to Tulsa.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **8-0-0** (Covey, Dix, Edwards, Leighty, Liotta, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Perkins "absent") to recommend **APPROVAL** of the IL zoning for Z-7245 per staff recommendation.

Legal Description for Z-7245:

E/2 of Lot 6 and the NE/4 of the SE/4 of the NW/4 of Section 3, T-19-N, R-14-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof.

* * * * *

15. **CZ-429 – Crafton Tull/Jason Mohler**, Location: Northwest corner of East 86th Street & North Sheridan Road, Requesting rezoning from **AG to RE**, (County)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

RELEVANT ZONING HISTORY:

CZ-423 April 2013: All concurred in approval of a request for rezoning a 160± acre tract of land from AG to RE for residential development, on property located northeast corner of East 86th Street North and North Sheridan Road.

CZ-347 September 2004: All concurred in approval of a request for rezoning a 160± acre tract of land from AG to RE for residential development, on property located on the southeast corner of East 86th Street North and North Sheridan Road and abutting south of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 100± acres in size and is located northwest corner of East 86th Street and North Sheridan Road. The property appears to be vacant and is zoned AG. The site is divided by a FEMA Zone AE flood plain covering approximately 30 acres. At this time there is no immediate plan to modify the flood plain.

SURROUNDING AREA: The subject tract is abutted on the east by North Sheridan Road, further east across Sheridan vacant property is zoned AG/RE; on the north by vacant property, zoned AG; on the south by East 86th Street North, further south across 86th street property is vacant and zoned AG; and on the west by a single family residence, zoned AG.

UTILITIES: The subject tract is served by Washington Rural Water District #4. Sanitary sewer is not available however each lot will provide individual septic systems meeting Oklahoma Department of Environmental Quality standards.

TRANSPORTATION VISION:

This site is outside the comprehensive plan for the City of Tulsa therefore there is no transportation vision outlined by the comprehensive plan that affects this site.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Sheridan Road	Secondary Arterial	100 feet	2
East 86 th Street North	Primary Arterial	120 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN (The North Tulsa County Comprehensive Plan 1980-2000):

This site is entirely in Tulsa County and outside of any city fence line. The only comprehensive plan developed for this area is The North Tulsa County Comprehensive Plan 1980-2000. The plan, at that time, illustrated the area primarily as a residential area except for a small commercial corner that may have been possible at the southeast corner of this project area. The comprehensive plan graphic shows an area that was development sensitive because of drainage issues.

Staff Comment: The North Tulsa County Comprehensive Plan 1980-2000 has continued to be a successful plan vision for this area. The requested RE zoning is consistent with a large lot subdivision pattern that will be the standard for single family standard development until a municipal sanitary sewer system is installed. A municipal system will allow a greater density but is not expected for this area in the foreseeable future.

STAFF RECOMMENDATION:

The site is consistent with the residential vision identified in the North Tulsa County Comprehensive plan 1980-2000.

The request is consistent with the expected development pattern in this area.

This single family residential zoning request will continue to take advantage of the street and waterline infrastructure that has been in place for years.

Therefore staff recommends Approval for CZ-429 to rezone the site from AG to RE.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **8-0-0** (Covey, Dix, Edwards, Leighty, Liotta, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Perkins "absent") to recommend **APPROVAL** of the RE zoning for CZ-429 per staff recommendation.

Legal Description for CZ-429:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE/4 SE/4) AND THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (E/2 SW/4 SE/4) AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

* * * * *

16. Adopt Resolution setting forth amendments to The 6th Street Infill Plan which were adopted by TMAPC on November 6, 2013

STAFF RECOMMENDATION:

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, PURSUANT TO TITLE 19 OKLAHOMA STATUTES, SECTION 863.7; AMENDING THE TULSA COMPREHENSIVE PLAN BY ADOPTING AMENDMENTS TO THE 6TH STREET INFILL PLAN.

WHEREAS, the Tulsa Metropolitan Area 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 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 did, by Resolution on 2nd of November, 2005, adopt The 6th Street Infill Plan as part of the District Four Plan Map and Text, both parts of the Comprehensive Plan of the Tulsa Metropolitan Area. The Plan was subsequently approved by the Tulsa City Council on the 5th of January, 2006.

WHEREAS, the Tulsa Metropolitan Area Planning Commission 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, The Sixth Street Infill Plan was recognized in the Tulsa Comprehensive Plan as an existing neighborhood plan that should continue to serve the role of guiding development decisions in the area; and

WHEREAS, a public hearing was held on November 6, 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 amendments to The Sixth Street Infill Plan, as hereafter described.

CPA-19: Amend boundaries of the Plan area and subareas on The 6th Street Infill Plan land use map; and

CPA-20: Reconcile titles and boundaries of subareas to conform to The 6th Street Infill Plan land use map; and

CPA-21: Amend text in The 6th Street Infill Plan regarding street closures, parking, housing and subarea descriptions.

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

Section 1. That The Sixth Street Infill Plan, part of 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.

Section 2. That a true and correct copy of the amendments are attached to this Resolution.

Section 3. 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 4. 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 deemed approved with the status of an official plan and immediately have full force and effect.

ADOPTED on this 6th day of November, 2013, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

Joshua Walker, Chairman
TMAPC

ATTEST:

Michael Covey, Secretary
Tulsa Metropolitan Area Planning Commission

TMAPC COMMENTS:

Mr. Leighty stated that he is opposed to this and hopes that the City Council turns this back. The Planning Commission didn't listen to the Planners and only listened to the applicant and it will have a long-term affect that will be detrimental to the vision of The 6th Street Infill Plan. There were considerations made that should have been made on a more long-term basis.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-1-0** (Covey, Dix, Edwards, Liotta, Shivel, Stirling, Walker "aye"; Leighty "nays"; none "abstaining"; Carnes, Midget, Perkins "absent") to recommend **APPROVAL** of the resolution setting forth amendments to The 6th Street Infill Plan which were adopted by TMAPC on November 6, 2013.

* * * * *

OTHER BUSINESS

17. Commissioners' Comments: None.

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TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **8-0-0** (Covey, Dix, Edwards, Leighty, Liotta, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget, Perkins "absent") to **ADJOURN** TMAPC meeting No. 2662.

* * * * *

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 3:34 p.m.

Date Approved:

12-17-13

John A. Wolf

Chairman

ATTEST:

[Signature]
Secretary